
Subject: ADOPTION OF THE DOUR STREET, DOVER CONSERVATION AREA CHARACTER APPRAISAL

Meeting and Date: Cabinet – 4 September 2023

Report of: Alison Cummings, Principal Heritage Officer

Portfolio Holder: Councillor Edward Biggs, Portfolio Holder for Planning and Built Environment

Decision Type: Key Decision

Classification: Unrestricted

Purpose of the report: To inform Cabinet of the results of the public consultation exercise on the Dour Street, Dover Conservation Area Character Appraisal and to adopt it as a material consideration for planning purposes.

Recommendation: That Cabinet:

1. Agrees the proposed responses to the representations received and the resulting modifications to the Conservation Area Character Appraisal as set out in Appendix 1;
 2. Adopts the Conservation Area Character Appraisal as a material consideration for planning purposes as set out in Appendix 2; and
 3. Authorises the Head of Planning and Development, in conjunction with the Portfolio Holder, to make any necessary editorial changes to the appraisal prior to publication to assist with clarity, consistency, explanation and presentation.
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1. Summary

1.1 Cabinet approved the Draft Dour Street, Dover Conservation Area Character Appraisal for public consultation in February 2023. Consultation has now been undertaken and following the analysis of representations minor modifications are proposed.

1.2 The appraisal includes a management plan which outlines recommendations and action points that if progressed would contribute to managing change within the conservation area, ensuring that what has been identified as valued features by the local community are appropriately protected. The management plan provides an opportunity for stakeholders including the Dover Society, the District Council, the Town Council, Kent County Council, Kent Highways, individual householders and local businesses to take a part in positively managing the area. The recommendations are briefly outlined in paragraph 3 of this report.

2. Introduction and Background

2.1 At Cabinet on 6 February 2023 the Draft Dour Street, Dover Conservation Area Appraisal was approved for public consultation. The appraisal has been carried out by the Dover Society in conjunction with Council officers, following recommendations in the Dover District Heritage Strategy.

- 2.2 The consultation period ran for six weeks from 30 May 2023 to 11 July 2023. The Council received 7 responses from individuals or organisations. There were no objections to the Conservation Area Appraisal and the findings were generally supported.
- 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~~. A word copy of the Appraisal has been included at Appendix 1.
- 2.4 The representations received, together with the proposed District Council response and amendments, are set out in Appendix 2.

3. **Management Plan Recommendations**

- 3.1 The Dour Street, Dover Conservation Area was first designated in 1987. Local planning authorities 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.
- 3.2 The draft appraisal included a management plan which identifies the vulnerabilities and negative features of the conservation area and sets out a number of recommendations which would assist the Council in discharging its statutory duty with respect to the protection of the conservation area. All respondents to the public consultation supported the recommendations and they 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.
- 3.3 The recommendations are as follows:
- Extension of boundary: the appraisal identified two potential extensions to the existing boundary;
 - Hewitt Corner which is the only green space in the area and which contains a significant tree. The tree would be afforded protection by virtue of the conservation area designation.
 - The police station on Park Place which is considered to be a historic building of architectural interest contributing positively to the character of the area. Should any proposals come forward seeking to redevelop the site, the heritage value of the building would be taken into consideration.

The proposed extensions to the Conservation Area would need to go through separate formal procedures including a further public consultation. The results of this would be reported back to Cabinet.

- Enhancement of the public realm: a number of opportunities to improve the public realm were identified and noted in the draft appraisal. The public consultation highlighted a further potential enhancement scheme, and this has been included in the text.
- Potential for the implementation of 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 implementation.

The appraisal sets out the type of development which would normally be permitted for dwellings that would be removed by the Direction. The intent of a Direction is not to prevent change but rather to manage it, ensuring any alterations within a 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 Dour Street, Dover 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 Dour Street, Dover 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. The Regulation 19 draft of the Dover District Local Plan is a material planning consideration in the determination of planning applications, however at this stage in the plan making process, the policies of the draft plan do not carry full weight. The appraisal will support the implementation of draft policy HE2 which relates to the protection of designated conservation areas. 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 Director of Finance (linked to the MTFP): Accountancy has been consulted and has no further comments. (SK)
- 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 regarding the adoption of the Dour Street, Dover Conservation Area Character Appraisal 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/section/149>'

7.4 Other Officers (as appropriate):

8. **Appendices**

Appendix 1 – Dour Street, Dover Conservation Area Character Appraisal

Appendix 2 - Analysis of Representations and Suggested District Council Response

Background Papers

Cabinet Report 6 February 2023.

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