

## PUBLIC CONSULTATION ON PROPOSED UPDATED CONSERVATION AREA APPRAISALS

Planning Advisory Committee - 2 October 2018

Report of	Chief Planning Officer
Status	For Consideration
Key Decision	No

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**Executive Summary:** This report concerns the proposed public consultation on the updated conservation area appraisals. It sets out the legislative background to and purpose of conservation area appraisals and explains the need for public consultation. The report recommends that committee members take note and support the public consultation.

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**This report supports the Key Aim of** ensuring that Sevenoaks District remains a great place to live, work and visit.

Portfolio Holder	Cllr. Robert Piper
Contact Officers	Regina Jaszinski, Ext. 7103 Rebecca Lamb, Ext. 7334

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**Recommendation to Planning Advisory Committee:** To note the draft conservation area appraisals and management recommendations and proposed associated public consultation.

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**Reason for recommendation:** To enable progression of the review of the district's conservation areas and their associated appraisals.

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### Introduction and Background

- 1 The Conservation Team is undertaking a review of the district's conservation areas. Six conservation areas have been reviewed and updated conservation area appraisals been drafted which are ready to be put out to public consultation.
- 2 People in the district place a high value on the quality of its landscape, heritage and open spaces according to the Sevenoaks District Community Plan.
- 3 There are 42 conservation areas within the district. All of them have conservation area appraisals, but most of these are 15 to 17 years old. Although legislation requires the authority to review its areas 'from time to

time', it gives no indication how often this might mean. Good practice is generally accepted to be every 5 years.

- 4 The Council appointed consultants Alan Baxter Associates to undertake the review of six conservation areas. It is anticipated that the conservation area review will be continued over the following years and update all out-of-date conservation area appraisals.

## Policy Context

- 5 The Planning (Listed Building and Conservation Areas) 1990 Act imposes a duty on local authorities to review from time to time their areas and to determine whether any further parts should be designated as conservation areas. Section 71 of the Planning (Listed Building and Conservation Areas) Act 1990 also places a duty on local planning authorities to draw up and publish proposals for the preservation and enhancement of the conservation areas in their districts.
- 6 The National Planning Policy Framework (NPPF) advises that *'when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architecture or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest'* (para. 186).
- 7 In the SDC Core Strategy 2011, para 5.1.1 addresses the protection of the district's key historic assets, stating:  
  
*'At a local level Conservation Area Appraisals and Management Plans will be used to provide guidance on distinguishing features of the historic environment that should be protected, together with identifying opportunities for enhancement.'*
- 8 Policy SP1 Design of New Development and Conservation stipulates:  
  
*'All new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. Account should be taken of guidance adopted by the Council in form of ... Conservation Area Appraisals and Management Plans.'*
- 9 It is highlighted in the SDC Core Strategy that conservation area appraisals are in place for all conservation areas and that some of them have been updated to include management plans. It states that these will be kept under regular review and that remaining appraisals will be updated with appraisals and management plans, and adopted as Supplementary Planning Documents. Accordingly, the proportion of conservation areas with up-to-date appraisals is one of the Core Strategy's performance indicators.

## Updated Conservation Area Appraisals

- 10 All appraisals are in need of updating and improvement to make them more easily accessible to planning officers and to all who live and work in these areas. The majority of the existing appraisals do not include any proposals for the preservation and enhancement of the conservation areas. The revised appraisals address this and incorporate management recommendations to help support not only the Council's functions, but also those of other bodies and stakeholders involved with the area.
- 11 There is no prescribed format for appraisals and management plans, only best practice guidance by Historic England on the components they should contain. Because the proposals for future management are incorporated within the appraisals and are tailored to the relevant conservation area, rather than set out in a generic plan, they have been referred to in the documents as management 'recommendations'.
- 12 The following six conservation areas have been re-surveyed and updated character appraisals been drafted:
  - Brasted High Street,
  - Leigh;
  - Seal;
  - Shoreham High Street and Church Street;
  - Shoreham Mill Lane;
  - Swanley Village.
- 13 The above conservation areas were chosen based on the date of their last review/appraisal and the number of applications received in recent years i.e. to target resources to areas with most out-of-date appraisals but greatest development pressure and need for guidance.
- 14 It is important that the special interest of a conservation area is clearly and accurately articulated. The appraisals will
  - inform the public on the heritage value of these areas;
  - provide a sound framework against which proposals for development are assessed;
  - will be adopted as supplementary planning documents (SPDs) and be material considerations in assessing applications for development in the conservation areas;
  - serve as evidence base for the Local Plan.
- 15 The management recommendations include suggestions for minor extensions to all but the Seal Conservation Area and to merge the two Shoreham Conservation Areas. Article 4 Directions to protect boundary treatments that contribute to the character of the area are proposed for the Shoreham and Swanley Village conservation areas.

- 16 The appraisals and management recommendations are based on best practice contained in the Historic England Advice Note 1 '*Conservation Area Designation, Appraisal and Management*' (2016).
- 17 Each conservation area appraisal consists of three parts:
- An introduction setting out the legislative background and methodology;
  - An appraisal of the character of each conservation area including an open space assessment and management recommendations
  - Conservation area design guidance for new development

### **Public Consultation**

- 18 There is no statutory duty to consult when preparing conservation area appraisals and management recommendations, but it is good practice to do so and it is a prerequisite for adoption of the appraisals as SPDs. Public consultation will be carried out by Alan Baxter Ltd to the principles set out in the Council's Statement of Community Involvement, with assistance from Officers at public meetings.
- 19 Informal consultation with stakeholders took place in May and June this year. Parish and District Councillors and local amenity societies were invited to join an informal walk-about and use the opportunity to express their views about the heritage value of the conservation areas and any issues that might affect them. The meetings were well attended and the information gathered has fed into the draft appraisals.
- 20 It is proposed that the formal public and stakeholder consultation will run for 6 weeks from Friday 19th October until Friday 30th November. We will send out leaflets to all residents and businesses in the conservation areas and hold one local drop-in event for the general public in each area. We will use our website to publicise the consultation and have an online questionnaire asking stakeholders for their feedback and comments. The appraisals will be made available on the Council's website, the Council's reception desk, Sevenoaks Library and locally accessible places such as local libraries, Parish Offices, shops or pub.

### **Other Options Considered and/or Rejected**

The Core Strategy is specific about the documents necessary to support Policy SP1. Not pursuing the update of the existing appraisals and associated public consultation would not accord with SDC policy.

The Council would also fail in its statutory duties in relation to conservation areas, as set out in the Planning (Listed Building and Conservation areas) Act 1990.

These conservation areas have been considered as part of an ongoing programme of review of our conservation area appraisals.

## **Key Implications**

### Financial

The production of the appraisals and management recommendations has been accommodated within existing budgets.

The processing of additional planning applications that would result from the proposed extensions to the conservation areas and the application of the recommended specific Article 4 Directions to two areas will be accommodated within the departmental budgets.

### Legal Implications and Risk Assessment Statement

The Council has a statutory duty under the provisions of section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate and review conservation areas and is required to produce appraisals and management plans for each area.

The documents are based on best practice and would involve local engagement. It is therefore considered that once finalised, they would provide a sound basis for the future conservation and management of the areas.

Legal input will be required for advising on the procedure for making extensions to conservation area and the use of Article 4 Directions.

### Equality Assessment

Equal opportunities will be achieved by making the documents available equally to all and providing other formats when necessary.

Otherwise, the decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

## **Conclusion**

In taking note of and supporting the public consultation on the draft appraisals, the committee will see the progress of the conservation area review and completion of the first tranche of updates.

The appraisals and management recommendations will help the local community, developers and local authority to engage in the conservation and enhancement of the conservation areas and secure the long term preservation of their character and value as important heritage assets.

## **Appendices**

Appendix A - Consultation Leaflet (Example for the updated Leigh Conservation Area Appraisal)

Appendix B - Sevenoaks District Conservation

Areas: An introduction to appraisals revised in 2018

Appendix C - Draft Brasted Conservation Area Appraisal

Appendix D - Draft Leigh Conservation Area Appraisal

Appendix E - Draft Seal Conservation Area Appraisal

Appendix F - Draft Shoreham Conservation Area Appraisal

Appendix G - Draft Swanley Village Conservation Area

Appendix H - Conservation Area Design Guidance

## **Background Papers**

[National Planning Policy Framework](#)

[Sevenoaks District Council Core Strategy, 2011](#)

[Historic England Advice Note 1 'Conservation Area Designation, Appraisal and Management' \(2016\)](#)

[Historic England: Conservation Principles \(2008\)](#)

**Richard Morris**  
**Chief Planning Officer**