

Wealden Local Plan- Conservation Area Designation

Summary

Work has been undertaken in coordination with the Wealden Local Plan to review all existing and potential conservation areas in the District. This report provides summary of the work undertaken and seeks agreement to proceed to designate the 26 existing and 12 new conservation areas identified in the District (amalgamated into 33 conservation areas in total).

Portfolio Holder: Cllr Ann Newton Portfolio Holder for Planning and Development

Recommendation

The Portfolio Holder is recommending that the designation of all conservation areas identified in the Draft Conservation Areas Background Paper at Appendix A be approved.

Reason

To designate new boundaries for the 26 existing conservation areas and 12 new conservation areas identified within the District in accordance with the statutory duty set out in The Planning (Listed Buildings and Conservation Areas) Act 1990.

Introduction

1. There are currently 26 conservation areas within the part of Wealden District for which the Council is the Local Planning Authority¹.
2. The Planning (Listed Buildings and Conservation Areas) Act 1990, Section 69, places a duty on every Local Planning Authority to determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and to designate those areas as conservation areas².
3. The Planning (Listed Buildings and Conservation Areas) Act 1990 also places a duty on every Local Planning Authority from time to time to review the past exercise of functions under section 69 in respect of Conservation Areas and to determine whether any parts or any further parts of their area (i.e. new conservation areas or alterations to boundaries of existing conservation areas) should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly Planning (Listed Buildings and Conservation Areas) Act 1990, Section 69(2) .
4. In order to fulfil this statutory duty the Council has been undertaking a review of the existing conservation areas in the District and identifying any potential new conservation areas that meet the criteria for designation.

¹ Wealden District also covers part of the South Downs National Park, but is no longer the Planning Authority for that area.

² Planning (Listed Buildings and Conservation Areas) Act 1990, Section 69

5. Subsequent to the review of the existing conservation areas and consideration of potential new areas, changes are recommended to 26 existing conservation area boundaries and the boundaries for 12 new conservation areas have been identified. Some of the existing and new conservation areas have been amalgamated where they are geographically and historically associated, resulting in 33 conservation areas in total. The boundaries have been informed by previous consultation and historical research into the individual areas.
6. This process has been run in conjunction with the Local Plan review and the conservation areas identified will be shown on the Proposals Map that accompanies the Wealden Local Plan.
7. New conservation areas or amendments to conservation area boundaries need to be designated in order to come into effect.

Review and Identification of Conservation Areas

8. The existing conservation areas in the District were designated between 1969 and 2003, and within those 48 years, legislation and guidance relating to the historic environment changed considerably leading to several different approaches to the designation, appraisal and management of conservation areas. Even within the subsequent 14 years since the last appraisal was completed, government guidance has changed several times, most recently with the introduction of the NPPF in 2012.
9. Following guidance produced by Historic England (previously English Heritage) and Central Government, a methodology and criteria³ was agreed with Historic England (then English Heritage) in 2014, for the character appraisal of existing and potential new conservation areas within the District.
10. Consultation with Parish/Town Councils and Local History Amenity Societies took place in 2014. Officers visited Parish/Town Councils as part of initial consultation related to the next stage of the Local Plan process (then named the Delivery and Sites Allocation Local Plan (DSALP)). At the Parish/Town Council meetings a presentation was given in relation to the Conservation Area project.
11. In the summer of 2014, a written consultation was sent to Parish/Town Councils, and all Local History Amenity Societies in relation to the Conservation Area project. This comprised a letter of introduction and a form to be completed and returned. Not all Parish/Town Councils or Amenity Societies that were consulted responded to the consultation.
12. All areas put forward in the consultation responses were considered through a desk top exercise and site visit to determine whether they met the Criteria for Selection of Areas and/or Criteria for Selection of

³ see Conservation Area Appraisal Background Paper and Methodology, February 2014, Appendix 1, Conservation Areas - Wealden Local Plan Issues Options and Recommendations Report, dated October 2015, and available on the Councils website http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building_Control/Planning_Policy/Wealden_Local_Plan/PPolicy_WLP_IsseusOptionsRecommendations.aspx

Boundaries⁴ and were used to help inform the selection of potential new conservation areas and consideration of boundary changes to existing conservation areas which culminated in the Recommendations and Options for Testing within the Conservation Areas - Wealden Local Plan Issues Options and Recommendations Report, dated October 2015.

13. In addition, all historic settlements within the District were considered through a desk top exercise and site visit to determine whether they met the Criteria for Selection of Areas and/or Criteria for Selection of Boundaries for new conservation areas.
14. Within the Issues Options and Recommendations consultation, the Council consulted on the Recommendation and Preferred Options for the boundary of each existing and new area, as well as upon whether any further areas within the District that met the criteria agreed with Historic England, and not identified within the Report document, should be considered for designation as a conservation area.
15. The consultation period ran for 8 weeks from Monday 19 October 2015 to 5pm Monday 14 December 2015. All residents in the District received a flyer through the post about the Local Plan consultation that also referred them to the information on the website. A number of public exhibitions about the Local Plan consultation were held and all documents were made available through the Council's website and at deposit points throughout the District.
16. A total of 148 responses were received to the five questions about the proposed Conservation Areas during the consultation period. A summary of the consultation responses received is in Appendix A: Draft Conservation Area Background Paper 2017.
17. Responses to the Issues and Options consultation, along with additional research, have been used to inform the final boundaries for each existing and new conservation area which are shown in Appendix A: Draft Conservation Area Background Paper 2017.
18. The final conservation area boundaries have now been prepared for designation and will be shown on the Proposals Map of the Proposed Submission Wealden Local Plan 2017.
19. In order to designate the conservation areas the Council must place a notice in the London Gazette and at least one local newspaper and must inform the Secretary of State and Historic England of the designation. The Council must also register the designation as a land charge. There is no formal duty to notify current owners or occupiers individually.
20. Unlike the Wealden Local Plan there is no requirement for an Examination in Public or the approval of the Planning Inspectorate, rather the process outlined above results in the conservation areas being designated.

⁴ Conservation Area Appraisal Background Paper and Methodology, February 2014, Appendix 1, Conservation Areas - Wealden Local Plan Issues Options and Recommendations Report, dated October 2015, and available on the Councils website http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building_Control/Planning_Policy/Wealden_Local_Plan/PPolicy_WLP_IsseusOptionsRecommendations.aspx

21. Following designation of the conservation areas, the Council will consult on full character appraisals and designation reports for each conservation area (currently under preparation). Along with future management plans, these will be used to inform development within conservation areas and their setting.

Conservation Areas for Designation

22. The following conservation areas have been identified for designation. Maps showing the conservation area boundaries are contained in Appendix A: Draft Conservation Area Background Paper 2017.

23. The table below summarises conservation areas within the District to be designated, identifying changes required to the 26 existing conservation area boundaries and for the boundaries for the 12 new conservation areas. Some of the existing and new conservation areas have been amalgamated where they are geographically and historically associated, resulting in 33 conservation areas in total.

Conservation Areas for designation	
Arlington	New conservation area incorporating historic core of settlement in accordance with selection criteria.
Boreham Street	New conservation area incorporating historic core of settlement in accordance with selection criteria.
Chalvington	New conservation area incorporating historic core of settlement in accordance with selection criteria.
Chiddingly and Muddles Green	Extension to Chiddingly to incorporate further historic development on the edges of the settlement and incorporation of historic extent of Muddles Green (new conservation area) in accordance with selection criteria.
Cowbeech	New conservation area incorporating historic core of settlement in accordance with selection criteria.
Crowborough	Reduction to Crowborough to remove areas that no longer meet selection criteria for inclusion in conservation area.
Danehill	Extension to Danehill to incorporate further historic development on the edges of the settlement in accordance with selection criteria.
East Hoathly	Extension to East Hoathly to incorporate further historic development on the edges of the settlement in accordance with selection criteria and removal of areas that no longer meet selection criteria for inclusion.
Eridge Green and the Forstal	New conservation area incorporating historic core of settlement in accordance with selection criteria.
Five Ashes	New conservation area incorporating historic core of settlement in accordance with selection criteria.

Fletching and Splaynes Green	Extension to Fletching to incorporate further historic development on the edges of the settlement and incorporation of historic extent of Splaynes Green (new conservation area) in accordance with selection criteria.
Forest Row	Extension to Forest Row to incorporate further historic development on the edges of the settlement in accordance with selection criteria and removal of areas that no longer meet selection criteria for inclusion.
Framfield	Extension to Framfield to incorporate further historic development on the edges of the settlement in accordance with selection criteria.
Frant	Extension to Frant to incorporate further historic development on the edges of the settlement in accordance with selection criteria and removal of areas that no longer meet selection criteria for inclusion.
Hailsham	Extension to Hailsham to incorporate further historic development on the edges of the settlement in accordance with selection criteria and removal of areas that no longer meet selection criteria for inclusion.
Hartfield	Extension to Hartfield to incorporate further historic development on the edges of the settlement in accordance with selection criteria.
Hellingly	Extension to Hellingly to incorporate further historic development on the edges of the settlement in accordance with selection criteria.
Maresfield	Extension to Maresfield to incorporate further historic development on the edges of the settlement in accordance with selection criteria.
Mayfield and Coggins Mill	Extension to Mayfield to incorporate further historic development on the edges of the settlement and incorporation of historic extent of Coggins Mill (new conservation area) in accordance with selection criteria.
Old Heathfield and Cade Street	Two separate conservation area combined and extended to incorporate further historic development on the edges of the settlements in accordance with selection criteria.
Pell Green and Cousley Wood	Extension to Cousley Wood to incorporate further historic development on the edges of the settlement and incorporation of historic extent of Pell Green (new conservation area) in accordance with selection criteria.
Pevensey and Westham	Extension to Pevensey and Westham to incorporate historic extent of the settlement in accordance with selection criteria.
Ripe	Extension to Ripe to incorporate further historic development on the edges of the settlement in accordance with selection criteria.

Rotherfield	Extension to Rotherfield to incorporate further historic development on the edges of the settlement in accordance with selection criteria.
Rushlake Green	Minor alterations to Rushlake Green, to correct boundaries and remove one area that no longer meets selection criteria for inclusion, but boundary remains largely unaltered.
Selmeston	Extension to Selmeston to incorporate further historic development on the edges of the settlement in accordance with selection criteria.
Uckfield	Extension to Uckfield to incorporate further historic development on the edges of the settlement in accordance with selection criteria and removal of areas that no longer meet selection criteria for inclusion.
Wadhurst	Extension to Wadhurst to incorporate further historic development on the edges of the settlement in accordance with selection criteria and removal of areas that no longer meet selection criteria for inclusion.
Waldron	Extension to Waldron to incorporate further historic development on the edges of the settlement in accordance with selection criteria.
Warbleton	New conservation area incorporating historic extent of settlement in accordance with selection criteria.
Wartling	New conservation area incorporating historic extent of settlement in accordance with selection criteria.
Willingdon, Church Street	Extension to Willingdon, Church Street to incorporate further historic development on the edges of the settlement in accordance with selection criteria.
Withyham	Extension to Withyham to incorporate historic extent of the settlement and important adjoining land in accordance with selection criteria.

Recommendations and Conclusion

24. The District Council as Local Planning Authority has a duty to review and designate areas of special historic and architectural interest within the District as conservation areas.
25. In order to fulfil this statutory duty the Council has undertaken a review of the existing conservation areas in the District and identifying any potential new conservation areas that meet the criteria for designation.
26. As a result of this review 33 conservation areas in total (26 existing and 12 new with some subsequent amalgamations) are recommended to be designated with the boundaries identified in the accompanying Draft Conservation Area Background Paper 2017 (Appendix A).

Local Plan Sub-Committee and Joint Planning Committee Comments

27. The Portfolio Holder asked both the Local Plan Sub-Committee and the Joint Planning Committee for comments on the Draft Conservation Areas Background Paper. Both Committees met on the 13th March 2017 and fully supported the Portfolio Holder in recommending the document attached at Appendix A to Full Council for approval.

Corporate Management Team Advice

28. The Portfolio Holder is recommended to recommend to Full Council that the designation of all conservation areas identified in the Draft Conservation Areas Background Paper at Appendix A be approved.

Implications

Financial and Human Resources Implications

There are no financial or human resource implications of this decision.

Legal Implications

The work being undertaken is a requirement of The Planning (Listed Buildings and Conservation Areas) Act 1990, Section and the Local Planning Authority therefore needs to undertake this work and designate the conservation areas to fulfil this statutory duty.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	Yes	Access to Information	No
Sustainability	Yes	Exempt from publication	No
Risk Management	No		

Director:	Nigel Hannam, Director of Environment and Community Services
Proper Officer:	Marina Briggshaw, Planning Policy Manager
Report Contact Officer:	Joanna Tucker, Senior Heritage Officer
Telephone Number:	01892 602517
e-mail address:	jo.tucker@wealden.gov.uk
Attached papers:	Appendix A - Draft Conservation Area Background Paper 2017
Background Papers:	Conservation Areas - Wealden Local Plan Issues Options and Recommendations Report, dated October 2015