



**CABINET: 13 June 2017**

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**Report of:** Director of Development and Regeneration

**Relevant Portfolio Holder:** Councillor J. Hodson

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**SUBJECT: GRANVILLE PARK CONSERVATION AREA CHARACTER APPRAISAL UPDATE**

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Wards affected: Aughton and Downholland Ward

## **1.0 PURPOSE OF THE REPORT**

- 1.1 To report back to members the results of the public consultation on a revised boundary to Granville Park Conservation Area boundary and seek the approval of Cabinet for the update to the Granville Park Conservation Area Appraisal and associated Design Guide, and the provision to make a new Article 4 Direction across the whole of the Conservation Area.

## **2.0 RECOMMENDATIONS TO CABINET**

- 2.1 That the Granville Park Conservation Area Appraisal update for Granville Park Conservation Area and the Design Guide appended to this report (Appendix A and B) be approved.
- 2.2 That the Conservation Area boundary be extended to include the Cockbeck Tavern and its Car Park (identified as extension A on the Plan in Appendix C).
- 2.3 That Cabinet delegate authority to the Director of Development and Regeneration in consultation with the Portfolio Holder for Planning to make and publicise an Article 4 Direction for the extended Granville Park Conservation Area (identified on the Plan in Appendix C and schedule in Appendix D).

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## **4.0 BACKGROUND**

- 4.1 The review and update of the character appraisal for the Granville Park Conservation Area 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.
- 4.2 The draft update to Granville Park Conservation Area Appraisal (attached to this Report as Appendix A) was originally subject to public consultation and a public exhibition was held in Aughton Village Hall on 27 October 2016.
- 4.3 On the 8 December 2016 Planning Committee resolved to support the updated appraisal but with a recommendation to revise the boundary by including the Cockbeck Tavern and bowling green together with an additional number of cottages at the top of Winifred Lane.
- 4.4 Cabinet previously considered the update to the Granville Park Conservation Area Appraisal and the changes proposed by Planning Committee on the 10 January 2017. Cabinet had no objections regarding the appraisal document, the design guide or the proposals to make a new Article 4 Direction to cover the whole area but felt the Conservation Area boundary should be altered to include the Cockbeck Tavern, car park and the bowling green to the rear (indicated by extensions A and B on the attached plan in Appendix C).
- 4.5 Cabinet resolved that the Character Appraisal update should be deferred in order to undertake further consultation on a proposed revision to the Conservation Area boundary to include the Cockbeck Tavern, car park and the bowling green to the rear of Cockbeck Tavern and that any comments be considered at a future Cabinet meeting.

## **5.0 PUBLIC CONSULTATION – RESPONSES**

- 5.1 Consultation on the revision to include the Cockbeck Tavern, car park and the bowling green within the Conservation Area boundary took place between 30 January and 20 February 2017. A letter was sent to all residents within the Conservation Area as well as the owners of the Cockbeck Tavern and bowling green inviting any views relating to the proposed amendment to the conservation area boundary.
- 5.2 Three responses were received as a result of this consultation. These are summarised within Appendix E attached to the report. Two responses were from residents within the Conservation Area who support the proposed extension to include the bowling green to the rear of the Cockbeck Tavern. Their support is noted.

- 5.3 The third response was received from the owners of the Cockbeck Tavern site which includes bowling green who whilst provide support for the inclusion of the Cockbeck Tavern and its car park within the Conservation Area, object to the inclusion of the bowling green. They feel that the bowling green does not front onto Granville Park and sits uncomfortably between housing areas and the proposal to include it within the Conservation Area would serve no useful function either in terms of land use or to enhance the Conservation Area. They stated that when assessed against the merits of the area, its inclusion is not useful and could detract from the quality of the Conservation Area.
- 5.4 A summary of the comments received from the consultation can be found within Appendix E attached to this report.

## 6.0 ASSESSMENT

- 6.1 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 and re-affirm the special architectural or historic interest of Conservation Areas, clarify any issues relating to boundaries and identify ways to strengthen their commitment to manage the historic environment.
- 6.2 When considering any amendment to the boundary of a Conservation Area, the Council has to take a cautious approach – to ensure the area meets the statutory test imposed under the Planning (Listed Building and Conservation Areas) Act 1990 of being an area of “special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. The National Planning Policy Guidance (NPPF) states that: *“When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest and that the concept of conservation is not devalued through the designation of areas that lack special interest”* (paragraph. 127 - NPPF).
- 6.3 Historic England Advice Note 1 (Conservation Area Designation, Appraisal and Management, 2016), states that the outcome of a Conservation Area review might typically be an addendum to the existing appraisal, recording what has changed within the area. In doing so, a local authority can redefine the special interest that warrants designation, setting out recommendations to revise the area’s boundaries and management strategy. Paragraph 18 of the same Advice Note states that where an existing boundary may have been drawn too tightly, omitting areas of special interest, such later phases of development, parks, cemeteries and historic green spaces the existing area may need to be extended.
- 6.3 My views on the proposed extension to the Conservation Area involving the Cockbeck Tavern, car park and bowling green are documented in section 5 of my previous 10 January 2017 Cabinet report (see copy attached in Appendix G). I retain the view that the special architectural and historic interest of the

Conservation Area would be enhanced by extending the boundary to include the Cockbeck Tavern and its associated car park (identified as extension A on the Plan in Appendix C).

- 6.4 The Cockbeck Tavern was constructed earlier than its bowling green, with the land probably being set aside for the bowling green in and around the late 1940's or early 50's. The bowling green is discretely located to the north of the car park which serves the former Public House and adjoins a modern residential cul-de-sac (Capilano Park).
- 6.5 Members previously felt that because of the long established association between the Cockbeck Tavern and its bowling green that the combined site contributed to the overall character of the area and to separate the two sites and ignore this relationship would therefore diminish the special interest of the Conservation Area.
- 6.6 It is important to acknowledge that defining a boundary to a Conservation Area is a subjective matter and that it is for the Council to agree what area is defined of "special architectural or historic interest" and warrants designation. In this respect I am mindful that Conservation Areas do not only relate to buildings and can also include areas of land and open space, which contribute to the overall character and appearance of an area. Should Members not wish to accept my recommendation to include just the Cockbeck Tavern and car park and also include the bowling green they need to be sure that the revised boundary to the Conservation Area justifies its status as being an area of special architectural or historic interest and therefore meets the test contained in paragraph 127 of the NPPF.
- 6.7 The draft Conservation Area Appraisal Update (attached at Appendix A) has been revised to reflect the amendment of the Conservation Area boundary.
- 6.8 Extending planning control over development through the imposition of a new Article 4 Direction will help to prevent erosion of the character and appearance of the Conservation Area. The Article 4 Direction will be re-drawn to cover the revised boundary of the Granville Park Conservation Area. Subject to approval of the recommendations, the procedure for making an Article 4 Direction requires consultation with any residents/land owners affected by the changes and a press notice must be published. The draft Direction identified will come into force on undertaking the notification with residents and can remain in place for up to 6 months. Before the Article 4 Direction can be confirmed, any representations from property owners affected by the Directions must be considered and they will be included in a further report back to Cabinet for a decision on whether or not to confirm the Direction.
- 6.9 In all other respects the proposals, including the Design Guide and management proposals, remain unaltered from those originally reported to Cabinet on the 10 January 2017.

## **7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

- 7.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.
- 7.2 The need to continue with efforts to protect and improve the quality of the Borough'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.
- 7.3 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 to improve the environment and cultural heritage of the wider community.

## **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 8.1 There are no significant financial or resource implications arising from this report, although a programme of small scheme enhancement works including a Traditional Features Grant Scheme is currently supported via the Capital Programme.
- 8.2 However there are circumstances in which local authorities may be liable to pay compensation having made an Article 4 Direction, although the potential liability is limited by time limits that apply. Compensation in all cases can only be claimed for abortive expenditure or other loss or damage caused by the removal of the permitted development rights.

## **9.0 RISK ASSESSMENT**

- 9.1 The work undertaken is an important part of the Council's duty to preserve its Conservation Areas. Under existing legislation Councils are required to formulate and publish proposals for the management of its designated Conservation Areas.
- 9.2 Article 4 Directions provide planning controls over the impacts of minor development on the character and appearance of Conservation Areas. Failure to apply the Article 4 Directions weakens our management of these historic areas and risks the Authority not fulfilling its duty to preserve the historic character and appearance of both Conservation Areas.

## **10.0 CONCLUSIONS**

- 10.1 The review of the Borough's conservation areas remains important work, which is essential for the proper management of our important historic places. The review work has confirmed that Granville Park Conservation Area retains its special architectural or historic interest.

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## **Background Documents**

2016	Advice Note 1: Conservation Area Designation, Appraisal and Management (Historic England)
1997	Granville Park Conservation Area Appraisal
2017	Granville Park Conservation Area Character Appraisal Update - Addendum Report (10 <sup>th</sup> January 2017 Cabinet Report)

## **Equality Impact Assessment**

There is a significant 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 F to this report, the results of which have been taken into account when undertaking the actions detailed within this article.

## **Appendices**

- Appendix A – Granville Park Conservation Area Draft Character Appraisal
- Appendix B – Granville Park Conservation Area Design Guide
- Appendix C - Plan of Conservation Area extension and new Article 4 Direction boundary.
- Appendix D - Article 4 Direction schedule
- Appendix E – Granville Park Conservation Area revised boundary Consultation responses
- Appendix F - Equality Impact Assessment
- Appendix G – Granville Park Conservation Area Character Appraisal Update - Addendum Report (10<sup>th</sup> January 2017 Cabinet Report)