

## AGREED AT FULL COUNCIL 28 FEBRUARY 2014

### PLANNING POLICY CONTEXT UPDATE 2013

### ANNEX 1

Designation of Conservation Areas takes place under the provisions of Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. A Conservation Area is defined as “*an Area of Special Architectural or Historic Interest, the character or appearance of which it is desirable to preserve or enhance*”. It is the quality and interest of an area, rather than that of individual buildings, which is the prime consideration in identifying a Conservation Area.

Section 71 of the same Act requires Local Planning Authorities to formulate and publish proposals for the preservation and enhancement of any parts of their area that are designated as Conservation Areas. Section 72 specifies that, in making a decision on an application for development in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.

This document should be read in conjunction with the National Planning Policy Framework which came into effect in March 2012. The relevant paragraphs of the NPPF are:-

Paragraph 17 states

Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should (inter alia):

- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations

Paragraph 127 states:-

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 169 states;-

Local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. Local planning authorities should either maintain or have access to a historic environment record

## **English Heritage Guidance**

During consultations on this Appraisal English Heritage indicated that the Companion Guide to PPS5, Planning for the Historic Environment, still remains relevant and that applicants and developers should have regard to this. Regard should also be given to recent English Heritage Publications and links;

- Understanding Place: Conservation Area Designation, Appraisals and Management Plans.

<http://www.english-heritage.org.uk/publications/understanding-place-conservation-area>

- A companion document which compares the National Planning Policy Framework policies to those in PPS5.
- A companion document which gives information on additional policies in the National Planning Policy Framework which are not mentioned in the PPS5.

both at;

<http://www.english-heritage.org.uk/professional/advice/government-planning-policy/national-planning-policy-framework>

## **Other Guidance**

Draft National Planning Policy Guidance as at December 2013 is currently out for consultation. This will replace that within the Companion Guide to PPS5 and applicants and developers should also have regard to this which will carry greater weight.

<http://planningguidance.planningportal.gov.uk/>

Until the new National Planning Policy Guidance is formally confirmed it is has not been practicable to redraft all the documents associated with the Conservation Area Character Appraisal. .

## **Local Planning Policy**

This appraisal provides a basis on which applications for development within the area can be assessed. The wider Development Plan Policy Framework

produced by Scarborough Borough Council provides the context for this document. That policy is set out in a number of documents :-

*Scarborough Borough Local Plan*, adopted in April 1999, provides a number of policies on Conservation Areas. Work is underway to replace the Local Plan, and new policies relevant to Conservation Areas will be prepared, but the following Local Plan policies relevant to the conservation area will be 'saved' for the time being :-

- E1 - Protection of open countryside
- E6 - Protection of Open Space
- E12 – Design of New Development
- E14 - Extensions and Alterations
- E23 - Detailing in Conservation Areas
- E27 – The Protection of Significant Views
- E34 – Security Shutters
- E39 Development affecting Hedgerows and Trees
- H3 - Small Scale/Infill Housing Development
- H12 - Conversion and Sub-Division of Buildings for Residential Use
- H17 – The Conversion of Rural Buildings to Residential Use
- S14 – Shop Fronts

These policies are backed up by the following published policy and guidance leaflets and booklets :-

- Period Doors
- Sash Windows
- Listed Buildings
- Architectural Ironwork
- Window Replacement Policy
- Shopfront Policy and design Guidance
- Shopfronts, Adverts and Signs
- Shopfront Security

The Borough Council is in the process of preparing a new Local Plan which will eventually replace those of the 1999 Plan. This appraisal will inform the use of any future Local Plan policies, and will also be taken into account in the assessment of particular sites/redevelopment opportunities that are considered through the Local Plan process