

EAST HERTS COUNCIL

ENVIRONMENT SCRUTINY COMMITTEE – 13 SEPTEMBER 2016

REPORT BY HEAD OF PLANNING AND BUILDING CONTROL

CONSERVATION AREA MANAGEMENT PLANS – PROGRESS AND PROBLEMS

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WARD(S) AFFECTED: ALL

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**Purpose/Summary of Report:**

- To enable the committee to consider the objectives and priorities for the Conservation and Heritage service given to the previous undertaking to convene Conservation Reference Groups.

<b><u>RECOMMENDATIONS FOR DECISION:</u></b> That	
(A)	Environment Scrutiny Committee considers the balance in the output delivered by the Conservation and Heritage service between reactive and proactive work; and
(B)	The current work programme arrangements detailed in this report be endorsed.

1.0 Background

1.1 This report has been submitted to provide an update to the Scrutiny Committee on the range of the service being provided by the Conservation and Heritage team, given a previous undertaking to embark on setting up Member led Conservation Reference Groups.

1.2 No extensive activity has been undertaken in relation to this action and this report seeks to set out where the resources in the team are currently directed and to explore whether Members consider that there are other areas of activity that should also be addressed.

1.3 The strategic priorities for the Council are: to improve the health

and wellbeing of our communities (priority 1); to enhance the quality of people's lives (priority 2) and, to enable a flourishing local economy (priority 3).

1.4 In considering the priorities for the service, regard has been had to ensure that these are aligned with the Councils strategic priorities.

## 2.0 Resources

2.1 The Councils Conservation team consists of 2 FTE Officers (A Conservation and Assistant Conservation Officers). A budget of £9,000 is also available to engage conservation consultancy advice. In recent years this has been used to offset the costs of an additional officer undertaking conservation area assessment work on a flexible/ part time basis.

2.2 An historic grant and heritage at risk grant scheme is funded from capital provision, this funding also covers the costs of the consultant dealing with this work (equivalent to 0.2FTE).

## 3.0 Current Service

3.1 Resources are utilised most significantly on a reactive basis. Members will be aware of the statistics. There are 42 Conservation Areas in the district. Some of these are extensive – covering urban areas with dense heritage interest. Then there are over 3000 listed buildings – and many more structures that are located within the curtilage of these listed building. In addition, there is an extensive range of other 'heritage assets' – structures, buildings and landscapes which, whilst not all designated, have an interest and value in heritage terms.

3.2 The main function of the full time Conservation Officers is to provide advice to planning officers on development proposals. This is to ensure that properly informed decisions are made in relation to development proposals coming forward either at the pre-app, application, post decision or appeal stages.

3.3 In the last quarter for which stats are available (Apr – June 2016) the two full time officers dealt with 190 cases. The average time spent per case is just over 4 hours (assuming the Conservation Officers are actually undertaking only this work). Clearly cases

can range from modest works, where the implications can be identified quickly, through to the very extensive works for which the implications are complex and have to be considered thoroughly.

- 3.4 In all cases, there is a need to assess the proposals, in most a visit to a site is required, the historical context is researched, response advice is formulated, a written response note is compiled and appropriate administrative records are maintained.
- 3.5 Over the three year period 2012 to 2015, planning application numbers have increased by 13%. Full year data for 2016 is not yet available of course, but if a comparison of the first seven months of this year is made with 2012, application numbers in Jan-July 2016 are 26% higher than they were in the Jan-July period in 2012.
- 3.6 Capacity for proactive work by the full time officers is very limited therefore. There is some potential for this and where capacity is available, it is directed as follows:
- 3.7 Provision of general advice to those who own heritage assets or are interested in relation to legislation: in relation to the controls operated by the Council and signposting to other organisations and professionals who are involved.
- 3.9 Conservation Area Assessment (CAA): the requirement of the Planning (Listed Buildings and Conservation Areas) Act is that the Local Planning Authority should publish proposals for the preservation and enhancement of these areas, from 'time to time'. In East Herts, the most recent round of work of this nature commenced in 2012. Prior to that, no proposals had been published since the late 1990s.
- 3.10 This work is the process of identifying the important elements which define the character of these areas. The CAA work also includes the formulation of management proposals, which seek to establish actions to be taken to safeguard and improve the character of these areas.
- 3.11 As indicated, the CAA work commenced in 2012 and remains ongoing. 22 Conservation Area Assessments have been completed. A further 3 have been formulated and are subject to

consultation. Work has commenced on 5 more. This leaves 12 where work is yet to commence. This work is mainly assigned to the current part time/ flexible hours officer. The full time officers undertake assessment work when the pressure of reactive work permits. At current rates of progress, it is anticipated that this work will take a minimum of a further 2 years to complete.

- 3.12 Heritage at Risk: This is a register of listed buildings and other heritage assets that are considered to be 'at risk' (in accordance with criteria established by Historic England – the Heritage at Risk (HAR) Register). The Council first published its register in 2012 and has updated it again in the current year. The aspiration is that the register will be a dynamic document, subject to regular review and republished on an annual or biannual basis. It is considered that sufficient resources are available to enable this task to be undertaken with that level of regularity.
- 3.13 Grant programmes: Three grant programmes are currently being operated. The first provides grants toward the ongoing maintenance, upkeep and improvement of historic buildings and structures. Secondly a grant scheme is being operated associated with the heritage at risk register. The purpose here is that the grant is put toward work which will have the result of removing the building or structure from the register. Finally, a scheme of grant aid is currently being offered in relation to the improvement of the frontages to properties in Baldock Street, Ware. This is supported by funds provided through the ASDA development in the town and its purpose is to strengthen links between that development and the town centre. This area of work is undertaken solely by the consultant conservation officer.

#### 4.0 Other Proactive work currently planned

- 4.1 Guidance Notes: the Council produced a suite of guidance notes on heritage issues in the 1980s and 1990s. Whilst they remain largely relevant, in that the same issues still prevail, the notes contain a significant degree of technical information and are not always the most accessible to customers. They are not available electronically. There are a dozen of these notes.
- 4.2 Work has commenced on the updating and republication of the note in relation to Shop Front design and signage. This will be undertaken through the engagement of external resources.

There are no current plans to update and republish the remaining notes.

- 4.3 Article 4 Directions: Most of the completed Conservation Area assessments have proposed the use of Article 4 Directions to reduce the harmful impact of residential permitted development in eroding the character of Conservation Areas. At its meeting of 6 September 2016, the Executive considered the matter of progressing with these on a trial basis. If endorsed, trial work will be undertaken within the current resources, with a decision to be made in due course, on the capacity to deliver a more extensive number of Directions.
- 4.4 Hertford Urban Design Strategy (HUDS): The Council adopted the HUDS earlier this year. A Member Steering Group has been formulated to implement the recommendations of the Strategy. At present no projects have been commenced to a stage where substantive work is involved. However, at the same meeting as the Article 4 Directions, the Executive is being asked to consider endorsing the use of capital funds to enable one of the significant street scape schemes in the Strategy to be implemented.
- 4.5 If this scheme progresses, it is likely to require support in the form of a largely dedicated officer, to project manage the scheme and deal with all the issues that will arise.
- 5.0 Proactive work not currently in the work programme
- 5.1 Given the extent of the above work and the resources in the team, no action is currently being taken in relation to the following matters.
- 5.2 Proactive actions in relation to listed buildings in disrepair or falling into disrepair: other than the action taken with regard to the publication of the HAR Register and through the targeted use of grant funding (referred to above) no further proactive work is currently planned in this respect.
- 5.3 In most cases, because of the buoyant economic nature of the district, listed buildings are in active use and have a value which ensures that they are maintained. In some cases however, either because of the current condition of the building, the limited ability or inclination of the owner to secure funding to implement

improvements, or because of the inability of the listed building or structure to provide for a viable use, buildings have lacked maintenance and have fallen into some disrepair.

- 5.4 There are a range of actions that the Council can take in this situation. These range from encouragement to owners to take action for improvement, through informal processes through to formal and legal processes.
- 5.5 Work of this nature is intensive however, usually involving extensive engagement and negotiation with a range of parties and securing supporting advice from a range of experts, including legal advisors. Progress can be slow and, unless there is a significant and dedicated resource that can be directed toward it, achieving desired outcomes can be frustrating. At present there is no resource that can be directed toward this area of work without the risk of reducing service elsewhere. Therefore, as indicated, over and above the HAR and grant aid work, no action of this nature is included in the current work programme.
- 5.6 Implementation of management actions in CAAs: this is the issue that forms the background and motivation for this report. Similar to the activity in relation to listed buildings referred to above, the Council can undertake a range of actions to seek to secure the potential improvements to Conservation Areas as set out in the CA Assessment reports.
- 5.7 This area of work is not the sole responsibility of the Council and much can be achieved by the independent actions of land owners and others. Many Parish and Town Councils have undertaken actions on the basis of areas of harm that have been identified in the CA Appraisals and they are to be congratulated on what they have secured.
- 5.8 The concept of CA Reference Groups was set up as a vehicle through which Members could become involved in activity of this nature. However, beyond the works of individuals that Members are able to support and encourage, or those of their Parish and Town Councils, it is unlikely that Members can independently secure works of improvement where funding or other resources are required without being reliant on officers for support and formal action.

5.9 As above, it is currently not considered possible to dedicate resources to this area of work, without a reduction in service elsewhere.

## 6.0 Conclusion

6.1 It is considered that the balance of reactive and proactive work undertaken by the service is currently appropriate and well related to the Councils strategic priorities.

## 7.0 Implications/Consultations

7.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

None.

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