

CHESHIRE EAST COUNCIL

Cabinet Member for Housing, Planning, Economic Development and Regeneration

Date of Meeting:	12 th August 2013
Report of:	David Hallam, Principal Conservation and Design Officer
Subject/Title:	Proposed Community Consultation upon the Draft Character Appraisal and Management Plan, as part of the review of the Sandbach Town Centre Conservation Area
Portfolio Holder:	Councillor Don Stockton

1.0 Report Summary

- 1.1 This report seeks Member authority for officers to undertake community consultation in accordance with the details set out in this report, in relation to the review of the Sandbach Town Centre Conservation Area.
- 1.2 The review comprises the preparation of a character appraisal for the conservation area, a review of the conservation area boundary and draft management proposals for the conservation area, including a draft management plan.
- 1.3 The draft appraisal documents are provided as Appendix 2 and the draft consultation material will be available at the meeting.
- 1.4 It was originally intended that this be reported to the Portfolio Holder on 22nd April. However, it was withdrawn from that meeting after representation by Cllr B Moran, on behalf of the Town Council, regarding aspects of the Management Plan. Amendments have now been incorporated to address those concerns.

2.0 Recommendation(s)

- 2.1 That officers be authorised to undertake community consultation in respect to the review and draft management proposals for the Sandbach Town Centre Conservation Area, in accordance with the consultation details set out in this report.

3.0 Reasons for Recommendation(s)

- 3.1 Section 71 of the Act¹ states that 'it shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas'.

¹ Planning (Listed Buildings and Conservation Areas) Act 1990

3.2 Sandbach Town Centre Conservation Area was first designated in 1970, when an appraisal document, including management proposals was adopted. Since then the conservation area has been extended twice, firstly in 1976 and then in 1995. A plan showing these phases of designation and the current boundary of the conservation areas is attached as Appendix 1.

3.3 A detailed character appraisal has been prepared as part of the review of the conservation area, including reviewing the current boundary. The review has also led to draft management proposals for the conservation area that need to be consulted upon before adoption, as encouraged by best practice².

4.0 Wards Affected

4.1 Sandbach Town

5.0 Local Ward Members

5.1 Cllr Barry Moran

6.0 Policy Implications

6.1 None

7.0 Financial Implications

7.1 The administrative costs associated with the consultation will be met within the 2013/14 budget for Development Management.

7.2 It is proposed as part of the management plan that there will be projects (see summary table at the end of the draft CA appraisal/management plan), but these would have to be subject to individual bids for Cheshire East capital funding, in accordance with its Finance and Contract Procedure Rules and approval processes, and would be joint projects with other agencies. The summary table identifies that Cheshire East would not be the lead agency for such projects. There is also a caveat at the end of the table advising that all management actions are subject to the availability of funding/resources.

8.0 Legal Implications

8.1 The approval of this report relates solely to authorising officers to undertake the consultation in relation to the review of the Sandbach Town Centre conservation area, the draft appraisal and associated draft management proposals. Upon completion of the consultation, a further report will be presented to the Portfolio holder or Cabinet, outlining the

² Understanding Place: Conservation Area Designation, Appraisal and Management, English Heritage, revised 2012

community consultation responses, the proposed changes to the Appraisal and Management Plan, and seeking authority to adopt them on that basis, in accordance with statutory requirements.

- 8.2 Certain of the management actions indicated in the management proposals, such as the service of an Article 4(2) direction will require separate individual approval by members, either via the Cabinet or by the Portfolio holder on its behalf.
- 8.3 Pursuant to the Local Government Act 2000 s13 and the Local Authorities (Functions & Responsibilities) (England) Regulations 2000, decisions relating to the designation of conservation areas belong to the Executive and have been delegated, by the Council's Constitution, to the Portfolio Holder.

9.0 Risk Management Implications

- 9.1 Statutory and local requirements in respect to publicity and future adoption of the conservation area appraisal and management proposals shall be undertaken.

10.0 Background and Options

- 10.1 Local authorities have a statutory responsibility to positively manage the built heritage of their areas, including the periodic review of conservation areas and to formulate and publish proposals for preservation and enhancement of the area.
- 10.2 Sandbach Town Centre Conservation Area was first designated in 1970. An appraisal was prepared for that designated area. Since then the conservation area has been extended on two more occasions, the first in 1976 and more recently in 1995. Neither of those extensions were the subject of updated appraisals or management proposals and therefore the appraisal and management proposal coverage is incomplete and where there is coverage, it is over 40 years old.
- 10.3 The enlargement of the conservation area has led to a more complex and varied conservation area than that first designated in 1970. The areas are of varied character and therefore face different issues in terms of threats to their historic interest. As a consequence there has been some erosion of character in certain parts of the conservation area due to the lack of management and controls, notwithstanding the conservation area designation.
- 10.4 Whilst there is no defined statutory period in terms of the frequency of conservation area review, it would be extremely difficult to argue that, in Sandbach's case, the review is not long overdue. Best practice advocated by English Heritage discusses review every 5 years and the need to have

an up to date appraisal and management proposals for the conservation area³

Conservation Area Review - The Process

- 10.5 The review process entails a detailed assessment of the positive and negative elements of a place, and in the case of a review of an existing conservation area, the continued relevance of the adopted boundary. The review is then encapsulated in a character appraisal, which in essence explains what is significant in built heritage terms and what defines the special characteristics of the conservation area: its genius loci. The appraisal also identifies elements that are less positive and where improvement of the conservation area can be secured through planning and positive conservation management.
- 10.6 Following this baseline stage, management proposals are then devised. There is a statutory duty for local planning authorities to draw up and publish proposals for the preservation and enhancement of conservation areas⁴
- 10.7 In the case of Sandbach, the appraisal and management plan has been drafted working closely with Sandbach Town Council and the Sandbach Conservation and Heritage Group, comprising several meeting and workshop type sessions. It has also entailed informal dialogue with some Cheshire East Council officers and with English Heritage. Amendments have been incorporated to take account of that informal feedback.
- 10.8 In particular, following withdrawal of the item to the Portfolio Holder meeting in April, a further meeting has been held with Sandbach Town Council to address the concerns about the Management Plan. Changes have been incorporated to address those concerns.
- 10.8 The only statutory requirement for consultation set out in the Act is that proposals shall be submitted for consideration to a public meeting in the area to which they relate. However, English Heritage best practice guidance advocates wider community consultation as part of the review process.
- 10.9 Once the consultation has been completed, the amended version of the appraisal is then adopted by the Council under its relevant procedures, in this case either via Portfolio Holder decision on behalf of the Cabinet or by the Cabinet itself. Once adopted, under the provisions of the Act, a notice has to be placed in the London Gazette and in a local newspaper and it needs to be recorded on the Land Charge Register.

³ Understanding Place: Conservation Area Designation, Appraisal and Management, English Heritage , revised 2012

⁴ Section 71 of the Planning(Listed Buildings and Conservation Areas) Act 1990

Proposed consultation arrangements

10.10 In order to consult as widely and effectively as practicable, the following arrangements are proposed:

- 1) Advance publicise the event through posters – provided to Town Council to distribute/display approx 1- 2 weeks before consultation starts
- 2) Distribution of leaflets (flyers) to each property in the CA – by CEC and partners 1-2 weeks before the consultation starts
- 3) Advance publicise on CEC reception screen
- 4) Advance publicise on CEC, STC and SP websites
- 5) Advance publicise in the Saxon town magazine (if achievable) – TC to organise
- 6) Preview to Sandbach Town Council Community and Environment Committee 29th August
- 7) Public meeting at Literary Institute on 12th September
- 8) Exhibition at local venue, most probably Sandbach Library from 2nd September – 15th October
- 9) 3 surgery sessions at the library during first week of consultation
- 9) Possibly attend the Saturday Farmers market during the consultation period
- 10) Potentially other media coverage

10.11 It is intended that feedback will be possible by paper copy questionnaire at exhibition and by electronic questionnaire via the website (discussions well advanced with web and research teams at CEC).

10.12 The consultation webpage will include copies of the draft appraisal document as pdfs, a copy of the exhibition as a pdf and the live questionnaire. It is also hoped to link from the CEC homepage either in the 'Have your Say' section or possibly 'In Focus'. Links from partner websites will also be created (Sandbach Town Council and possibly the Sandbach Partnership)

11.0 Access to Information

Appendix 1 Current Conservation Area plan

Appendix 2 Draft appraisal and management proposals

Appendix 3 Draft consultation material – available at the meeting

The background papers relating to this report can be inspected by contacting the report writer:

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