

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 15 JANUARY 2019

BUILT HERITAGE MANAGEMENT

REPORT BY HEAD OF COMMUNITIES

ABSTRACT

This report sets out proposals to enhance the management of the built heritage of Angus in support of the Angus Local Development Plan. Updated guidance to encourage best practice towards changes to our traditional and historic buildings is proposed and a revised approach for the preparation of conservation area appraisals to bring these forward more quickly.

1. RECOMMENDATIONS

It is recommended that the Committee:

- (i) Notes the publication on the Angus Council website of guidance covering 'Built Heritage' and 'A Conservation Approach' in addition to the updating of existing related web content.
- (ii) Agrees to the preparation of conservation management guidelines to support a consistently high quality of appropriate changes to valued buildings and spaces across Angus.
- (iii) Agrees that officers explore a new partnership approach to the preparation of conservation area appraisals.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

- 2.1 Updating our built heritage guidance supports the Angus Council Plan 2017-2022 and local outcomes contained within the Angus Local Outcomes Improvement Plan 2017-2030 and Locality Plans. It will also assist with the implementation of the Angus Local Development Plan.
- 2.2 The Angus Local Development Plan can contribute to the following local outcomes set out in the Angus Local Outcomes Improvement Plan and Locality Plans:

ECONOMY

- An inclusive and sustainable economy.
- Attractive employment opportunities.

PEOPLE

- Improved physical, mental and emotional health and well-being.

PLACE

- An enhanced, protected and enjoyed natural and built environment.
- A reduced carbon footprint.
- Safe, secure, vibrant and sustainable communities.

3. BACKGROUND

- 3.1 The Angus Local Development Plan (2016) recognises the value of the built heritage of Angus and seeks to protect and enhance designated areas through Policy PV8 Built and Cultural

Heritage. The Angus Local Development Plan Action Programme (2016) proposed that planning advice on built and cultural heritage would be prepared and that the programme of boundary reviews and preparation of character statements/appraisals would be progressed in 2017/18.

3.2 In the time since existing guidance was put in place around 20 years ago there have been a number of changes including:

- advances in conservation policy and practice including the need to address climate change and reduce carbon emissions,
- restriction of permitted development rights in conservation areas,
- the creation of a new lead body for built heritage in Scotland recognising the interrelated economic, environmental and community value of built heritage,
- developments in the technical specification of building materials and methods.

3.3 In recent years successful heritage-led regeneration projects in Brechin and Kirriemuir conservation areas, funded in partnership with Historic Environment Scotland and the Heritage Lottery Fund, have not only improved the physical fabric and appearance of these town centres but have had wider benefits including increased involvement and interest of communities in their places. Such funding is dependent on the designation of conservation areas and an understanding of what's special about them being set out in appraisals and management plans.

3.4 Previous reports to members ambitiously proposed a programme which would have required at least two conservation area boundary reviews/appraisals to be prepared per year. (Reports 580/10 and 451/12 refer). Progress on this programme has been hindered due to competing priorities and demands on the limited resources (including staff) available to undertake this work. As a result only seven appraisals have been completed (Brechin, Forfar, Kirriemuir, Montrose and the three Arbroath conservation areas). To a large extent this work was facilitated through a relationship with the University of Dundee postgraduate programme in European Urban Conservation. This course is no longer offered by the University and this support no longer available. There are twelve conservation areas without appraisals.

4. PROPOSALS

4.1 The historic environment plays a vital role in our daily life in Angus. Thousands of Angus people, retail and other businesses occupy traditional / historic buildings. It is important that our built heritage is maintained well and managed effectively to support our local economy and ensure ongoing attractiveness to investors and visitors.

4.2 The proposed measures outlined in this report will help provide a broader understanding of the relevant issues for owners, occupiers, developers and other parties who shape our places. These proposals align with existing national and local guidance, including the adopted Angus Local Development Plan, and address the need for careful use of limited Council resources.

Built Heritage Guidance

4.3 The 'Conservation' pages on Angus Council's web site are being revised to explain what our built heritage involves and to emphasise that it is an integral part of Angus. The proper maintenance of traditional and historic buildings using good building practices will be encouraged, including the need to address energy efficiency and climate change adaptation. Changes to the buildings of Angus need to be approached in a thoughtful, more sustainable way. A 'Conservation Approach' to underpin all decisions relating to our built heritage will be set out which advise **Retain** and **Repair** as the first response, **Reinstate** original features and **Reuse** of buildings ahead of **Removal** (demolition) and **Redevelopment**.

4.4 These changes will replace Advice Note 20: Listed Buildings and Conservation Areas.

Proposed Conservation Management Guidelines

4.5 Many alterations to buildings and works within their curtilage are granted planning permission by virtue of the Town and Country Planning (General Permitted Development) (Scotland)

Order 1992. Those works are classed as permitted development and do not require the submission of an application for planning permission. However, those permitted development rights often do not apply within conservation areas. Accordingly, applications for planning permission are required for many alterations and additions to the outside of buildings including roof coverings, rainwater goods, windows and doors, rooflights and dormers, decking, satellite dishes, solar panels, fences and areas of hardstanding.

- 4.6 The provision of conservation management guidelines seeks to support positive proposals which enhance the character and appearance of our conservation areas, and minimise unauthorised /inappropriate works and the cumulative harmful effects of those. The guidelines will cover the form and layout of buildings and spaces, construction and architectural details, and modern installations, the broad implications of which will be common to all of our conservation areas.
- 4.7 The primary intention is to provide clear and consistent advice to aid the submission and assessment of planning and listed building consent applications. The guidelines will also share good practice in the maintenance and repair of all traditional and historic properties. Preparation of these guidelines will include a review of the Council's existing Advice Notes relating to Shopfronts and Signs in Conservation Areas (No. 2), Dutch Canopies and Sunblinds (No. 8), Window Alterations (no.9), Shop Window Security (No. 10), and Repair to Sandstone Walls (No.30). The guidelines will support the implementation of the approach set out in the adopted Angus Local Development Plan and in particular Policy PV8 and will be a material consideration in the determination of applications for planning permission and listed building consent.
- 4.8 Members are asked to agree to the principle of conservation management guidelines being prepared with the detailed guidelines submitted to a future meeting of Development Standards Committee given the direct implications for decisions on planning applications and other related consents.

Conservation Area Boundary Reviews and Preparation of Character Statements / Appraisals

- 4.9 The requirement on planning authorities to consider and designate 'conservation areas' is set in legislation, there is then a duty on the authority to formulate proposals for the preservation and enhancement of those areas which are designated. The preparation of a conservation area appraisal helps us understand what is special about the area, identify the threats that exist and highlight opportunities for enhancement. Conservation area designation and having appraisals / management plans in place can be a pre-requisite of funding for the regeneration of historic areas through Historic Environment Scotland and Heritage Lottery Fund.
- 4.10 However, appraisals can be extensive documents requiring significant research and expertise. Members were previously advised that it was not considered practicable to prepare full appraisals in the format outlined in the Scottish Government's PAN71 Conservation Area Management (2004). In light of this and the number of Angus conservation areas still without a character statement or appraisal, an alternative process for their preparation is proposed. The preparation of Conservation Management Guidelines (set out above) with content relevant to all Angus conservation areas is one aspect of the alternative approach.
- 4.11 The other element is a partnership approach which could look to collaborate with local people and groups interested in the history and special character of the conservation areas in their places. The use of digital technologies to display the information in an engaging format would meet wider Council, LOIP and Locality Plan objectives. The potential of external funding to support this work will also be explored.
- 4.12 Members are asked to agree that officers from Planning and Communities have discussions with partners such as Historic Environment Scotland to develop this idea. A report detailing a proposed project would be brought before a future meeting of this Committee.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications arising from this report. Work associated with the preparation of the conservation management guidelines will be undertaken as part of the work

of the Planning Service with any costs arising contained within existing Planning Revenue Budget. In line with the Council's aims towards Digital by 2020, publication will be on the website with the ability for content to be downloaded or printed.

6. OTHER IMPLICATIONS

Strategic Environmental Assessment

- 6.1 Strategic Environmental Assessment (SEA) is a statutory requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies (PPS). The process requires consideration of whether the PPS is likely to have 'no or minimal environmental effect' (called "pre-screening") or is 'unlikely to have significant environmental effect' (called "screening"). The built heritage guidance provided on the Council's website and the conservation management guidelines are likely to have no or minimal environmental effect and the SEA Gateway will be notified accordingly. This notification will be published by the SEA Gateway on their online database.
- 6.2 The EC Habitats Directive, Article 6(3) requires that any plan (or project), not directly connected with or necessary to the management of any European designated site, but likely to have a significant effect, either individually or in combination with other plans or projects, should be subject to an appropriate assessment of its implications for the conservation objectives of any European designated site. This procedure, known as the Habitats Regulations Appraisal is applied through the Conservation (Natural Habitats etc.) Regulations. The policies and proposals contained in the Angus Local Development Plan that the built heritage guidance is prepared to support and expand on were the subject of HRA which identified that they would have no significant effect and it is concluded that further HRA is not required.

Risks

- 6.3 The risk to the Council of delay in the publication of up to date guidance is a lack of clarity and consistency in the application of policies contained in the adopted Angus Local Development Plan and could lead unsustainable and inappropriate development being promoted.

Human Rights

- 6.4 The recommendations in this report for the preparation of built heritage guidance, conservation management guidelines and conservation area appraisals has potential implications for property owners and occupiers in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). Any actual or alleged infringement of owners' rights to peaceful enjoyment of their property and/or interference with their privacy/home/family life arising is considered to be justified and necessary in the public interest. This is on the basis that any such actual or alleged infringement is not considered significant or material when balanced against the need to protect conservation areas and built heritage in the wider public interest in accordance with the Council's duties under the Planning Acts.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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