
PARKGATE CONSERVATION AREA AND CHARACTER APPRAISAL

**Responsible Cabinet Member -
Councillor Chris McEwan, Economy and Regeneration Portfolio**

Responsible Director - Ian Williams, Director of Economic Growth

SUMMARY REPORT

Purpose of the Report

1. To seek Member's approval to designate Parkgate Conservation Area (see **Appendix 1**) and to adopt the attendant Character Appraisal (see **Appendix 2**).
2. To report the outcome of the consultation on Parkgate Conservation Area Character Appraisal, including comments received on the proposed designation and boundary (see **Appendix 3**).

Summary

3. Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 says that it is the duty of Local Planning Authorities to formulate and publish proposals for the preservation and enhancement of any parts of their area that are Conservation Areas.
4. This is achieved through Conservation Area Character Appraisals and Management Plans and ultimately through detailed policy in the Local Plan.
5. The Environment Scrutiny Review Action Plan adopted by the Cabinet highlighted the need for Conservation Area Character Appraisals and to be undertaken.
6. Through Character Appraisals and Management Plans, sound decisions can be made on planning applications received for development within Conservation Areas.

Recommendation

7. It is recommended that Cabinet approve the designation of Parkgate Conservation Area and adopt the attached Character Appraisal, which includes the proposed boundary.

Reasons

8. The recommendation is supported by the following reasons :-
- (a) To fulfil the statutory duty to designate as Conservation Areas any areas that from time to time we determine are 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'.
 - (b) To provide a document, the Character Appraisal, to assist in the preservation and enhancement of the Parkgate Conservation Area through planning decisions.

Ian Williams
Director of Economic Growth

Background Papers:

- (i) Parkgate Conservation Area Equalities Impact Assessment

Heather Nelson, Conservation Officer. Extension 6326

S17 Crime and Disorder	The Character Appraisal encourages a high standard of environment.
Health and Well Being	The Character Appraisal encourages a high standard of environment, preserving and enhancing the existing area.
Carbon Impact	The Character Appraisal encourages a high quality, sustainable environment within the Conservation Area.
Diversity	No issues are raised.
Wards Affected	Parkgate and Bank Top
Groups Affected	Residents and business within and immediately adjacent to Parkgate Conservation Area.
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework.
Key Decision	No.
Urgent Decision	For the purpose of the 'call-in' procedure this does not represent an urgent matter.
One Darlington Perfectly Placed	The Character Appraisal contributes towards the corporate priorities of One Darlington Perfectly Placed.
Efficiency	The Character Appraisal should lead to savings in officer time and workload during pre-application and planning application processes.

MAIN REPORT

Information and Analysis

9. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on Local Planning Authorities to designate as Conservation Areas any areas that from time to time they determine are 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. Conservation Areas are places where buildings and the spaces around them interact to form distinctly recognisable areas of special quality and interest.
10. Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 emphasises that it is the duty of Local Planning Authorities to formulate and publish proposals for the preservation and enhancement of any parts of their area that are Conservation Areas. This is best achieved through Conservation Area Character Appraisals because they provide locally distinctive guidance about how best to preserve or enhance the character and appearance of Conservation Areas.
11. The National Planning Policy Framework (NPPF) references the need for Local Planning Authorities to make an assessment of the special interest, character and appearance of all Conservation Areas in their areas, which is achieved through a Character Appraisal. The NPPF also highlights the desire to make sound and well informed planning decisions, considering their effect on the significance of Conservation Areas, which a Character Appraisal identifies.
12. The Environment Scrutiny Review Action Plan adopted by the Cabinet highlighted the need for Conservation Area Character Appraisals to be undertaken.
13. Darlington currently has 16 Conservation Areas designated between 1968 and 1997. The proposed designation of Parkgate as a Conservation Area is the first new Conservation Area since 1997 and is part of regeneration of the area as a whole through the Town Centre Fringe Masterplan and the Heritage Lottery Fund bid for the Civic Theatre.
14. Conservation Area designation is done to either maintain an historic area in a good condition or to help improve one that is not. It is achieved through decisions made on planning applications received for development in and adjacent to the boundary.
15. Character Appraisals are a tool to assist in the preservation and enhancement of Conservation Areas. Through Character Appraisals, areas, buildings and spaces of special landscape or historic and / or architectural character can be highlighted as possessing particular interest, and being worthy of preservation and enhancement. Features of special interest, such as historic walls, stiles, open spaces, trees or historic surfaces can be highlighted through the Character Appraisal as can features causing intrusion or damage.
16. The production of a Character Appraisal is a step in the process of preserving and enhancing the character and appearance of a designated area, providing a basis for making sustainable decisions about its future. Undertaking such a document offers the opportunity to re-asses the designated area and to evaluate and record

its special interest. A Character Appraisal is not an end in itself, the process should lead to a better understanding of the character of the area and what makes it the place it is today, and so provides the basis for an Article 4 Direction to remove Permitted Development Rights if this is considered appropriate. Character Appraisals are a material consideration in planning decisions and so provide a sound basis, defensible on appeal, for Development Plan policies and Development Management decisions.

17. Defining the 'special interest' of an area is the main purpose of a Character Appraisal and is gained from the area's character and appearance but other senses and experiences, local environmental conditions and historical associations can be drawn on. Historic street patterns (building plots, layouts and the relationship of buildings to open spaces), archaeology (including any Scheduled Monuments), buildings (listed and unlisted), spaces and townscape, materials, green spaces, uses and the built environment and landscape can all contribute towards the character of an area.
18. The document is an assessment of the area's special architectural and historic interest, based on careful analysis of the area as a result of time spent in the area and academic and journalistic sources.

Legal Implications

19. If approved, the designation of a new Conservation Area means more properties will lie within a designated Conservation Area. This provides the local planning authority with additional statutory powers affecting, for example, demolition of buildings, works to trees, publicity procedures for planning applications and restrictions placed on permitted development rights.

Equalities Considerations

20. An Equalities Impact Assessment was undertaken. This suggests little if any direct impact on the protected characteristics of the area.

Consultation

21. Public participation and engagement is an integral part of the process to encourage valuable public understanding and ownership. The formal consultation period ran from Monday 19 January 2015 until Monday 9 March 2015, during which people were encouraged to comment on the draft Character Appraisal, including the Key Map (see **Appendix 1**).
22. All addresses within and adjacent to the proposed Conservation Area boundary were sent a letter explaining our proposal and inviting them to a public event.
23. Residents and businesses within the Conservation Area were a high priority and were likely to want more input than those living elsewhere in the Borough. Therefore an informal drop-in event was held at The Forum on Borough Road, between 17:30 and 19:30 on Tuesday 24 February 2015. The event was attended by Timothy Crawshaw, Built and Natural Environment Manager; Heather Nelson,

Conservation Officer; and Caroline Hardie from Archaeo-Environment. There was a rolling Powerpoint presentation, displays boards, maps, 'then and now' photographs, copies of the draft document and comments forms. Attendees were encouraged to ask questions and make comments. The drop-in event held attracted approximately 15 people.

24. Five formal responses were received in the form of completed comments forms, and emails from members of the public. All respondents were supportive of Conservation Area designation and of the Character Appraisal's purpose to better guide planning decisions in the area.
25. Detailed issues raised by respondents include the shabby condition of many buildings and support for our desire to encourage regeneration; the compact nature of the area, links to the Town Centre and historic links with railway development; and an interest in the greenspace in and around the area and the value this brings.
26. A summary of respondents' comments and our response to them, including whether the Character Appraisal has been altered as a result of comments, can be found in **Appendix 2**.
27. If approved, we are required to advertise the designation of a new Conservation Area in the London Gazette, a historic requirement to ensure all landowners are aware of Conservation Area designations affecting their properties and land.