

# Crawley Borough Council

## Report to Overview and Scrutiny Commission 31 October 2022

### Report to Cabinet 2 November 2022

## Proposals to Introduce New Conservation Areas and Change Existing Conservation Area Boundaries

Report of the Head of Economy and Planning - PES/419

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### 1. Purpose

- 1.1. This report seeks Cabinet approval to:
- Designate two new Conservation Areas:
    - Queens Square and The Broadway, and
    - Gossops Green Neighbourhood Centre;
  - Alter the boundaries of two of Crawley's existing Conservation Areas: Crawley High Street, and St Peter's.

### 2. Recommendations

- 2.1. To the Overview and Scrutiny Commission:

That the Commission consider the report and decide what comments, if any, it wishes to submit to the Cabinet.

- 2.2. To the Cabinet

The Cabinet is recommended to:

- a) i) Agree that the area outlined in red in Appendix A is an area of special architectural or historical interest, the character of which it is desirable to preserve or enhance; and
- ii) Designate the area outlined in red in Appendix A as a conservation area pursuant to Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to be known as the "Queens Square and The Broadway Conservation Area";
- b) i) Agree that the area outlined in red in Appendix B is an area of special architectural or historical interest, the character of which it is desirable to preserve or enhance; and
- ii) Designate the area outlined in red in Appendix B as a conservation area pursuant to Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to be known as the "Gossops Green Neighbourhood Centre Conservation Area";

- c) i) Agree that those parts of the existing High Street Conservation Area (as outlined by the dashed blue line but excluding the hatched areas in Appendix C) plus the additional adjacent areas (collectively the area outlined in red in Appendix C) is an area of special architectural or historical interest, the character of which it is desirable to preserve or enhance; and
  - ii) Vary the designation of the existing High Street Conservation Area to the area outlined in red in Appendix C, pursuant to Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- d) i) Agree that the existing St Peter's Conservation Area (as outlined by the dashed blue line in Appendix D) plus the additional adjacent areas (collectively the area outlined in red in Appendix D) is an area of special architectural or historical interest, the character of which it is desirable to preserve or enhance; and
  - ii) Vary the designation of the existing St Peter's Conservation Area to the area outlined in red in Appendix D, pursuant to Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- e) that the Head of Economy and Planning be authorised to take such steps as necessary, on behalf of the council as Local Planning Authority, to give notice of each of the above designations and amendments as required by legislation (Generic Delegation 7 will be used to enact this recommendation).

### **3. Reasons for the Recommendations**

- 3.1. Queens Square and The Broadway, Northgate (Appendix A of report PES/419) is considered an area of special architectural or historic interest due to its distinctive new town character. Conservation Area designation will enable the Council as Planning Authority to work with developers / stakeholders / planning applicants to preserve / enhance Crawley's New Town character as a real design asset to attract investment and improve the quality of the business / living environment in Crawley Town Centre.
- 3.2. Implementation of the recommendations will help to secure the preservation and enhancement of Crawley's historic environment in accordance with legislation, national planning policy and best practice, and will contribute to the council's wider regeneration and place-making objectives.

### **4. Background**

- 4.1. Crawley Borough currently contains 11 designated Conservation Areas. These are heritage assets defined in national planning legislation as 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'.<sup>1</sup> They enjoy special status and consideration within the planning system. A tighter planning regime operates in such areas and the council is required to develop proposals for their preservation and enhancement, typically in the form of supplementary planning guidance (Conservation Area Statements). The council as local planning authority for the borough is responsible for designating Conservation Areas and for keeping their boundaries under review.

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<sup>1</sup> The Planning (Listed Buildings and Conservation Areas) Act 1990, Section 69(1)(a).

- 4.2. A number of Conservation Area Advisory Committees, made up of local volunteers, also advise the council regarding the performance of these functions and participate in the preparation of Conservation Area Statements, which are formally adopted by the council and provide detailed guidance regarding the heritage significance of the respective area and the ways in which change can be accommodated, including to boost investment, while preserving or enhancing this significance.
- 4.3. During 2020 the council procured heritage consultants Place Services to review aspects of its approach to the designation of heritage assets, in order to support and inform the review of the Local Plan. This work included the review of a number of Conservation Areas, as well as other types of heritage asset.
- 4.4. The consultants were specifically asked to review the boundaries of the Brighton Road, Hazelwick Road, High Street, and St Peter's Conservation Areas, these being the Conservation Areas where the relevant Advisory Committee had suggested boundary changes. In addition a number of areas were assessed for potential designation (or retention) as Areas of Special Local Character (ASLCs). ASLCs are a separate class of heritage asset, designated through the Local Plan process, representing areas which have some local historic and/or architectural interest, but which are not of sufficient importance to merit Conservation Area status.<sup>2</sup>
- 4.5. In the case of two of these areas, however, the consultants considered that Conservation Area status was justified. These are: Gossops Green Neighbourhood Centre and an area centred on Queens Square and The Broadway in the town centre. The resulting proposed recommendations were subject to public consultation between 5 February and 31 March 2021.

## **5. Description of Issue to be Resolved**

- 5.1. A Cabinet decision is required to implement the consultants' recommendations in respect of Crawley's Conservation Areas. Other aspects of the recommendations arising from the consultants' study, relating to other types of heritage asset, are subject to separate procedures.<sup>3</sup>
- 5.2. This report's recommendations in section 3 arise from the results of the above review undertaken by consultants on Crawley's heritage assets. In addition to the recommendations currently proposed the consultants also recommended a proposed extension to the Brighton Road Conservation Area. Further work is considered necessary to establish the correct relationship between the Brighton Road Conservation Area and the nearby Malthouse Road Conservation Area. The intention is therefore that a further proposal in respect of this Conservation Area will come forward separately at a later stage.
- 5.3. The special status of Conservation Areas within the planning system allows the Local Planning Authority to apply various policies and planning controls for the purpose of preserving or enhancing the character or appearance of the area.

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<sup>2</sup> The 2015 Local Plan identifies 6 ASLCs: Blackwater Lane, Pound Hill; Church Road, Pound Hill; Goffs Park Road, Southgate; Mount Close and Barnwood, Pound Hill; Milton Mount Avenue, Pound Hill; Rusper Road, Ifield. In line with the consultant evidence the emerging Local Plan proposes to add Albany Road/Spencers Road (West Green), Northgate Neighbourhood Centre and West Green Neighbourhood Centre to the list while removing Barnwood (Pound Hill). This is considered / determined through the Local Plan Review process.

<sup>3</sup> Updates in respect of Areas of Special Local Character and Historic Parks and Gardens are being taken forward through the review of the Local Plan, which is currently the key authority for identifying them. Updates in respect of Locally Listed Buildings are subject to the adoption of an updated Local Heritage List Supplementary Planning Document.

- 5.4. For Crawley, the designation of 2 new Conservation Areas for Queens Square and the Broadway (Appendix A) and Gossops Green Neighbourhood Centre (Appendix B) will allow the Council as Planning Authority to:
- Remove / limit the number of permitted development rights; therefore requiring site owners / developers within the Conservation Areas to apply for planning permission for changes to their properties. This will allow the Local Planning Authority greater planning controls to address poor quality design and development proposals on sites within the Conservation Areas.
  - Exert greater planning controls over any proposals to demolish buildings within the Conservation Area;
  - Consider the impact of site development proposals on the significance of the area in the context of both Crawley Local Plan and national government planning policies;
  - Consider introducing new “Article 4” Directions in order to control changes which would not ordinarily require planning permission, such as the replacement of windows, doors and roof tiles.
- 5.5. Conservation Area designation may come to have additional implications in the context of potential future planning reforms.

## **6. Information & Analysis Supporting Recommendation**

- 6.1. The recommendations are supported by Place Services, the heritage consultant, reports as follows:
- For the proposed Queens Square and The Broadway Conservation Area see [Crawley Heritage Assets Review Appendix C2 Areas of Special Local Character Assessment](#) (pp. 47-53)
  - For the proposed Gossops Green Neighbourhood Centre Conservation Area see [Crawley Heritage Assets Review Appendix C2 Areas of Special Local Character Assessment](#) (pp. 32-35)
  - For the boundary changes to the High Street and St Peter’s Conservation Areas see [Crawley Heritage Assets Review Appendix D Conservation Area Review](#)
- 6.2. Draft appraisals for the two new proposed Conservation Areas were also prepared and published as part of the public consultation (Appendix E), identifying the interest and assets of the areas in more detail.
- 6.3. Appendix F provides a more detailed analysis of the rationale for the new Conservation Areas and amendments to three of the existing Conservation Areas.

## **7. Implications**

### **Celebrating Crawley**

- 7.1. The proposals would give additional parts of the borough nationally recognised status as heritage assets. The two proposed new Conservation Areas in particular focus on Crawley’s post-war New Town expansion and would help to emphasise and increase understanding of this heritage, which has been celebrated in Crawley’s bid for City status and in celebrations during 2022 for the 75<sup>th</sup> anniversary of the designation of the New Town.

### **Economic**

- 7.2. The proposal is expected to have positive economic effects overall. There is likely to be some additional costs for developers / site owners associated with development in the Conservation Areas (for example planning application fees; requirements for

higher quality design and materials). It is, however, considered that these will be more than offset overall by the positive effects of a more distinctive and more carefully managed environment, which will ultimately be more attractive to residents, visitors and investors.

- 7.3. Where the Conservation Area designations affect important economic and social assets for the borough (i.e. most notably in the Town Centre, but also at Gossops Green Neighbourhood Centre) there will be a close co-ordination of the heritage strategies set out in the Conservation Area Statements with major regeneration projects and initiatives arising in these areas in order to maximise the social and economic benefits and the participation of a wide range of stakeholders.

### **Environmental**

- 7.4. The environmental impacts are considered to be positive overall. A wider extent of land within the borough will benefit from more careful control over development and more detailed development guidance and management proposals, leading to a better quality environment.
- 7.5. In encouraging the re-use and repurposing of existing elements of the built fabric, Conservation Area designation would promote the efficient use of the carbon embodied in buildings within the Conservation Areas, thereby helping to reduce the emissions associated with development activity and so contributing to the objectives set out in Crawley's Climate Emergency Declaration.
- 7.6. In order to protect the character and appearance of Conservation Areas, permitted development rights relating to the external cladding of dwellinghouses are automatically withdrawn, while rights relating to the installation of low/zero carbon energy technologies are limited so as to protect visually sensitive locations (for example walls, roof slopes and areas facing the public highway).
- 7.7. Existing rights to install solar photovoltaic panels on roofs would not be affected, but domestic air source heat pumps facing or positioned towards the public highway within Conservation Areas would usually require planning permission in order to consider their visual and amenity impact.

### **Equalities**

- 7.8. There are considered to be no negative impacts arising from these proposals on any group with a protected characteristic. The proposals would not introduce any additional restrictions on internal alterations made in order to improve the accessibility of buildings.

### **Financial**

- 7.9. The proposals involve a mixture of financial costs and benefits and are considered to be broadly neutral overall from a financial perspective.
- There would be some costs to the Council associated with fulfilling the statutory advertising requirements for the designation or alteration of a Conservation Area. Each designation (or amended boundary) must be advertised in the London Gazette as well as a local newspaper. It is estimated that the necessary eight advertisements in total would cost in the region of £4/5,000. This can be met from the existing Heritage Strategy Reserve budget.
  - The increased extent of land within Conservation Areas would result in some additional planning-related applications owing to the removal or limitation of existing permitted development rights. These would generate additional fee

income for the authority, which is likely ultimately to offset the above advertising costs.

- The increased number/extent of Conservation Areas would provide additional future opportunities to bid for significant grant funding for heritage-related regeneration and improvements. One recent example of this was the Historic England [High Streets Heritage Action Zones](#) scheme which exclusively allocated £92 million across over 60 high streets, which are designated Conservation Areas in England.

## Legal

7.10. The key legal implications of Conservation Area designation are as follows:

- The Council would be under a duty to formulate and publish plans to ensure the preservation or enhancement of the Conservation area.
- Planning permission would need to be obtained from the Council for the demolition of any building in the area. It is a criminal offence to carry out demolition in a conservation area without planning permission.
- Special publicity would need to be given to planning applications for development in the conservation area.
- In carrying out any function under the planning acts (and, in particular, for determining applications for planning permission and listed building consent) the Council and the Secretary of State are required to take into account the desirability of preserving and enhancing the character and appearance of the area.
- Six weeks' notice would need to be given to the Council before works are carried out to any tree in the conservation area.
- The designation of a Conservation Area is a local land charge, i.e. a formally registered restriction on the use of land.

## Staff Resources

7.11. These are mainly required for the preparation of planning guidance documents such as Conservation Area Statements. This and other additional work demands arising from the above designations and amendments to Crawley's Conservation Areas would be met from within existing staff resources in the Council's Strategic Planning Team. The development of the Conservation Area Statements will involve some additional work including additional use of consultants, the costs of which can be offset by the extra income from planning fees arising from the planning applications which would subsequently be required in the newly designated Conservation Areas.

## 8. Background Papers

Queens Square and The Broadway Draft Conservation Area Appraisal

[https://crawley.gov.uk/sites/default/files/2021-02/Queens Square and The Broadway Draft Conservation Area Appraisal.pdf](https://crawley.gov.uk/sites/default/files/2021-02/Queens_Square_and_The_Broadway_Draft_Conservation_Area_Appraisal.pdf)

Queens Square and The Broadway Conservation Area Appraisal SA SEA Screening Report

[https://crawley.gov.uk/sites/default/files/2021-02/Queens Square and The Broadway CA SA SEA Screening Report Feb 2021.pdf](https://crawley.gov.uk/sites/default/files/2021-02/Queens_Square_and_The_Broadway_CA_SA_SEA_Screening_Report_Feb_2021.pdf)

Gossops Green Neighbourhood Centre Draft Conservation Area Appraisal

[https://crawley.gov.uk/sites/default/files/2021-02/Gossops Green Neighbourhood Centre Draft Conservation Area Appraisal.pdf](https://crawley.gov.uk/sites/default/files/2021-02/Gossops_Green_Neighbourhood_Centre_Draft_Conservation_Area_Appraisal.pdf)

Gossops Green Neighbourhood Centre Conservation Area Appraisal SA SEA  
Screening Report

[https://crawley.gov.uk/sites/default/files/2021-02/Gossops\\_Green\\_Neighbourhood\\_Centre\\_C\\_S\\_SEA\\_Screening\\_Report\\_Feb\\_2021.pdf](https://crawley.gov.uk/sites/default/files/2021-02/Gossops_Green_Neighbourhood_Centre_C_S_SEA_Screening_Report_Feb_2021.pdf)

Crawley Heritage Assets Review Appendix C1 Areas of Special Local Character  
Review

[https://crawley.gov.uk/sites/default/files/2021-01/Heritage\\_Assets\\_Review\\_Appendix\\_C1\\_Jan\\_21.pdf](https://crawley.gov.uk/sites/default/files/2021-01/Heritage_Assets_Review_Appendix_C1_Jan_21.pdf)

Crawley Heritage Assets Review Appendix C2 Areas of Special Local Character  
Assessment

[https://crawley.gov.uk/sites/default/files/2021-01/Heritage\\_Assets\\_Review\\_Appendix\\_C2\\_Jan\\_21.pdf](https://crawley.gov.uk/sites/default/files/2021-01/Heritage_Assets_Review_Appendix_C2_Jan_21.pdf)

Crawley Heritage Assets Review Appendix D Conservation Area Review

[https://crawley.gov.uk/sites/default/files/2021-01/Heritage\\_Assets\\_Review\\_Appendix\\_D\\_Jan\\_21.pdf](https://crawley.gov.uk/sites/default/files/2021-01/Heritage_Assets_Review_Appendix_D_Jan_21.pdf)

Planning (Listed Buildings and Conservation Areas) Act 1990

<https://www.legislation.gov.uk/ukpga/1990/9/contents>

Conservation Area Appraisal, Designation and Management  
Historic England Advice Note 1 (Second Edition)

<https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/>

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