



AGENDA ITEM: 9

CABINET:
11th November 2014

PLANNING COMMITTEE:
13th November 2014

Report of: Assistant Director Planning

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor M Forshaw

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**SUBJECT: FULWOOD & DOUGLAS AVENUE, TARLETON AND JUNCTION LANE,
BURSCOUGH CONSERVATION AREA CHARACTER APPRAISAL
UPDATES**

Wards affected: Tarleton and Burscough East

1.0 PURPOSE OF REPORT

1.1 To consider the adoption of updated conservation area character appraisals for Fulwood and Douglas Avenue and Junction Lane Conservation Areas and report back to Members the results of the public consultation on both documents. To consider the representations received, whether changes are required as a result and to approve the Character Appraisal updates.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the decision to adopt the Fulwood and Douglas Avenue Conservation Area Character Appraisal (Appendix A) and the Junction Lane Conservation Area Character Appraisal (Appendix B) be delegated to the Assistant Director Planning in consultation with the Portfolio Holder for Planning and Development.

2.2 That the decision to extend the boundary of the Fulwood and Douglas Avenue Conservation Area designation by the inclusion of the area marked extension 1 on plan 2 at Appendix A be delegated to the Assistant Director Planning in consultation with the Portfolio Holder for Planning and Development.

- 2.3 That the decision to extend the boundary of the Junction Lane Conservation Area designation by the inclusion of the area marked extension 2 on plan 2 at Appendix B be delegated to the Assistant Director Planning in consultation with the Portfolio Holder for Planning and Development.
- 2.4 That in exercising the delegations at 2.1, 2.2 and 2.3 the Assistant Director Planning be authorised, in consultation with the Portfolio Holder for Planning and Development, to make any necessary amendments to the Appraisals and Conservation Area designations in the light of agreed comments made by Planning Committee.

3.0 RECOMMENDATION TO PLANNING COMMITTEE

- 3.1 That the report be considered and agreed comments be forwarded to the Assistant Director Planning.
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4.0 BACKGROUND

- 4.1 The update of the character appraisals for both the Fulwood and Douglas Avenue and Junction Lane Conservation Areas is part of a rolling programme of appraisals of all the Conservation Areas in West Lancashire. The Borough Council has an obligation under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to review, from time to time, its Conservation Area designations, and under Section 71 of this Act to formulate and publish proposals for the preservation and enhancement of these areas.

5.0 THE PURPOSE OF CONSERVATION AREA APPRAISALS AND THE REVIEW

- 5.1 The Planning (Listed Building and Conservation Areas) Act 1990 imposes a duty on local planning authorities to designate as Conservation Areas any “areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. Conservation area appraisals aim to identify the special architectural or historic interest of conservation areas as well as clarifying any issues relating to boundaries. Local authorities should look to review areas to maintain and strengthen their commitment to their stewardship of the historic environment.
- 5.2 Due to the size, nature and location of both areas the character and appearance of both Fulwood and Douglas Avenue and Junction Lane Conservation Areas has not been subject to rapid change since the previous reviews. Therefore in this instance, the character appraisal update is not intended to supersede the previous appraisals, carried out in 1998, but aims to re-affirm the special architectural or historic interest of the area which justifies its designation. The exercise also adds a further layer of understanding by recording changes and potential threats to the character and appearance of the Conservation Area.

- 5.3 English Heritage guidance (*Understanding Place: Conservation Area Designation, Appraisal and Management*, 2011), states that the outcome of a review might typically be an addendum to the existing appraisal, recording what has changed, confirming (or redefining) the special interest that warrants designation, setting out any new recommendations and revising the area's management strategy.

6.0 THE REVIEW PROCEDURE

- 6.1 As part of this review an objective study was conducted, assessing the contribution (both architecturally and historically) of individual properties in both Conservation Areas. This work included a photographic survey of properties. The results of the exercise have helped develop a matrix which identifies the '*contribution*' made by buildings measured against the key characteristics of the Conservation Areas (buildings can either have a positive, neutral or negative contribution). The appraisal work also extended beyond the current boundaries of the Conservation Areas and has been used to examine the potential for extending the boundary of the Conservation Areas. This information is illustrated in plan form and is included in the draft character appraisal documents for both conservation areas.
- 6.2 The draft appraisal documents (copies attached to this report – appendices A and B) have been prepared using the previous reviews and the building assessments. A copy of the draft documents was sent to property addresses in the conservation areas, relevant Parish Councils and to properties affected by the draft proposals contained in the reviews. Copies of the appraisals were made available on the Council's website, placed in local libraries. Hard copies were available on request. The closing date for comments was the 26th September 2014. In total we received 4 comments on the draft documents (see attached Appendix D for further details).
- 6.3 Arising from the appraisal process are a number of recommendations, a summary of which follows.
- 6.4 In both conservation areas, the appraisal updates highlighted the fact that since the previous appraisal, the General Permitted Development Order (GPDO) has changed, allowing for the installation of solar photo voltaic (PV) or solar thermal equipment in certain locations on buildings without the need for Planning Permission. It acknowledges that at present there is no planning control over this type of work within either Conservation Area, although this could be achieved by including such works within a new Article 4 (2) Direction. As this is not felt to be a significant issue within either Conservation Area at this present time, the recommendation within both Appraisal Updates is not to amend the Article 4 (2) Direction to control the installation of solar photo voltaic (PV) or solar thermal equipment, but to retain it in its current form.

Fulwood and Douglas Avenue Conservation Area

- 6.5 Two potential extensions to the conservation area have been considered as part of the appraisal. Extension 1 is a modest extension which would include

two additional properties – No's 244 and 246 Hesketh Lane. These two properties are considered to display many of the same key characteristics (see Section 4 of the draft appraisal) as the properties within the existing conservation area and are visually, seen in the same context of the other properties, in the conservation area which are addressed along Hesketh Lane. It is recommended that these two properties are included and the Conservation Area boundary is duly amended to reflect the change.

6.6 The second extension considered in the draft appraisal document (paragraphs 6.12 - 6.14) relates to No's. 241, 243 and 247 to 261 (inclusive) Hesketh Lane. Although the value, to the street scene, of these properties is recognised as being important, they are not considered to display a consistency in the key characteristics highlighted as being important on the properties within the existing Conservation Area. The likely effect of extending the area to include these properties would be a watering down of the special character of the area. It is therefore not considered appropriate to take this extension forward.

6.7 The following issues were taken forward into the management plan:

- Inappropriate front boundary treatments in terms of walls fences, gates and gate posts.
- Gaps and/or poor condition of existing hedged boundaries.
- Large areas of hard standing or paving to the front of dwellings.
- Removal or loss of the original detailing and features of the important unlisted Edwardian properties.

It is proposed that that these issues will continue to be tackled through a number of means including the control of development and the use of enforcement action where it is appropriate to do so. Retaining the additional control of the Article 4 (2) Direction and providing advice to owners as requested and making residents aware of potential funding such as Conservation Area Grant schemes and the Hedging Grant scheme.

Junction Lane Conservation Area

6.8 Two potential extensions to the Conservation Area have been considered as part of the appraisal (see Map 2 within draft appraisal document).

6.9 Extension 1 would result in the inclusion of three properties located across the main road from the war memorial and the existing Conservation Area boundary – No's. 255, 263 and Clayton House located on Liverpool Road South. Whilst these properties share a number of characteristics with the properties within the conservation area, they are however disconnected from the rest of the properties by Liverpool Road South, which acts as a barrier to both movement and views in and out from the conservation area. The three properties are discretely located and would create a conservation area with a distorted and rather convoluted boundary. It is therefore not felt appropriate to take this extension forward.

6.10 Extension 2 would amend the conservation area boundary as it relates to the northern tip of the current area. The change would include a short section of brick wall fronting onto Junction Lane (a detail typical in the area) and a decorative terracotta garden wall with an elaborate balustrade detail located in front of No's 1b and to the side of 1a Junction Lane. This was likely part of the pleasure gardens of No. 1 Junction Lane which historically occupied a larger site. Currently a small section of the feature wall is included within the conservation area by virtue of it being located within the plot of No.1 Junction Lane. It would be appropriate both visually and historically to adjust the boundary of the conservation area to include the whole of the feature wall within it.

6.11 The following issues have been taken forward into the management plan:

- Concerns over the high volume of vehicular traffic on Junction Lane
- Bland surface treatment of carriageway and footway
- Gaps to existing hedges in conservation area.
- Inappropriate boundary treatments e.g. different wall styles or heights, removal of original gate piers
- Widening of driveways or extension of hard standing within the frontage of the plots
- Removal of the original detailing and features to important unlisted Victorian properties.

6.12 It is proposed that that these issues will be tackled through a number of means including the control of development and the use of enforcement action where it is appropriate to do so. Retaining the additional control of the Article 4 (2) Direction and providing advice to owners is also important. We also need to make residents aware of the potential funding for minor improvements that are currently available via the Conservation Area Grant scheme and the Hedging Grant scheme.

7.0 CONSULTATION RESPONSES

Fulwood and Douglas Avenue

7.1 In total, five responses were received from residents to the draft character appraisal update for Fulwood and Douglas Avenue Conservation Area. Details of the responses can be found in the Consultation report attached to this report (see Appendix C). The comments raise concerns with traffic congestion and road safety associated with the authorised use of No.2 Fulwood Avenue as a Nursery School. Concern is also expressed over the condition of the road surface in Fulwood Avenue. One respondent expressed the view that the area should no longer be designated a Conservation Area.

- 7.2 Two residents felt solar P.V panels were detrimental to the appearance of properties within the Conservation Area and supported the use of an Article 4(2) Direction to bring them within planning control.
- 7.3 One resident wrote in support of both proposed extensions (1 and 2) to the Conservation Area.

Junction Lane

- 7.4 Three responses were received to the draft character appraisal update for Junction Lane Conservation Area. Details of the responses can be found in Appendix D attached to this report. These were from residents living within the existing conservation area. The comments contained in two of the responses mainly related to a specific enforcement case involving the demolition of a wall on the edge of the Conservation Area. The respondents' comments on the importance of preserving boundary treatments, including walls are noted. Walls, in particular the role played by frontage walls, are already recognised as being important assets within the Character Appraisal update and their retention is supported within the Management Plan.
- 7.5 One resident supported the control of solar P.V panels through a change in the current Article 4(2) Direction. A further resident opposed this measure.
- 7.6 Two residents support proposed extensions 1 and 2 (identified in the draft appraisal) to the Junction Lane Conservation Area.

8.0 PROPOSED ACTIONS

- 8.1 Taking into account the comments received through the consultation I propose to take forward the recommendations identified in both the draft appraisals.
- 8.2 The boundary to Fulwood and Douglas Avenue Conservation Area will be amended to include No's 242 and 244 Hesketh Lane.
- 8.3 The boundary to Junction Lane Conservation Area will be amended to include the boundary feature and land in front of No's 1a and 1b Junction lane.
- 8.4 Whilst the comments are noted in relation to the harm caused by existing roof mounted Solar P.V installations I am unconvinced by the level of harm and feel the pressure to change is somewhat limited. I will however continue to monitor the issue and other permitted development in both conservation areas with a view to bring a further report on this matter, if the numbers of installations increase to significant levels.

9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 9.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.
- 9.2 The need to continue with efforts to protect and improve the quality of the District's environment including the streetscene, natural and built heritage of our towns, villages and countryside has been identified as a key issue in the Sustainable Community Strategy.
- 9.3 The historic environment has an important role to play in contributing to sustainability in West Lancashire. The appraisals help value the distinctiveness of the local areas and provide a better understanding of the state of the physical and historical environment. The work seeks aims to improve the environment and cultural heritage of the wider community.

10.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 10.1 There are no significant financial or resource implications arising from the Appraisal updates.
- 10.2 Small scale conservation area enhancement works including the Traditional Features Grant Scheme is currently supported by funding under the Conservation Area Enhancement budget within the Capital Programme.

11.0 RISK ASSESSMENT

- 11.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant operational risk registers.

11.0 CONCLUSIONS

- 11.1 The review of the Borough's conservation areas remains important work, which is essential for the proper management of our important historic places. The re-appraisal work has confirmed that both Fulwood and Douglas Avenue and Junction lane Conservation Areas retain their special architectural or historic interest.

Background Documents

The background documents to this report (as defined in Section 100D(5) of the Local Government Act 1972) are as follows:

<u>Date</u>	<u>Document</u>	<u>File Ref</u>
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2011	Understanding Place: Conservation Area Designation, Appraisal and Management (English Heritage)
1998	Fulwood and Douglas Conservation Area Appraisal
1998	Junction Lane Conservation Area Appraisal

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

- A. Fulwood and Douglas Avenue Conservation Area Draft Character Appraisal
- B. Junction Lane Conservation Area Draft Character Appraisal
- C. Fulwood and Douglas Avenue Conservation Area Consultation responses
- D. Junction Lane Conservation Area Consultation responses
- E. Equality Impact Assessment
- F. Minute of Cabinet 11 November 2014 (Planning Committee only)