
Subject: ADOPTION OF THE DEAL VICTORIA ROAD AND WELLINGTON ROAD CONSERVATION AREA CHARACTER APPRAISAL

Meeting and Date: Cabinet – 2 December 2019

Report of: Lois Jarrett, Head of Planning, Regeneration and Development

Portfolio Holder: Councillor Nick Kenton, Portfolio Holder for Planning and Regulatory Services

Decision Type: Key Decision

Classification: Unrestricted

Purpose of the report: To inform Cabinet of the results of the public consultation exercise of the Deal Victoria Road and Wellington Road Conservation Area Appraisal and to adopt it as a material consideration for planning purposes.

Recommendation: Cabinet agrees to:

1. The proposed responses to the representations received and the resulting modifications to the Deal Victoria Road and Wellington Road Conservation Area Character Appraisal as set out in Appendix 1;
 2. Adopt the Deal Victoria Road and Wellington Road Conservation Area Character Appraisal as a material consideration for planning purposes as set out in Appendix 2; and
 3. Authorise the Head of Planning, Regeneration and Development to make any necessary editorial changes to the Appraisal to assist with clarity, consistency, explanation and presentation, in consultation with the Portfolio Holder for Planning and Regulatory Services.
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1. Summary

1.1 Cabinet approved the Draft Deal Victoria Road and Wellington Road Conservation Area Appraisal for public consultation in June 2019. Consultation has now been undertaken and following the analysis of representations minor modifications are now proposed.

1.2 Three recommendations have been made, which are as follows:

- 1) To reconsider the existing boundaries following a review of the Deal Middle Street Conservation Area;
- 2) To designate certain buildings/features as Heritage Assets of Local importance; and
- 3) To implement an Article 4 Direction on residential properties within the boundary.

2. Introduction and Background

- 2.1 At Cabinet on the 3rd June 2019 the Draft Deal Victoria Road and Wellington Road Conservation Area Appraisal was approved for public consultation. It had been prepared by the Deal Society, in conjunction with the District Council, following recommendations in the Dover District Heritage Strategy.
- 2.2 The consultation period ran for six weeks from 7th August to 18th September and the District Council received two responses from two individuals or organisations. There were no objections to the Conservation Area Appraisal and the findings were generally supported which is a credit to the hard work that the Deal Society have put into preparing the Appraisal.
- 2.3 Further to comments received during the consultation additional text, indicated in **bold** in the Appraisal, has been inserted to make the document more robust and to assist with the interpretation of the Appraisal. Deleted text has ~~strikeout~~.
- 2.4 The representation received, together with the proposed District Council response and amendment is set out in Appendix 2.

Recommendations within the Appraisal

3. The Deal Victoria Road and Wellington Road Conservation Area was originally designated in 1977. Local councils are required under the Planning (Listed Buildings and Conservation Areas) Act 1990 to review their conservation areas from time to time to ensure that the original designation was correct, and to formulate and publish proposals for further enhancement and preservation of their conservation areas. This appraisal has, therefore, been produced in compliance with this requirement.
- 3.1 The draft appraisal includes a management plan which made three recommendations. These have been taken forward into the final draft. The recommendations all seek to ensure that the prevailing historic or architectural character of the conservation area as identified in the appraisal is protected or enhanced where possible.
 - 1) *To reconsider the existing conservation area boundary:* The Deal Society identified areas currently within the conservation area boundary that are considered to be more consistent with the character of the adjacent Deal Middle Street Conservation Area. These are shown on the maps in the Appraisal as appendix 4.2: Maps (included within attached Appendix 1). The Deal Victoria Road and Wellington Road Appraisal recommends that a character assessment is carried out of the Deal Middle Street Conservation Area in order to clarify the most appropriate position of the boundary; any subsequent redrawing of the current boundaries will follow separate processes requiring further public consultation and formal approval by Cabinet.
 - 2) *To designate certain buildings/features as Heritage Assets of Local importance:* the appraisal includes a list of buildings which it is considered would be worthy of inclusion on a local list and that have been identified for their positive contribution to the character of the conservation area against the criteria set out within annex 1 of the Land Allocations Local Plan 2015.
 - 3) *To implement an Article 4 Direction:* this recommendation would be subject to approval by Cabinet for a further public consultation exercise, the results of which would be reported back to Cabinet to confirm the implementation of the Direction. The appraisal sets out the type of development which would normally

be permitted for dwellings that would be removed by the Direction in appendix 4.2.3. The intent of the Direction is not to prevent change but rather to manage it, ensuring any alterations within the conservation area would be sympathetic to its special historic or architectural character as set out in the character appraisal. In addition, where inappropriate alterations have been made, the Direction would provide an opportunity to encourage more sensitive change which would be an enhancement to the established character of the conservation area.

4. Identification of Options

- 4.1 Option 1: That the amendments to the Deal Victoria Road and Wellington Road Conservation Area Appraisal are agreed and it is adopted as a material consideration for planning purposes: or
- 4.2 Option 2: That the amendments to the Deal Victoria Road and Wellington Road Conservation Area Appraisal are not agreed and it is not adopted as a material consideration for planning purposes.

5. Evaluation of Options

- 5.1 The Appraisal would be used to identify opportunities for environmental improvements, inform new development and to act as an evidence base for the evaluation of new proposals. It would also be used by Planning Inspectors in appeal situations and, as it has been through a public consultation greater weight can also be attributed to it.
- 5.2 The Appraisal has been produced in response to the recommendations in the Dover District Heritage Strategy and the accompanying Action Plan. It, therefore, implements part of the Heritage Strategy.
- 5.3 If the Appraisal was not adopted, then the benefits outlined above would not be realised and the special character of the Conservation Area could be at risk through inappropriate development. The first option is, therefore, recommended.

6. Resource Implications

- 6.1 The Appraisal would be made available on the District Council's website. No further internal resources would be required.

7. Corporate Implications

- 7.1 Comment from the Section 151 Officer: Accountancy has been consulted and has nothing further to add. (SB)
- 7.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.
- 7.3 Comment from the Equalities Officer: This report does not specifically highlight any equality implications however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>.
- 7.4 Other Officers (as appropriate): None.

8. Appendices

Appendix 1 – Victoria Road and Wellington Road Conservation Area Appraisal
December 2019

Appendix 2 - Analysis of Representations and Suggested District Council Response

Background Papers

Cabinet Report of 2 June 2019.

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