

STROUD DISTRICT COUNCIL

ENVIRONMENT COMMITTEE

THURSDAY, 14 SEPTEMBER 2023

Report Title	Randwick Conservation Area Statement - Draft for consultation
Purpose of Report	To seek the Committee's approval to commence public consultation on Randwick's draft Conservation Area Statement (CAS).
Decision(s)	The Committee RESOLVES to: a. approve the publication of Randwick's draft Conservation Area Statement (CAS) for the purposes of public consultation b. agree the general approach outlined in the report in order to progress the CAS to the status of Supplementary Planning Advice (SPA).
Consultation and Feedback	<p>Randwick and Westrip Parish Council commissioned consultants to carry out a conservation area review and to produce a draft Conservation Area Statement (CAS) on the community's behalf.</p> <ul style="list-style-type: none">• In February 2021 Planning Strategy officers provided the parish council with some initial guidance about the scope and form of a CAS, the legislative background and the procedural / constitutional steps required in order to get a CAS adopted as supplementary planning advice.• In February 2022 the Parish / consultants carried out community consultation as part of the conservation area review (consultation findings and a copy of the questionnaire are appended to this report).• Planning Strategy, Development Management and Conservation Officers have not had further practical involvement with the review and drafting since initial engagement in 2021. Specialist officers are yet to provide feedback on the draft CAS, but will do so as part of the general public consultation (for which this report seeks authority). <p>The draft CAS is to be discussed by Strategic Planning Advisory Board on 6th September 2023.</p>
Report Author	Natalie Whalley, Senior Planning Strategy Officer Email: natalie.whalley@stroud.gov.uk
Options	<p>Option 1: to do nothing and/or to postpone progression of a CAS for Randwick until it can be included in a full programme of district-wide conservation area review. This is not recommended as it would fail to make the most of an immediately available opportunity to discharge the Council's statutory duties under Section 69 and 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>Option 2: to approve the draft document for public consultation and to agree the approach proposed in this report, in order to progress</p>

	<p>towards adopting a Randwick CAS as Supplementary Planning Advice (SPA). This is recommended as an effective and proportionate use of resources, to fulfil the Council’s statutory duties.</p> <p>Option 3: to approve the draft document for public consultation and direct officers to take steps to progress towards adopting a Randwick CAS as a Supplementary Planning Document (SPD) instead. This is not recommended. It is considered that SPD status is not necessary in order for a CAS to be effective as a material consideration in support of development plan policies.</p>			
Background Papers	A Heritage Strategy for Stroud District (Supplementary Planning advice, February 2018)			
Appendices	<p>Appendix A – Randwick DRAFT Conservation Area Appraisal and Management Plan 2022</p> <p>Appendix B – Randwick Conservation Area Review 2022 – The Consultation Process</p>			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	No	Yes	Yes	No

1. INTRODUCTION / BACKGROUND

- 1.1 There are currently 41 conservation areas in Stroud District, designated between 1971 and 1993 (there have been no new designations in 30 years – although there have been several extensions and amendments to existing conservation areas). To date, 15 conservation areas have been subject to review resulting in the adoption of a conservation area statement (CAS). These CAS have the status of either Supplementary Planning Guidance (SPG) or Supplementary Planning Advice (SPA), depending on when they were adopted (the older ones tend to be SPG), and they are a material consideration when applying local plan policies. The Council has not carried out any appraisals in-house since 2008. The most recently adopted CAS (Kingswood, 2014) was compiled by the local community in liaison with SDC planning strategy and conservation officers, to support their Parish Design Statement.
- 1.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 (“The Act”) is the primary legislation, which gives local planning authorities powers to designate and manage conservation areas. The Act places a statutory duty upon local planning authorities to review their areas “from time to time” in order to “determine whether any parts or any further parts of their area should be designated as conservation areas” (Section 69). In effect, this means that the Council should periodically carry out an appraisal of the character and special architectural or historic significance of existing conservation areas, and to consider whether any boundary changes (additions or deletions) may be appropriate.
- 1.3 Additionally, Section 71 of The Act concerns “management proposals”, placing a duty upon the local planning authority (“from time to time”) to formulate and publish specific proposals for the preservation and enhancement of their conservation areas. Section 71 also requires such proposals to be considered at a “public meeting” in the area to which they relate and for the local planning authority to “have regard to any views concerning the proposals expressed by persons attending the meeting”.

- 1.4 The Council's Heritage Strategy (Appendix C. Adopted as SPA, 2018) seeks to set informed priorities for the conservation, management and monitoring of the District's heritage assets, including the effective and efficient discharge of the Council's statutory duties and obligations, as well as the allocation of resources.
- 1.5 Establishing a programme of conservation area appraisal and monitoring is one of the Strategy's priorities. While resources for resuming a programme of in-house appraisal are limited, the Strategy (p29) encourages community involvement and recognises the potential for community-led conservation area reviews.
- 1.6 **Randwick conservation area appraisal**
- 1.7 The Randwick conservation area was designated in June 1990. The area has not previously been subject to a review and no boundary amendments have been made since the original designation.
- 1.8 Randwick and Westrip Parish Council commissioned consultants to carry out a conservation area review during 2022 and to produce a draft Conservation Area Statement (CAS) on the community's behalf. The resulting draft Conservation Area Statement comprises both an 'Appraisal' and a 'Management Plan' (Appendix A), which broadly accords with the structure of the Council's existing adopted CAS documents.
- 1.9 The Council's Planning Strategy and Conservation teams have not been involved in the drafting of this document and are not presently offering members a view about its specific content or detail. However, it is clear that the conservation area review has been rigorously and professionally conducted and it has involved appropriate community engagement up to this point. In broad terms, officers consider the draft Conservation Area Statement is fit for public consultation. Specialist officers will be consulted along with other key stakeholders, as part of this proposed consultation, and may recommend necessary amendments to the draft and/or specific management proposals.
- 1.10 **Consultation and next steps**
- 1.11 Randwick and Westrip Parish Council has already undertaken some public consultation as part of the review process, to identify issues and pressures affecting the area.
- 1.12 Should Environment Committee approve this draft for consultation, 4-6 weeks' public consultation will be scheduled. This will include publishing the document online (SDC website); placing printed copies on deposit at suitable locations in accordance with the Council's Statement of Community Involvement (SCI); holding a public meeting or exhibition within the area – to meet the requirements under Section 71 of The Act.
- 1.13 SDC planning strategy officers will gather consultation responses and, following the consultation period, officers will collate responses into a report and identify any necessary changes to the draft document. Any necessary amendments to the document could be done by SDC officers or by the Parish Council's consultants.
- 1.14 A final draft document must be returned to Environment Committee, with a recommendation to adopt as Supplementary Planning Advice. Once adopted, the document would be published on the SDC website, alongside other adopted conservation area statements, and it would become a material consideration for planning purposes.
- 1.15 The consultation period will be commenced as soon as reasonably practicable after Environment Committee's approval. The exact timescale for next steps will be determined by available officer resource in the near future, given current uncertainty about the programme and likely workload associated with the ongoing Local Plan Examination.

1.16 Statement of Community Involvement (SCI): requirements relating to Supplementary Planning Documents (SPD) and Supplementary Planning Advice (SPA)

- 1.17 The SCI sets out the District Council's strategy for community involvement in the planning process. It sets out a commitment to consult for a minimum of 6 weeks for all Local Plan or SPD (Supplementary Planning Document) policy documents; and it sets out the minimum standards that will be met in terms of advertisement, publicity, stakeholder engagement etc. The SCI explains that documents produced by other bodies (including parish councils) will need to be subject to consultation which complies with the SCI, before they can be adopted as SPD.
- 1.18 SPDs are a nationally recognised form of non-statutory planning guidance. They are a material consideration in decision-making and they must be produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulations 11 to 16).
- 1.19 With the exception of the Conservation Area Management Plan for the Stroud Industrial Heritage Conservation Area (which has SPD status), Stroud District's recent conservation area statements have all been adopted as informal and non-statutory "Supplementary Planning Advice" (SPA), rather than as SPDs. Nonetheless, their role as a material consideration in decision-making is enshrined in the Local Plan, although the weight given to them may be more limited than SPD or former SPG documents. As SPA, rather than SPD, there is no regulatory requirement surrounding their production and they do not necessarily have to be programmed into the Council's Local Development Scheme (LDS). However, in the past, the Council has routinely published draft conservation area statements for between 4 and 6 weeks' public consultation, prior to their adoption as SPA.

2. MAIN POINTS

- 2.1 This report seeks the Committee's approval for publication of the draft Conservation Area Statement (CAS) for the purposes of public consultation, to be carried out in accordance with the Council's Statement of Community Involvement (SCI) and to meet requirements under Section 71 of The Planning (Listed Buildings and Conservation Areas) Act 1990. The legislation requires a public meeting or exhibition to be held within the affected area.
- 2.2 The purpose of this report is not to seek members' approval of the content, detail or specific management proposals within the draft CAS, but to seek approval to publish it for public consultation. Following consultation (and potentially some modifications), Environment Committee will have an opportunity to consider specifically whether a final draft is worthy of adoption for planning purposes.
- 2.3 As local planning authority, the Council has a statutory duty to review the district "from time to time", to assess whether existing conservation areas are still justified, to identify any additional areas worthy of designation and to formulate and publish proposals for the preservation and enhancement of the district's conservation areas (Sections 69 and 71 of The Act).
- 2.4 Randwick and Whiteshill Parish council has committed considerable time and funds to the production of a draft Conservation Area Statement. It is considered that this form of community-generated conservation area review (overseen, moderated and administered by SDC officers), is an effective use of resources. The Council's own Heritage Strategy recognises this as a potential model to help the Council fulfil its statutory obligations as local planning authority.

3. CONCLUSION

- 3.1 It is recommended that the draft Conservation Area Statement is published for public consultation, with a view to progressing a suitable final draft towards adoption as Supplementary Planning Advice (SPA).

4. IMPLICATIONS

4.1 Financial Implications

There are no direct financial implications for this report as it is to seek approval to publish a draft statement prior to public consultation.

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4.2 Legal Implications

The Report is seeking approval to publish and undertake consultation in respect of the draft Randwick Conservation Area Statement. It is proposed that the consultation will follow the steps set out within the Council's Statement of Community Involvement (SCI) with the addition of a public meeting in accordance with section 71 of the Act.

It is the intention that following consultation and subsequent approval the conservation area statement will become supplementary planning advice. On this basis it is important that the steps required by the SCI and section 71 of the Act are adhered to so as to avoid any future legal challenge if the conservation area statement is adopted following consultation.

The legal implications of the conservation area statement being adopted as supplementary planning advice and any alterations to the boundary of the conservation area should be considered prior to adoption.

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4.3 Equality Implications

An EIA is not required because this report simply seeks authority to publish a draft document for public consultation. Public consultation will be carried out in accordance with the Council's Statement of Community Involvement (SCI); an EIA was carried out in connection with the approval of temporary changes to the 2017 adopted SCI (Environment Committee 15th October 2020).

Any equality implications associated with specific proposals included in a final draft Conservation Area Statement will be assessed in advance of a future Environment Committee meeting.

4.4 Environmental Implications

There are no significant implications within this category.