

Andover Conservation Area Review

Report of the Planning Portfolio Holder

Recommended:

1. That the Andover Conservation Area Appraisal and Management Plan (CAAMP) document shown in Annex 1 to the report be approved.
2. That the proposed revised boundaries to the Andover Conservation Area be approved as set out in Annex 3 to the report.

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 Andover Conservation Area. The final documents have been produced following public consultation on a consultation version. The responses received in response 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 for failing to comply with the requirements of the Act or for relying on outdated Conservation Area policy documents, making it difficult to defend conservation policies effectively at appeal.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 190 also sets out how Plans should set out a positive strategy for the conservation of the Historic Environment.
- 1.3 Para 191 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 Andover Conservation Area was designated in 1969 and extended in 1984.

- 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 prepared in accordance with current best practice guidance published by Historic England. The management plan sets out how and why change in the Conservation Area is controlled, and includes guidance on alterations, extensions and new development as well as good practice advice on repair and maintenance.
- 2.4 The first stage of the review was to check the boundaries to see if there were any anomalies. This included consideration of whether anything on the ground had changed which meant areas no longer reflected the reasons for designation, as well as looking at whether there were areas which no longer met 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 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. This is dealt with in more detail in Section 4, and the proposed revisions are explained in Annex 2.

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.
- 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. Paragraph 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 people have the opportunity to have a say in the planning decisions made by the Council.

- 4.3 There has been extensive public consultation on the Andover Conservation Area review within the limitations of the current Covid-19 pandemic.
- 4.4 An early-stage stakeholder engagement exercise was carried out in Winter/Spring 2021 in the form of a questionnaire circulated to key representatives such as the Ward and local Councillors, the Town Council, and the Andover Vision members. The results of the questionnaire were fed into the review process. Following the questionnaire a virtual meeting was also held on February 24 2021 to address some of the issues raised. The questionnaire and virtual meeting were in lieu of a face-to-face meeting which was not possible at that time due to the pandemic.
- 4.5 The consultation boundary amendments and Conservation Area Appraisal and Management Plan were made available for public inspection and comment for a seven-week period from Monday 17 May 2021 – Monday 5 July 2021 (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 would have been 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 A drop-in public meeting was held at St. Mary's Church, Andover on the evening of June 29 2021 which seventeen people attended. In addition a virtual public meeting was offered to enable those who might not want to attend in person due to the Covid-19 pandemic to be involved. There was very limited interest for this virtual meeting, and so it did not go ahead. However, care was taken to ensure that all the information presented at the drop-in meeting was accessible in other places – including on the Council's website for people who were shielding/self-isolating due to Covid. Both meetings were advertised on the Council's social media, in the Chantry Centre shopfront, and with posters in a number of locations round the town including: the parking ticket booths, the Guildhall hoardings, the Leisure Centre, The Lights (at the time in use as a Covid vaccination centre) and Andover College.
- 4.7 The consultation was widely advertised including in the Andover Advertiser, on the Council's website, and with posters located in various popular sites around Andover including the Leisure Centre, The Lights (at the time being used as a vaccination centre), Andover College, Andover Museum, the Chantry Centre, the hoardings around the Guildhall, and some local businesses. Care was taken to ensure there were posters in outside locations in case people felt nervous about entering buildings, and therefore might have otherwise missed the advertising. The Council also took an empty shop unit in a prominent position in the Chantry Centre and used the shop front to display information about the review as well as the dates of the meetings).
- 4.8 Use was also made of the Council's social media, with regular updates on the consultation posted as well as notifications for the meetings.

- 4.9 A video presentation explaining the Review was also prepared by Purcell and was published on the Council's website and YouTube channel. This was in order to include people who might not wish to attend in-person events due to the pandemic, as well as people who were not available on the date of the drop-in meeting. The video was also played at the drop-in meeting.
- 4.10 A questionnaire was also produced and made available from the Council's website to enable people to provide their responses. It was also possible for written comments to be submitted and a postal address was provided on the webpage. The questionnaire was also available in hard-copy form at the drop-in meeting.
- 4.11 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. 29 responses were received in response to the early stakeholder consultation. These were fed into the preparation of the consultation draft report and used to frame the review. 6 responses were received for the draft document consultation in addition to the verbal feedback given at the drop-in meeting. Four were from members of the public, one from a Councillor, and one from the Andover History & Archaeology Society. These responses were forwarded to the consultants following the close of the consultation period.
- 4.12 Most of the responses received related to the proposed changes to the boundary as discussed below. Other comments related to pigeon netting, condition of specific buildings, and the omission of specific reference to No. 17, Chantry Street (a photograph of this building has now been included).
- 4.13 Following consideration of comments received during the consultation exercise, revisions have also been made to the Appraisal and Management Plan and the revised boundary.
- 4.14 During the initial early-stage Stakeholder & Members consultation the former Sainsbury's site on Bridge Street was considered for removal from the Conservation Area boundary. Concerns were raised, including from Members, and during the preparation of the review it was considered there was sufficient justification (including historic street patterns) to retain this site in the designated area.
- 4.15 When the revised Conservation Area document went out for public consultation the proposed boundary amendments included the removal of the Lardicake public house as part of the changes to the boundary in the Adelaide Road/Rack Close area. Various comments were received regarding the heritage significance of the Lardicake public house, and the proposed boundary change has been amended to retain the pub, but remove the areas which do not merit inclusion (see Annex 2). Other buildings in this area were also suggested for inclusion, however, they have been much altered, and would no longer make sufficient contribution.

- 4.16 Concerns were also raised during the consultation period regarding the removal of the George Yard car park and the southern part of East Street. These comments were reviewed by Purcell and Council Officers, however, it is not considered these areas have sufficient merit to warrant designation, and their retention would dilute the special interest of the Conservation Area. Further information can be found in Annex 2 (Boundary Review). The principal buildings of interest in East Street are listed and thus protected in their own right. It should also be noted that any development proposed in the setting of designated heritage assets needs to have due regard to conserving or enhancing that setting.
- 4.17 The removal of Hambledon House and the Waverley Buildings was also questioned. As above, detailed reasoning for their removal can be found in Annex 2. Hambledon House is a large modern building which does not respect the scale, design, materials, or historic layout of the conservation area. It makes a negative contribution, and its retention would dilute the special interest of the designated area. The building does retain an historic passage, but it is not immediately apparent this is a thoroughfare. It is true that the Waverly Buildings are aligned to some previous buildings, however, they are now modern buildings, and the layout of area to the north (not in the conservation area) has been significantly altered with the construction of the Chantry Centre. This area does not tell the story of the town sufficiently well to warrant inclusion where all the buildings are modern. As with the areas above – any replacement development here would need to be appropriate to the setting of the conservation area.
- 4.18 It is also recommended that the following areas be removed from the Conservation Area: Savoy Close and Barrett House. The detailed reasoning for their removal are set out in the report at Annex 2 (These are unchanged from the consultation version).
- 4.19 In addition it is also recommended the following areas be included in the Conservation Area: The Commonwealth War Graves in St. Mary's churchyard and the Salvation Army chapel and No. 16, Winchester Street. 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).
- 4.20 It was also suggested, during the consultation period, that the Quaker burial ground in Winchester Street be included in the boundary. Whilst it is considered that this burial ground may have historic merit, it is considered to be too remote from the nearest part of the boundary to include. To do so would also require including some large modern office buildings, and either a section of the concrete flyover or the roundabout at the end of Winchester Street.

5 Options

- 5.1 The option to consider is whether or not to approve the Andover 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)*.) It would also be an important tool in informing the implementation of the Andover Masterplan.

6.4 Cabinet could choose not to approve the CAAMP. This would leave the existing 1984 designation document in place. However, it would mean that Andover 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 Andover Conservation Area in order to preserve and enhance its special interest for this and future generations. (see para 189, 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 Andover 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. The Council has done this.

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 – Andover St. Mary's and Andover Winton.

11 Conclusion

- 11.1 The Conservation Area Review (with the revised conservation area boundaries) and the Andover Conservation Area Appraisal and Management Plan (prepared within the published guidelines) will provide a robust and up to date framework within which to determine future planning applications in the Andover conservation area, and development which might affect its setting including implementing the Masterplan. 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:	3	File Ref:	N/A
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