

Romsey Conservation Area Review

Report of the Planning Portfolio Holder

Recommended:

1. That the proposed revised boundaries to the Romsey Conservation Area be approved as shown in Annex 2 (Boundary Amendment Report, November 2020 prepared by Purcell on behalf of the Council) to the report.
2. That the plan on page 6 of the same report and also included as Annex 4 to the report be approved as the definitive plan.
3. That the Conservation Area Appraisal and Management Plan (CAAMP) document (Annex 1 to the report) be approved.

SUMMARY:

- This report seeks approval for proposed amendments to the Conservation Area boundaries, and the approval of the revised Conservation Area Appraisal and Management Plan for the Romsey Conservation Area. The final documents have been produced following public consultation on a consultation version. The responses to the consultation have been reviewed, and, where appropriate, amendments were made to both the CAAMP and the boundary.

1 Introduction

- 1.1 The Council is required by Section 69 (2) of the Listed Buildings and Conservation Areas Act, 1990 to periodically review Conservation Areas. Section 71 of the same requires Councils to draw up and publish proposals for the preservation and enhancement of said Conservation Areas (i.e. appraisals and management plans). If the Conservation Area boundaries are not reviewed the Local Planning Authority could be criticised by Historic England, Stakeholders, members of the public etc. for failing to comply with the requirements of the Act or for relying on outdated Conservation Area policy documents, making it difficult to defend conservation policies effectively at appeal.
- 1.2 The NPPF at Para 185 also sets out how Plans should set out a positive strategy for the conservation of the Historic Environment.
- 1.3 Para 186 of the NPPF directs that Local Planning Authorities should ensure an area justifies its status because of its special architectural or historic interest, and that the concept of conservation should not be devalued through inclusion of areas which lack special interest. It is taken that this should also apply to the retention of previously included parts of the Conservation Area which no longer met the criteria for designation.

2 Background

- 2.1 The Romsey Conservation Area was designated in 1970 and extended in 1983.
- 2.2 The Council have engaged Purcell, conservation specialists, to carry out a review of the Conservation Area and its boundary.
- 2.3 As part of the review process the Conservation Area Character Appraisal and accompanying Management Plan have been reviewed in accordance with current best practice guidance published by Historic England.
- 2.4 The first stage was to check the boundaries to see if there were any anomalies – did they still make sense or has anything on the ground changed that meant areas no longer reflected the reasons for designation? Additionally, are there areas which would no longer meet the criteria for designation when weighed against current guidance?
- 2.5 The second stage was to determine whether buildings or features within the Conservation Area made a positive contribution to its character or not. Positive features include listed buildings, non-designated heritage assets, historic parks (such as the War Memorial Park), and public realm, green and open space. Features/buildings which do not make a positive contribution relates to buildings of limited architectural or historic interest or which could be found anywhere.
- 2.6 The Conservation Area boundary was then reassessed against these criteria and in accordance with the Historic England guidance. It is recommended that the boundary should be revised to retain the historic core of the town with removal of those areas which fail to meet the criteria for retention within the Conservation Area. Some additional areas were also assessed and considered worthy for inclusion within the designated area.
- 2.7 When the revised Conservation Area document went out for public consultation (see section 4) the proposed consultation boundary amendments included the removal of the Newton Lane car park. Concerns were raised about this from various parties, including the Ward Members and Romsey Town Council as this was formerly the site of the cattle market, thus it contributes positively to the historic significance of the town. Following the public consultation it was decided that this area should be retained in the designated area.
- 2.8 Following comments raised during the public consultation the proposed boundary has also been amended so it will now end at No. 77 Station Road (on the south side) (see Annex 3).
- 2.9 It is also recommended that the following areas be removed from the Conservation Area: The detailed reasoning for their removal are set out in the report at Annex 2 (These are unchanged from the consultation version):
 - Riverside Gardens
 - Stephens Court and Homestead House

- Nos.3-25 Newton Lane
- Bus and Coach Station, Broadwater Road Car
- Park and Eastwood Court
- Edwina Mountbatten House
- Cressey Road

2.10 In addition it is also recommended the following areas be included in the Conservation Area: The detailed reasoning for their inclusion are set out in the report at Annex 2 (Again, there are no changes to these following public consultation).

- The of whole of the Cromwell Arms property boundary
- War Memorial Park and Rivermead House
- Nos.70-84 Greatbridge Road
- The buildings on the south side of Station Road, up to and including No.77, and the County Library on the north side
- Plaza Theatre and Nos.51-83 Winchester Road on the south side of the street

2.11 In addition to the amendments to the boundary, a Conservation Area appraisal and Management Plan has been produced. This is included as Annex one. It sets out what is significant about the Conservation Area and the reasons for designation.

2.12 Section five of the document is a management plan which sets out how and why change in the Conservation Area is controlled, advice on alterations and extensions and good practice advice on repair and maintenance.

3 Corporate Objectives and Priorities

3.1 The review has been carried out as Town Centres are a Corporate Plan priority allowing them to adapt and be attractive, vibrant and prosperous places.

4 Consultations/Communications

4.1 Section 71 (2) & (3) of the Listed Building and Conservation Area Act, 1990 requires proposals for the preservation and enhancement of Conservation Areas to be submitted for consideration to a public meeting in the area in which they relate and that the LPA shall have regard to any views concerning the proposals expressed. Due to the Covid-19 pandemic it has not been possible to hold a conventional public meeting to fulfil the requirement of Section 71. However, use has been made of other means of engaging with the public, as is detailed in this report.

- 4.2 The Test Valley Borough Council Statement of Community Involvement (SCI) (2017) also stresses the importance of public involvement and sets out how this shall be done. Para 3.2 states that planning has a direct impact on the daily lives of residents and the business community therefore it is very important that development proposals are transparent and that people have the opportunity to have a say in the planning decisions made by the Council. The public has a right to get involved and the only way that the Council will understand what people's views are is if they are told by the public.
- 4.3 There has been extensive public consultation on the Romsey Conservation Area review within the limitations of the current Covid-19 pandemic.
- 4.4 An early-stage stakeholder engagement exercise was carried out in Spring 2020 in the form of a questionnaire circulated to key representatives such as the Ward Members, the Town Council, Romsey and District Society, Romsey Future and LTVAS. This was in lieu of a planned face-to-face meeting, which had to be cancelled due to the pandemic. The results of the questionnaire were fed into the review process.
- 4.5 The consultation boundary amendments, Conservation Area Appraisal and Management Plan were made available for public inspection and comment for a six-week period from September 25 – November 6 (This is longer than the SCI's 4-week requirement). The consultation document and associated maps were accessible on the Council's website, and hard copies were provided to anyone who requested them. It was not possible to have hard copies available in the Council receptions due to Covid-19 safety concerns (see addendum to SCI June 2020).
- 4.6 The consultation was widely advertised including a piece in the Romsey Advertiser, on the Council's website, and posters in locations round the town (including the library, at Crossfield Hall, in local businesses, and in the parking meter shelters). Notification was also posted to all the houses proposed for inclusion in the revised boundary.
- 4.7 Use was also made of the Council's social media, with regular updates posted on the consultation posted, particularly on the Romsey News and Information Facebook page.
- 4.8 Under normal circumstances an in-person public meeting/exhibition would have been held in the town, as per Section 71 of The Act (see above) as well as face-to-face meetings for Ward Members and Stakeholders. Due to the pandemic, such meetings were not possible (see Addendum SCI). Virtual meetings were held for Ward Members and for Stakeholders on October 20.
- 4.9 A video of the presentation which would have been made at an exhibition/public meeting under normal circumstances was recorded and published on the Council's website on a page dedicated to the Conservation Area review. A link and QR links to this page were included on the promotional material.

- 4.10 The progress on the Conservation Area review has also been put before meetings of Romsey Future on a number of occasions.
- 4.11 A questionnaire was also produced and made available from the Council's website to enable people to provide their responses. This questionnaire was presented alongside the video. It was also possible for written comments to be submitted and a postal address was provided on the webpage.
- 4.12 The consultation exercise is the opportunity to receive feedback on the proposed amendments to the boundary and the consultation version Management Plan and Conservation Area Appraisal and to tap into local knowledge about the area. 22 responses were received in response to the early stakeholder consultation. 18 responses were received for the draft document consultation in addition to the feedback given at the virtual meetings. These responses were forwarded to the consultants following the close of the consultation period.
- 4.13 A summary of the comments received as a result of the consultation exercise with comments from the consultants is provided in Annex 3 of this report.
- 4.14 Following consideration of comments received during the consultation exercise, revisions have also been made to the consultation documents and the revised boundary and these are included in Annex 2 to the report.
- 4.15 Some additional areas, such as additional parts of Winchester Road, Albany Road and the Station were suggested for inclusion, however, such additions would require either a convoluted boundary, or result in the inclusion of intervening buildings which are not of sufficient architectural or historic merit, thus risking diluting the reasons the Conservation Area is special.
- 4.16 The main concerns raised in response to the consultation were from homeowners whose properties would fall in the newly designated areas. These concerns centred around whether the controls can be used retrospectively, the additional controls on alterations and possible impacts on property value. The consultants have responded to these concerns in the document included at Annex 3. As is noted in 5.2 of the Management Plan controls cannot be applied retrospectively. With regards property value: There is good evidence that Conservation Area designation increased property values – see research conducted annually by Historic England (<https://historicengland.org.uk/research/heritage-counts/>). Where changes are proposed these should be judged on the merits of the scheme and whether they will preserve or enhance the character and appearance of the Conservation Area. Property values are not a planning matter, and not a reason to include/exclude areas from designation.
- 4.17 Other issues were raised with regards responding to climate change in the future. These are also addressed by the consultants (see Annex 3).

5 Options

- 5.1 The option to consider is whether or not to approve the Romsey Conservation Area Appraisal and Management Plan (CAAMP).

- 5.2 Members also need to consider whether or not to approve the revised Conservation Area boundary.
- 5.3 It is possible for only one of the items to be approved without the other. However, this would not be good practice, and would be likely to lead to issues in the future.
- 5.4 The options are to either approve the documents, or decline to approve them.

6 Option Appraisal

- 6.1 The Council is required to periodically review Conservation Areas. If the Conservation Area boundaries are not reviewed the Local Planning Authority could be criticised for failing to comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990. Retention of areas which do not merit inclusion could devalue the credibility of the Conservation Area. If the reviews are not carried out the Council could be criticised for failing to review Conservation Area boundaries on a regular basis or for relying on outdated Conservation Area policy documents, making it difficult to defend conservation policies effectively at appeal.
- 6.2 The Conservation Area Appraisal and Management plan are needed in order to set out what is significant about the Conservation Area, why it merits designation, and to set out how it should be appropriately managed in order to preserve or enhance its special interest.
- 6.3 If approved, the CAAMP would be a material consideration of great weight in determining planning applications. (see para 37 of the Historic England document: *Conservation Area Appraisal, Designation and Management: Historic England Advice Note 1 (Second Edition)*).
- 6.4 Members could choose not to approve the CAAMP. This would leave the existing 1983 designation document in place. However, it would mean that Romsey still would not have an up-to-date appraisal and management document for the conservation area in place. As stated above, this would not meet the requirements of the Listed Buildings and Conservation Areas Act, 1990 (Section 71) to periodically formulate and publish proposals for the preservation and enhancement of Conservation Areas. Without an up-to-date document it is more difficult and time consuming for Officers to advise owners, developers and stakeholders and it is harder to defend decisions at appeal.
- 6.5 The revised document should ensure appropriate management of change in the Romsey Conservation Area in order to preserve and enhance its special interest for this and future generations. (see para 184, NPPF).
- 6.6 Members could also choose not to approve the boundary changes as set out in Annex 2. This would mean that the areas recommended for inclusion would not be subject to the protection afforded by designation. It would also leave in the areas which are no longer considered to merit designation, which could dilute the effectiveness of the Conservation Area. It would also mean the requirement of Section 69 of the Listed Buildings and Conservation Areas Act had not been met.

- 6.7 Conversely if Members approve the proposed boundary, the Romsey Conservation Area will have robust and up-to-date designation which is not weakened by areas not worthy of inclusion, and which includes some areas which were not previously designated, but which are considered to warrant preservation. The Conservation Area will be compliant with the 1990 Act and with the guidance of the NPPF.
- 6.8 Likewise, approval of the CAAMP will ensure the requirements of the Act are met. It will also facilitate the appropriate management of the designated area based on a better understanding of its significance.

7 Resource Implications

- 7.1 The proposed recommendation can be met from within existing budget.

8 Legal Implications

- 8.1 The Council has a statutory obligation under the Planning (Listed Buildings and Conservation Areas) Act 1990 to review Conservation Areas and produce documents for their management.
- 8.2 Section 69 of the Act deals with the designation of boundaries. There is no requirement to carry out public consultation for this, though the Council has done so.
- 8.3 Section 71 of the Act deals with the formulation and publication of proposals for preservation and enhancement of conservation areas. This includes a requirement for the proposals to be submitted for consideration to a public meeting in the area to which they relate. Due to Covid-19 it has not been possible to hold a public meeting. However, consultation has been carried out as set out in chapter 4 above.

9 Equality Issues

- 9.1 An EQIA screening has been completed in accordance with the Council's EQIA methodology and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EQIA has not been carried out.

10 Other Issues

- 10.1 Community Safety – None.
- 10.2 Environmental Health Issues – None.
- 10.3 Sustainability and Addressing a Changing Climate – None.
- 10.4 Property Issues – None.
- 10.5 Wards/Communities Affected – Romsey Abbey Ward and Tadburn Ward.

11 Conclusion

- 11.1 The Conservation Area Review (with the revised conservation area boundaries) and the Character Appraisal (prepared within the published guidelines) will provide a robust and up to date framework within which to determine future planning applications in the Romsey conservation area, and development which might affect its setting. It can also be used in providing guidance to owners and stakeholders at pre-application stage.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	4	File Ref:	N/A
(Portfolio: Planning) Councillor N Adams-King			
Author:	M Bennett	Ext:	8469
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