

DRAFT REPORT TO CABINET

REPORT OF: Economic Development Portfolio Holder

REPORT NO: PLA 962

DATE: 3rd December 2012

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| TITLE: | Approval of Bourne Conservation Area Appraisal and Management Plan and Boundary Review | |
| KEY DECISION OR POLICY FRAMEWORK PROPOSAL: | Key Decision | |
| PORTFOLIO HOLDER: NAME AND DESIGNATION: | Councillor Frances Cartwright Economic Development Portfolio Holder | |
| CONTACT OFFICER: | Kerry Walmsley, Assistant Conservation Officer, ext 6472 email: k.walmsley@southkesteven.gov.uk | |
| INITIAL IMPACT ANALYSIS: | Carried out and Referred to in paragraph (7) below | Full impact assessment required: |
| Equality and Diversity | Not required | |
| FREEDOM OF INFORMATION ACT: | This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk | |
| BACKGROUND PAPERS | None | |

1. RECOMMENDATIONS

It is recommended that Cabinet:

1. Formally adopt the draft Bourne Conservation Area Appraisal and Management Plan.
2. Approve the recommended boundary changes.
3. Delegate authority to the Head of Development and Growth in conjunction with the Economic Development Portfolio Holder to approve minor amendments to the appraisal and appraisal maps if required.

2. PURPOSE OF THE REPORT

- 2.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to draw up and publish proposals for the preservation and enhancement of conservation areas in their districts, to consult the local community about these proposals and to review the overall extent of designation in their areas regularly, and if appropriate to designate additional areas.
- 2.2 The conservation area in Bourne was designated in 1977 and this is the first comprehensive document that clearly defines its special interest and puts forward proposals for enhancement. It also provides a thorough and robust evidence base that can be used to inform the development management process.
- 2.3 English Heritage guidance (2011, *Understanding place, conservation area designation, appraisal and management* :6) states that current boundaries should be reviewed as part of the appraisal process, particularly if there is evidence to suggest that early conservation areas were drawn too tightly that excluded Victorian or Edwardian phases of development, now considered to be of special interest. English Heritage guidance also states that if the original interest has been eroded by subsequent changes or by inappropriate development the boundary should be revised. For example, during the review of the Ancaster Conservation Area in 2010, a large portion of the conservation area to the North was excluded due to significant erosion. The boundary of the conservation area was reduced by a third.
- 2.4 The purpose of this report is to enable Cabinet to consider the public representations received in response to the Bourne Conservation Area Appraisal and Management Plan including the proposed boundary changes that form part of the 2012 review. The principal boundary changes that have been proposed include extensions to the following areas:
- North Road
 - West Road
 - The Red Hall
 - Abbey Lawn
- 2.5 The extensions acknowledge the later expansion and associated townscape of Bourne that developed along key routes and display features relating to Victorian, Edwardian, Arts and Crafts and Art Deco design. In addition, there have been some areas of open space proposed for inclusion within the boundary to ensure the protection of settings at The Red Hall and Abbey Lawn. Some minor boundary amendments, where the original boundary bisected plots of land have also been proposed alongside the exclusion of a building that is no longer considered to be of special interest.
- 2.6 Following consideration the Cabinet will decide whether to confirm the revised boundary with or without further amendment, and approve the Conservation Area Appraisal and Management Plan.

- 2.7 The appraisal contributes to the priority themes of Grow the Economy and Promote Leisure, Arts and Culture. It should be regarded as the first step in a dynamic process, the aim of which is to preserve and enhance the character and appearance of the designated area and to provide the basis for making sustainable decisions about its future.
- 2.8 Bourne has a rich heritage with a good proportion of open space close to the town centre which could be used to generate wider social, environmental and economic benefits, such as increased tourism, learning, recreation and economic investment.

3. DETAILS OF REPORT

Conservation Area Appraisal and Management Plan

- 3.1 The Conservation Area Appraisal and Management Plan aims to define the special interest of the conservation area and put forward management proposals to protect and enhance the special qualities of the conservation area.

Action Plan

- 3.2 The appraisal includes an action plan to address any negative elements or threats to the conservation area and sets out an overall framework for active management. The action plan forms part of a wider review and management programme setting out key priorities for all of the conservation areas in the district and will be reviewed every 5 years, or where appropriate.

Proposed Extensions

West Road Extension

- 3.3 To extend the conservation area along West Road to include dwellings as far as No. 38 on the north side and the Almshouses on the south side. As part of the consultation proposals the boundary on the south side of the road terminated at No.37. However, this has been amended to terminate at the Almshouses taking into account representations made and that those properties on the south side of the road, are not equal in terms of quality with those on the north side of the road.

Summary

- 3.4 The extension includes attractive late 19th century and early to mid 20th century housing that reflects the historical development of Bourne. The almshouses date from 1931 and are a good example of Art Deco planned design. The housing comprises of two and three storey detached and semi detached properties which are set back from the roadside and there is a strong contribution of trees and hedgerows creating a spacious and green character.

Justification

- The extension acknowledges the contribution of 19th and early 20th century development to the phased character of Bourne.
- Large semi detached properties, with finely articulated features directly addressing the highway contributing towards an attractive layout and townscape.
- Buildings located on good sized plots and partially screened by boundary walls and hedges, form a pleasant and leafy approach into the town centre.
- 1931 Art Deco almshouses, with good retention of features displaying high quality period design.
- Gentle curving alignment of the road contributing towards progressive views in a westerly direction.

North Road Extension

- 3.5 To extend the conservation area as far as No. 97 on the west side and to the Galletly Medical Centre on the east side (excluding Nos. 1 and 2 Maple Gardens). Following consultation it was decided to exclude the above properties in Maple gardens from the extension proposals as they are inconsistent with the presiding character of North Road, (being built in the 1980s). However, the gate piers in front of the properties remain within the extension proposals.

Summary

- 3.6 North Road is characterised by a mix of semi-detached and detached houses of the Victorian and Edwardian era. Houses are arranged in a linear fashion with properties directly addressing the highway and grass verges separating the footways from the roadside. Trees line the grass verges which, together with the mature planting in the front gardens, create a pleasant avenue approach into the town centre. There are also attractive distant views to the west between the houses and intersecting streets of Bourne Woods.

Justification

- North Road reflects the historical development of Bourne and the 19^h – 20th century urban expansion of the Town.
- The road displays classic ‘ribbon development’ with growth radiating outwards along a key nodal route.
- Defined design and layout to the west side of the road, each occupying plots of a similar size, with small front gardens enclosed by boundary walls and large back gardens; typical of late Victorian design.
- Progressive design on the east side of the road, with less definition and the influence of Arts and Crafts style making a prominent contribution; particularly the detached residences, such as The Croft.

- The use of coloured brick creates visual contrasts and is in some cases an exuberant display of Victorian design such as at Nos. 31-33.
- The Galletly Medical Centre is a large detached property of asymmetrical design with render and red tiled roof and an interesting central cat slide roof on the western elevation.

The Croft, North Road

- 3.7 The consultation draft of the Bourne Conservation Area Appraisal and Management Plan proposed that The Croft and associated development of 68 units to the rear were to be included within the boundary extensions.
- 3.8 Following further consideration it has been amended to include the land in front of the building to the north and south and exclude the 68 new units to the rear. This ensures preservation of a positive building within the conservation area and excludes any development not of sufficient architectural or historic interest. Although the new development retains the historic legibility of the site it does not have a significance that is consistent with other buildings that form part of the extension proposals. The report recommends that Cabinet adopt this amended proposal. The appraisal map in the appendix of the appraisal has been amended taking account of the recommendations.

Red Hall Extension

- 3.9 To extend the conservation area boundary to include the open space to the south west of The Red Hall. During consultation Bourne United Charities proposed that the land in front of The Red Hall should be included within the conservation area. Following this response, it is recommended that this area of land is included within the extension proposals to protect the setting of the grade II* listed building. The appraisal document has been amended taking account of this representation.

Justification

- 3.10 The Red Hall is a grade II* building and is located within an open green setting that contributes towards its significance. The current boundary is drawn quite tightly to the south of Red Hall and the extension will ensure that the conservation area designation fully acknowledges the contribution that open space makes towards the setting of the listed building and conservation area as a whole.

Abbey Lawn Extension

- 3.11 To extend the conservation area to include the area of open space to the east of the conservation area boundary.

Justification

- 3.12 The current boundary diagonally bisects part of the Abbey Lawn Recreation Ground and excludes an area of open green space to the east of the

conservation area boundary. It is proposed that this area could be incorporated into the boundary to protect the setting of the recreation ground.

Exclusion of No. 36 South Street

3.13 To exclude No.36 South Street from the conservation area.

Justification

3.14 No.36 South Street is a former workshop which has been converted into residential flats and the ground storey provides open off street car parking for the residents. The building is of a modern flat roof design, with a rendered front facade and wide openings at ground floor level which is incongruous with the character of the conservation area. See picture in Appendix 3.

Amendment to 44-48 North Street and 60 North Street

3.15 To extend the conservation area boundary to include the full extent of the above buildings and associated plot.

Justification

3.16 Currently the conservation area boundary bisects the plots of the above buildings. The proposed boundary will ensure that the buildings and associated plots are included within the conservation area.

Responses from the Public Consultation

3.17 A copy of the draft appraisal document and an accompanying information leaflet, entitled 'frequently asked questions' that informed building owners and occupiers about the main effects of designation was sent to 789 addresses. Letters were sent to those within the current and proposed boundaries, specific numbers included:

- 549 properties within the current conservation area boundary
- 240 properties within the proposed extensions

3.18 A reminder letter was sent on the 31st August 2012. The consultation period finished on the 10th September 2012. A summary of the responses can be found in Appendix 1.

3.19 In addition, heritage organisations, internal council departments and amenity societies were also consulted. These included:

- Lincolnshire County Council Highways Department
- South Kesteven Asset Management department
- English Heritage
- Heritage Trust Lincolnshire
- Bourne Town Council
- Bourne Civic Society

- Bourne Preservation Society
- Bourne United Charities

Summary of Representations

- 3.20 There were a total of 16 respondents to the consultation, two of which were verbal representations. A total of 6 are in favour of the proposals and extensions, 2 are in favour in principal but have raised concerns and 8 are against the proposals.

The main issues raised from the consultation relate to increased controls and level of bureaucracy regarding conservation area status. Some of the respondents respected the need for conservation designation however had concerns over the rights for homeowners to look and care for their properties as they see fit. In addition there were some respondents that remarked on the number of inappropriate changes that have already taken place on buildings within the extensions. Although there are increased controls relating to conservation area status this mainly relates to demolition and homeowners can undertake minor works under the General Permitted Development Order (GPDO 1995). Although many of the buildings have undergone changes including the insertion of UPVC windows and doors, the overall architectural and townscape quality of the proposed extensions outweighs any damage caused by erosion of such features.

- 3.21 A summary of the representations are detailed in Appendix 1.

4. OTHER OPTIONS CONSIDERED

- 4.1 As part of the Councils statutory duties under Section 72 of the 1990 Act local authorities must produce and publish character appraisals for their future management. Bourne was designated a conservation area in 1977 and this is the first comprehensive document that clearly defines its character and puts forward management proposals since designation. The previous document produced does not contain sufficient information to provide a basis for sustainable planning decisions which will preserve and enhance the character of the conservation area.
- 4.2 The alternative option would be not to amend the boundary. This would be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990 and would not fully recognise, preserve and enhance the areas of Bourne which are of historic and architectural interest. It would constitute a missed opportunity to include areas which are of sufficient architectural quality to merit protection and to exclude detrimental areas. These alterations will ensure that the boundary is robust and justifies its status as an area of special historic and architectural importance.

5. RESOURCE IMPLICATIONS

- 5.1 The costs associated with the publication of statutory notices and printing costs of the appraisal can be accommodated within the existing Conservation Budget. There will be implications associated with the delivery of the priorities within the action plan; however this is predominantly Officer time and forms part of a wider review and management programme. Projects such as developing a local list for Bourne are within a wider framework of service planning across the district.

6. RISK AND MITIGATION

- 6.1 Risk has been considered as part of this report and no high level or exceptional risks have been identified. There may be some small scale risks that have been noted during the consultation process relating to the affect the proposed extensions may have on the reputation of the Council. Equally, not to designate the proposed extensions would present risks in terms of failing to fulfil statutory duties and protecting and recognising areas of special interest.

7. ISSUES ARISING FROM IMPACT ANALYSIS

Not applicable.

8. CRIME AND DISORDER IMPLICATIONS

None in relation to this report.

9. COMMENTS OF FINANCIAL SERVICES

There are no specific financial comments to make in relation to this report.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

- 10.1 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") requires local planning authorities (LPAs) to determine which parts of their area possess special architectural or historic interest and to designate them conservation areas. Section 69 (2) and 70 (1) place a continuing duty on LPAs to consider whether they should designate new conservation areas or extend existing ones. Section 71 of the Act requires LPAs to formulate and publish proposals for the preservation and enhancement of conservation areas. Although there is no statutory requirement for LPAs to consult they are encouraged to do so and as the report makes clear consultation has been carried out on this occasion. The decision maker must have regard to the representations made by those who replied to the consultation. The production and adoption of a Conservation Area Appraisal and Management Plan ensures the Council is acting in compliance with these statutory requirements.
- 10.2 Section 70 (5) of the Act requires the Council to notify the Secretary of State and English Heritage of any new designations, and to advertise the designation in the London Gazette and a local newspaper.

11. COMMENTS OF OTHER RELEVANT SERVICES

There are no comments in relation to this report.

12. APPENDICES:

See over.

APPENDIX 1 Bourne Conservation Area and Management Plan

APPENDIX 2

Summary of Representations Table

| Representation no. | Comments | Officer Response |
|----------------------------|--|---|
| 1. Bourne United Charities | <ul style="list-style-type: none"> In favour of extensions. Proposed that the land in front of The Red Hall is included within the extensions. | <ul style="list-style-type: none"> Appraisal has been amended to include the land in front of The Red Hall (grade II* listed) within the extension proposals to protect its setting. |
| 2. | <ul style="list-style-type: none"> Understands the need for conservation area designation but is concerned about extra bureaucracy associated with conservation area status. | <ul style="list-style-type: none"> Controls over minor development are limited. Designation does not seek to prevent development but ensures that any new development preserves and enhances the character of the conservation area. The benefits of an improved environment, safeguards against inappropriate development and an increase in property values arising from the preserved character and appearance of the conservation area, outweigh any drawbacks. |
| 3. | <ul style="list-style-type: none"> Against the inclusion of Galletly Medical Practice within the conservation area extension. Inclusion of Galletly Medical Practice would impact on provision of services and funds and result in development constraints with a requirement to use expensive materials. | <ul style="list-style-type: none"> Conservation area designation does not restrict development; it ensures that any development seeks to enhance its character and appearance. Currently there are no Article 4 directions in place for Bourne; therefore inclusion of the building would not impose restrictions or costs beyond the limit of permitted development rights. |
| 4. | <ul style="list-style-type: none"> Against the North Road extension. Does not agree with the extra controls and restrictions that come with conservation area designation. Property owners should be able to make their own decisions about their homes and not be dictated by the local Council. | <ul style="list-style-type: none"> The main effect of designation relates to controls over demolition. Permitted development rights allow minor works to be undertaken without the need for planning permission. Whilst it may be perceived as dictatorial, the proposed measures are in place not to discourage change but instead effectively manage it in a way that preserves significance whilst ensuring the long term future for the historic environment. |

| Representation no. | Comments | Officer Response |
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| 5. | <ul style="list-style-type: none"> • In favour of extensions along West Road. • Suggests including properties on both sides of the road. • Would like to see protection of grass verges. • Resources and money should be spent on putting in place measures to reduce speeding and traffic calming measures along West Road. | <ul style="list-style-type: none"> • Grass verges are included within the West Road extension but not specifically mentioned within the appraisal – appraisal to be amended. • The West Road extension has been amended on the south side to terminate at the almshouses.. • Conservation area status would strengthen the case for traffic calming measures along the road, due to its impact on a designated heritage asset. Appraisal to be amended to include the management of traffic within the action plan. • Forward comments re: traffic calming and speeding issues to highways. |
| 6. | <ul style="list-style-type: none"> • In favour of boundary amendments as preserves the quality of the area. • Concerned about having to maintain gardens to a certain standard. | <ul style="list-style-type: none"> • Designation does not dictate that home owners are obliged to maintain there gardens to a certain level. However, it does necessitate that six weeks written notice is required to lop, top or fell a tree. Small trees which are less than 75mm in diameter, and 1 metre tall are exempt alongside fruit trees and bushes. |
| 7. | <ul style="list-style-type: none"> • In favour of appraisal and boundary extensions. • Would like paper copies for museum following adoption. | <ul style="list-style-type: none"> • Will ensure to provide paper copies of adopted appraisal to those who request it. |
| 8. | <ul style="list-style-type: none"> • Respects the extensions. • Unnecessary delays in consulting the Conservation Officer and extra planning application costs. • South Kesteven District Council should be looking at other priorities. | <ul style="list-style-type: none"> • The majority of planning applications relating to development in and outside of conservation areas have a turnaround period of 6-8 weeks. • There will be costs relating to proposals that do not fall within permitted development rights; however conservation area consent is free. • Reviewing conservation areas forms part of the Council's statutory duties and has a positive impact on the local scene in ensuring that areas of high townscape and heritage interest are preserved and enhanced. It supports the Councils' priorities of 'Grow the Economy' and 'Promote Leisure Arts and Culture'. |

| Representation no. | Comments | Officer Response |
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| 9. | <ul style="list-style-type: none"> • In favour of appraisal and boundary extensions. • Happy for the front of the property to be preserved but objects to it being extended to cover the back of the house. | <ul style="list-style-type: none"> • Conservation area status is defined by overall townscape quality, not about the quality of individual buildings. • The significance of the proposed extensions, relate to buildings and their plots as a whole. Designation that covers only the front of the property will result in cumulative harm and loss of significance. |
| 10. | <ul style="list-style-type: none"> • Strong objection. • Report says little about south side of West Road. • Almshouses are not originally built and have had extensions. • Nos. 27-37 (except no.35) has had modern changes eg. Plastic windows. • Changes to boundary treatments. • Object to any significant changes of the conservation area, but support minor amendments. • Existing planning controls are sufficient to ensure aesthetics are maintained whilst at the same time allowing progress to happen. • Detrimental affect on reputation of the Council. | <ul style="list-style-type: none"> • Objection noted. • The consultation document does include information on the south side of West Road; however it is not a full appraisal of the area – this has been updated for the final document. • Modern alterations of Nos. 27-37 have been noted, and appraisal document has been amended to exclude Nos. 27-37 South Road from the proposals. • There is the possibility for further reforms in the planning system to encourage growth and relax planning controls under the National Planning Policy Framework. At present, the reported changes exclude designated conservation areas. • There have been changes to boundary treatments however the overall quality of the townscape and design of the buildings outweighs any damage caused by the loss of boundary treatments. • Despite the loss of traditional dwarf or brick boundaries, there are a good number of hedge boundaries that contribute to the character and appearance of the conservation area. • Existing planning controls do not sufficiently protect areas of special architectural and historic interest. Conservation area designation ensures control over demolition of important parts of the historic environment that contribute towards local distinctiveness. |

| Representation no. | Comments | Officer Response |
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| 10. <i>(continued)</i> | | <ul style="list-style-type: none"> • The guiding principal of conservation area management as endorsed by English Heritage is 'the intelligent management of change'. Designation does not prevent change but ensures that due regard is given to the significance of the designated area when assessing proposals. This in turn allows for long term and sustainable management of the historic environment. • Risks involved relating to the reputation of the Council are noted (please see section 6). However, other conservation areas within the district such as Grantham and Stamford have recently been reviewed and have included areas of 19th and 20th century development that has been approved by cabinet. Not to include Bourne would result in an inconsistent approach to the overall management of heritage assets in the district. |
| 11. | <ul style="list-style-type: none"> • Strong objection to 33 West Road being in conservation area. • West Villas should be included not respondents property – no logic to designation. • Many of the properties have already undergone changes. • 33 West Road has no architectural or historic interest. • Money should be spent on something more useful | <ul style="list-style-type: none"> • Objection noted, appraisal has been amended to exclude No.s 27-37 West Road from the extension proposals. • The logic in the designation relates to not just the architectural interest of individual buildings but the overall townscape quality of West Road. West Road presents phased development of later expansion of the town and ranges from Victorian Villas to good quality arts and crafts style buildings. The curving alignment of the road, grass verges and trees, coupled with the arrangement of buildings directly addressing the street contributes towards an attractive streetscene. • The overall quality of the buildings and townscape outweigh any damage caused by changes to windows, doors or minor extensions. |

| Representation no. | Comments | Officer Response |
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| 11. <i>(continued)</i> | | <ul style="list-style-type: none"> The associated costs with adopting the Bourne Conservation Area Appraisal and Management Plan are minimal. The majority of the costs are in Officer time and can be covered by the conservation budget, although there may be some minor costs associated with the Action Plan; (please see section 5). |
| 12. | <ul style="list-style-type: none"> Unnecessary exercise during times of economic downturn. Taking away householders freedom. | <ul style="list-style-type: none"> There are no increased cost implications, other than Officer time as a result of designation. Designation will open up more opportunities for funding such as the Heritage Lottery Fund. Conservation area designation does not restrict permitted development rights and the principal affects are controls over demolition, therefore it does not have a undue negative impact on homeowners in relation to them undertaking works to their property, |
| 13. Bourne Town Council | <ul style="list-style-type: none"> Generally supports the document and extensions. If Article 4 directions were to be proposed Bourne Town Council would like further information about the impact on homeowners. Would like a copy of the adopted document following adoption. | <ul style="list-style-type: none"> At present there are no Article 4 directions in place. If Article 4 directions were to be proposed this would undergo a full consultation exercise and Bourne Town Council will be actively consulted. Ensure that an up to date copy of the adopted Bourne Conservation Area Appraisal and Management Plan is sent to Bourne Town Council. |

| Representation no. | Comments | Officer Response |
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| 14. | <ul style="list-style-type: none"> • Not against the principal of extension. • Review document provides a useful review of current and proposed area. • Appraisal highlights inappropriate shop fronts that have received consent. • The extension shifts burden of responsibility from businesses to homeowners. • In favour of including Villas on West Road and Galletly Medical Practice on North Road. • Proposed management opportunities seem reasonable. • Old Grammar School needs to be dealt with as a matter of urgency. • No management opportunities for areas outlined in extensions. • In favour of Red Hall and Abbey Lawn extensions. • Unduly onerous restrictions on buildings which have had inappropriate changes. • Impracticalities of notifying Council for every pruning task. • In favour of the rear boundary at No.37 as it excludes the land to the rear where there is outline planning consent for the construction of residential properties. | <ul style="list-style-type: none"> • The appraisal has been amended to exclude any shop fronts that have had consent and were quoted in the appraisal as being 'inappropriate'. Decisions relating to these shop fronts were taken in the absence of a robust appraisal document. Inappropriate shop fronts are to be tackled through a targeted enforcement strategy, as detailed in the action plan. • The appraisal has been amended to exclude No.s 27-37 West Road from the extension proposals. • The condition of the Old Grammar School has been highlighted in the appraisal and management plan however the plan will be amended. to ensure this is given high priority, • Although the Council require 6 weeks notification for some works to trees, this is not unduly onerous as pruning can be done without notification; it is only the 'lopping' 'topping' or 'felling' works of a tree greater than 75mm in diameter and 1 metre tall that requires notification. Small trees which are less than 75mm in diameter, and 1 metre tall are exempt alongside fruit trees and bushes. |

| Representation no. | Comments | Officer Response |
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| 15. | <ul style="list-style-type: none"> • Grass verges in a poor state due to parking cars. • People who lease properties should ensure that garden boundaries and maintained. • Old street sign of Gladstone Street is buried beneath bushes. | <ul style="list-style-type: none"> • Address problems with grass verges within the management plan and consult with highways regarding a solution. • I have investigated this sign, however I have been unable to locate this. The retention of historic street furniture is covered in the management plan. |
| 16. Lincolnshire Heritage Trust | <ul style="list-style-type: none"> • Good positive document. • In favour of the proposals and extensions. • Positive to see protection of archaeology within the document. | <ul style="list-style-type: none"> • Support for appraisal noted. |

APPENDIX 3: Photograph of No. 32 South Street

