

Crawley Borough Council

Report to Overview & Scrutiny Commission 2 December 2013

Report to Cabinet 4 December 2013

Assessing the value of East Park & Newlands Road, Southgate as potential Conservation Areas

Report of the Head of Housing Strategic Services – SHAP34

1. Purpose

1.1. The purpose of this report is:

- i) to present the conclusions of further evaluation and public consultation within East Park, the northern end of Malthouse Road, and Newlands Road
- ii) to provide an officer recommendation as to whether these areas “*are of special architectural or historical value, the character or appearance of which it is desirable to protect or enhance*”, and therefore appropriate for designation as Conservation Areas under the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. Recommendations

2.1 To the Overview and Scrutiny Commission:

That the Commission consider the report and confirm any considerations it wishes to submit to the Cabinet.

2.2 To the Cabinet:

The Cabinet is recommended to:

- a) Agree that East Park & the northern end of Malthouse Road (Proposal 1) do not warrant designation as a Conservation Area, as they are not of special architectural or historical value.
- b) Agree that Newlands Road (Proposal 2) does not warrant designation as a Conservation Area as it is not of special architectural or historical value.
- c) Agree that officers undertake further investigation into whether individual buildings within East Park & the northern end of Malthouse Road (Proposal 1) and Newlands Road (Proposal 2) are appropriate for locally listed building designation. Should any buildings warrant designation, agree that delegated authority be given to the Portfolio Holder for Planning and Economic Development in consultation with ward members, to add these buildings to the Local List.

3. Reasons for the Recommendations

- 3.1 The purpose of a Conservation Area is not to prevent development but rather to enable its careful management. The National Planning Policy Framework (NPPF) states that when designating a conservation area, councils should ensure that the concept of conservation is not devalued by designating areas that are not worthy.
- 3.2 Following a period of consultation with residents, and further analysis by officers, no additional evidence has been identified to support the argument that the areas in question are indeed of special architectural or historical value.
- 3.3 Whilst the area is not considered to have “special” architectural or historic character or appearance, there are a few individual buildings that warrant further investigation to consider whether or not they are appropriate for inclusion on the Council’s own locally listed buildings list. In line with good practice, this should include detailed investigation of the building’s history, architectural quality and contribution to the street scene, together with consultation with the owners /occupiers of the buildings.

4. Background

- 4.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 states that local authorities “*shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*”, and to designate those areas as Conservation Areas.
- 4.2 On the 3 April 2013, [Full Council](#) in consideration of the recommendations in The Crawley Baseline Character Assessment (2009) and the Heritage Assessment of Crawley (2010), approved the designation of three new Conservation Areas; Malthouse Road, Southgate Neighbourhood Centre and Hazelwick Road. Extensions to the Brighton Road Conservation Area (to include West Street) and Ifield Village Conservation Area (to include Langley Lane) were also agreed.
- 4.3 At the meeting, Members requested that two further areas at East Park & the northern end of Malthouse Road (Proposal 1) and Newlands Road (Proposal 2) were assessed in more detail, alongside consultation with residents, to evaluate whether they meet the criteria for designation as conservation areas.

5. Description of Issue to be resolved

- 5.1 This report addresses whether the two proposed areas, at Newlands Road, and East Park (along with the northern end of Malthouse Road), are of special architectural or historic interest and therefore worthy of conservation area designation.
- 5.2 If either of the areas were considered to be of “*special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*” then the council has a duty under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate the area as a Conservation Area.
- 5.3 Various factors contribute to the special character of a Conservation Area and legislation and guidance confirms they should only be designated where they have special architectural or historical value. If an area has lost its “special” value as a result of change, the designation has no retrospective power to restore the area to its former state by forcing people to revert changes made to the built fabric, or revoke existing planning applications.

6. Information & Analysis Supporting Recommendation

- 6.1 As a conservation area can only be designated in line with section 69 of the Planning and Listed Building Act 1990, for an area to be designated it must be of special value and be of a quality that is desirable to protect for future generations.
- 6.2 A 4 week consultation with residents and the wider community has been undertaken. The consultation consisted of a direct mail drop including an information pack and questionnaire to all properties within and adjacent to the proposed designations as suggested by Councillors. Two drop in sessions were also held in the Town Hall, one during the day and one during the evening. One ward member attended the evening session. A total of 7 people attended the sessions to discuss issues with officers.
- 6.3 Officers also re-analysed the previous evidence base collated when assessing the recently designated conservation areas along West Street and Malthouse Road. Additional work utilising the Oxford Character Assessment Toolkit, as recommended by English Heritage when considering conservation areas, was also undertaken. This work clarified that these areas are not of special historical or architectural value and therefore should not be designated as conservation areas. Summaries of the analysis of each area are set out below:

Proposal 1: East Park & the northern end of Malthouse Road

- 6.4 Officers' assessments conclude that the area has some limited historic interest, as it is associated with the growth of the railway and the Longleys, a prominent family of builders responsible for much of the housing in the area. The properties in the area also represent some degree of architectural merit with some interesting detailing and original features. However these are prevalent only sporadically and a high degree of change has occurred eroding the original character and setting of the area.
- 6.5 It should be noted that responses were only received from 13 of the 113 properties consulted representing 12% of the area that would be affected if the area were designated. Total responses showed that there is support for the designation with 68% of those that responded in favour of designating the area as a Conservation Area. The key reasons given during the consultation for the responses were:

In favour of designation	Not in favour of designation
<ul style="list-style-type: none">• It would help preserve what is left of the original architecture and character.• Responses had the perception that the designation would stop further development.• Houses are good examples of the "old town" and should be preserved for that reason.• New buildings should match the character of the "old town".• There are lots of original features.	<ul style="list-style-type: none">• It's very run down.• Many houses have lost their original features and look mis-matched.• Houses have been altered with no common look or design.• Modern development that might not be allowed in a conservation area is good. Change is good.

- 6.6 Many matters raised by residents were not relevant to the character or appearance or value of the area and therefore cannot be considered in relation to whether an area is worthy, in planning legislation terms, of the conservation area designation.

- 6.7 A photo of the street from 1907 (copied from the book Around Crawley in Old Photographs) was provided by a resident to support the designation. However the photo illustrates the substantial change along the street that has occurred over time, showing only one original chimney remaining and substantial alterations to the streetscape.
- 6.8 English Heritage submitted a response outlining the reasons for conservation area designation and stated there may be “some merit” in designating the area based upon the area’s character in relation to the surroundings but said that the specific interest would need to be identified by the council. Officers do not consider there is evidence to support this. The Southgate Conservation Area Advisory Committee submitted a response in favour of the designation.
- 6.9 No additional comments were received from Ward Members.
- 6.10 The East Park Character Assessment undertaken by officers concluded that the area is not of special value (for the assessment summary please see “Background Documents”). The assessment showed that most elements of historic or architectural value in the area have been eroded, and/or fragmented, and there is little or no evidence to show that this area is of special architectural or historical value. Therefore it should not be designated as a Conservation Area.

Proposal 2: Newlands Road

- 6.11 This area was predominantly built between c.1900 and c.1950. and therefore its historic interest is of the period of development pre-new town. Like much of early Crawley as a settlement, the properties in the road vary, with regard to scale and size with a mix of semi and detached houses. The road now includes much more modern dwellings in-filled into the street alongside the remaining larger detached houses, with a large property that fronts Horsham Road dating from around 1905.
- 6.12 It should be noted that responses were received from only 8 of the 29 properties consulted representing 26% of the area that would be affected if the area were designated. 53% of total respondents were in favour of designating the area as a Conservation Area. The key reasons given during the consultation for the responses were:

In favour of designation	Not in favour of designation
<ul style="list-style-type: none"> • Pleasant area of 1930's housing • It is of special interest • Village type area of Crawley that should be preserved. • Attractive properties. • Has important period houses that are well maintained and are of interest to others. • Bad planning decisions can be avoided. 	<ul style="list-style-type: none"> • Too many styles of property. • Not a street with historic background. • Fairview Cottage & 14A Winter Gardens are new and therefore should not be included.

- 6.13 Many matters raised by residents were not relevant to the character or appearance or value of the area and therefore cannot be considered in relation to whether an area is worthy of the conservation area designation.
- 6.14 English Heritage submitted a response stating they could not see a reason for designating the area. The Southgate Conservation Area Advisory Committee submitted a response in favour of the designation.

- 6.15 No additional comments were received from Ward Members.
- 6.16 The Newland Road Character Assessment undertaken by officers concluded that the area is not of special value (for the assessment summary please see “Background Documents”). The assessment showed the area does contain a spacious setting surrounding a mix of housing, with a few individual examples of housing that illustrate the older settlement patterns of the town. However the area does not consist of enough good examples of properties, nor is it of special architectural or historical value and therefore it should not be designated as a Conservation Area.

Conclusion

- 6.17 Officers confirm that despite some local support for the two proposed areas to be designated, the responses were from a small selection of properties that would be affected, the responses also did not provide sufficient evidence to show that either area is indeed of special architectural or historic value. All of the assessments carried out by Officers and studies commissioned by the Council also demonstrate that, whilst the areas have some value, they are not of sufficient quality to designate them as a conservation area.
- 6.18 As the only legal reason for the designation of a conservation area can be that the area is of special architectural or historic value, the character or appearance of which is desirable to preserve or enhance, these areas should not be designated as conservation areas.
- 6.19 With regard to locally listed buildings, there are a small number of buildings that individually merit further consideration. In order to assess whether this would be appropriate, Officers would need to undertake a more detailed investigation into the local historic, architectural, and townscape value of the buildings. Therefore delegated authority is sought to undertake this further work, in consultation with ward members and local owners /occupiers of the properties being assessed.

7. Implications

- 7.1 Should Cabinet support the recommendations not to designate these areas as conservation areas then there are no further implications.
- 7.2 Should Cabinet be minded to overturn the recommendations and determine that either or both of these proposed areas, “*are of special architectural or historical value, the character or appearance of which it is desirable to protect or enhance*”, then they should instruct the Head of Strategic Housing and Planning Services in consultation with the Cabinet Member for Planning & Economic Development to take such steps as necessary, on behalf of Crawley Borough Council as the Local Planning Authority, to designate them as Conservation Areas and give notice of such designation in accordance with the statutory procedures set out in s.69 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.3 There are a number of implications for residents should these areas be designated as conservation areas as properties within them would be subject to tighter controls on development. Total or substantial demolition would require permission, whilst works to trees, including pruning or felling, would require an “Application for Tree Works” which is required six weeks prior to commencement. In addition to the existing planning controls planning permission would also be required for certain external works including cladding, some enlargements to the side and rear of properties, as well as alterations to the roof. Reduced permitted development rights also relate to buildings within the curtilage, works to chimneys and the installation of satellite dishes. Further controls such as Article 4 directions may also be appropriate

- 7.4 Should these areas be designated as conservation areas in the absence of evidence demonstrating special value, the designations could be subject to legal challenge, and /or an increase in planning appeals in the areas which may result in costs being awarded against the Council.
- 7.5 Additional officer time may also be required to support the Southgate Conservation Area Advisory Committee in carrying out its duties, should it agree to enlarge its boundaries to include both either/or both areas, or to establish and support another Conservation Area Advisory Committee if SCAAC does not agree to looking after the new areas.
- 7.6 Officers consider that as initial assessments for both of the proposal areas 1&2 have been undertaken, a revision to the locally listed building list, if appropriate, should only be undertaken for the areas identified and not for the whole of the borough at this time. Should any buildings be added, then for consistency across the borough, a further, wider review may be required at a later stage.

8. Background Papers

Proposal 1 - East Park & northern end of Malthouse Road
[Consultation Map & Information Pack, CBC \(2013\)](#)
[Character Assessment, CBC \(2013\)](#)

Proposal 2 - Newlands Road
[Consultation Map & Information Pack, CBC \(2013\)](#)
[Character Assessment, CBC \(2013\)](#)

[Assessing the value of East Park & Newlands Road as potential Conservation Areas - Consultation Report, CBC \(2013\)](#)

[Minutes of the Crawley Borough Council Full Council Meeting, CBC \(3 April 2013\)](#)

[Crawley Local Building List, CBC \(2010\)](#)

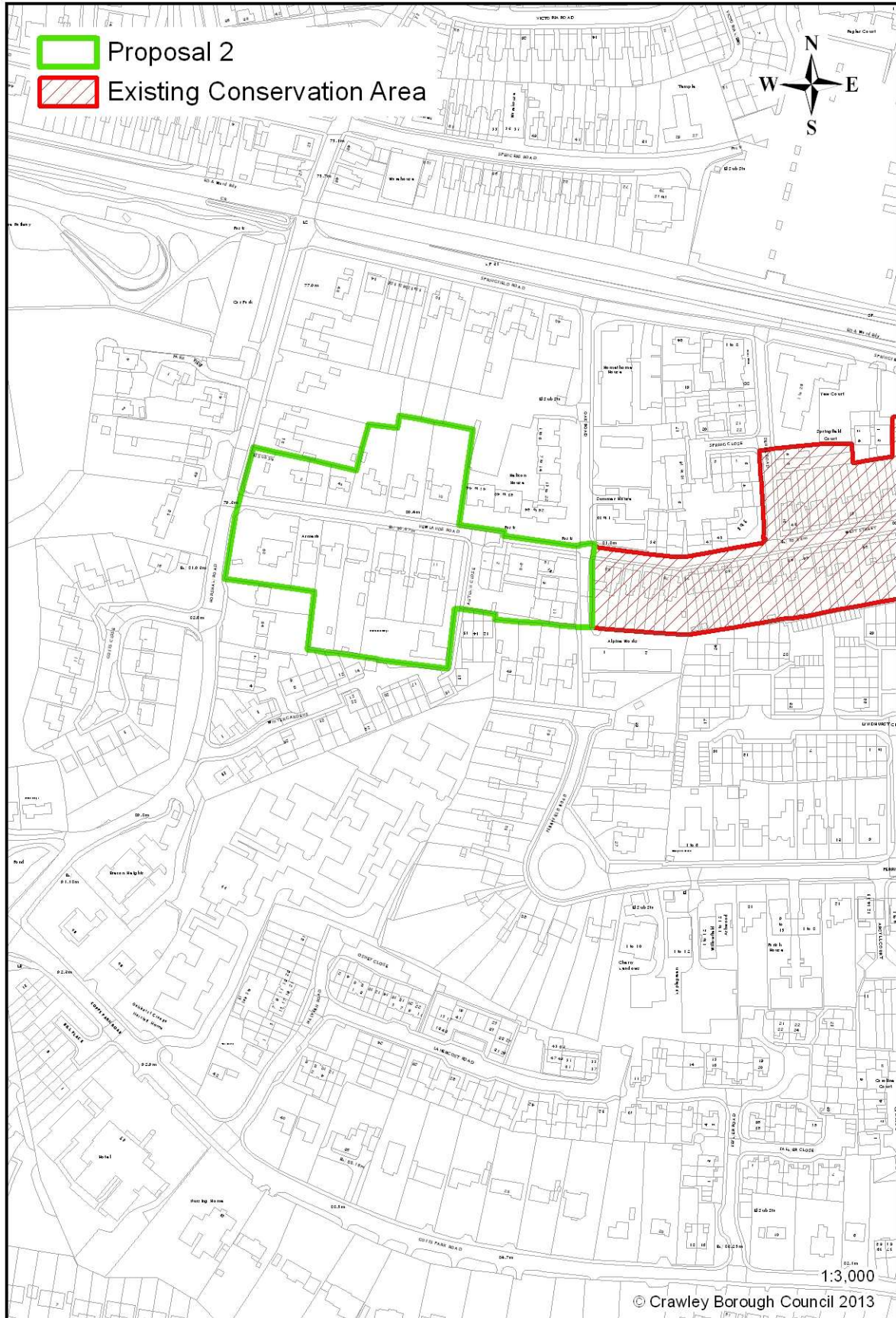
[National Planning Policy Framework DCLG \(2012\)](#)

[PPS5: Planning for the Historic Environment PRACTICE GUIDE, English Heritage \(2012\)](#)

[Planning \(Listed Buildings and Conservation Areas\) Act 1990](#)

[Understanding Place: Conservation Area Designation, Appraisal and Management, English Heritage \(2011\)](#)

9. Appendix 1: Map of Proposal 1 (East Park & Malthouse Road)



10. Appendix 2: Map of Proposal 2 (Newlands Road)

