

APPENDIX X

Crawley Borough Council

Risk Assessment

(PES/419)

Proposals to Introduce New Conservation Areas and Change Existing Conservation Area Boundaries (Please see Cabinet Report PES/419 and appendices for further details of proposal)

Date	01/11/2022
Assessed By	Clem Smith
Review Date	01/11/2023

Rating the risk
Likelihood
1. Unlikely
2. Possible
3. Likely
Severity
1. Insignificant
2. Moderate
3. Significant

Severity	3	Medium	High	High
	2	Low	Medium	High
	1	Low	Low	Medium
		1	2	3
		Likelihood		

Risks of Conservation Area Designation	Risk			Risk Control Measures	Residual Risk		
	L	S	DR		L	S	DR
Economic: Risk that designation or additional controls associated with it could deter investment in the town centre.	1	3	3	The council will continue to engage positively with developers/businesses/landowners/residents within the affected areas and with emerging development proposals.	1	2	2

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			<p>This positive engagement will continue the momentum of Crawley's Town Centre Regeneration programme.</p> <p>The council is in active and constructive conversations with developers / site owners about several new schemes in tandem with the forthcoming new Conservation Area and its requirement for good quality designs in keeping with the character and heritage identity of the town centre.</p> <p>The council will continue to engage regularly with the Town Centre BID and will actively seek their input into the Conservation Area Statement. If necessary, the Council will review with them the impact of the Conservation Area.</p> <p>The heritage approach and Town Centre Regeneration agenda will be aligned in order to capitalise on synergies between them. Protection of Crawley's built heritage sits comfortably alongside the 75th birthday celebrations, City Status bid and other initiatives to promote pride in the town.</p> <p>The Conservation Area Statements for the areas affected, including area appraisals, development guidance, and management proposals will be informed by input from local stakeholders.</p> <p>The residual low risk of negative economic impact is considered to be lower than the economic risk of not proceeding with the designations: i.e. in particular it is considered that there is a notably higher risk that poor quality development could have a negative</p>		
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				impact on the character, appearance and attractiveness of the town centre, deterring visitors and investment.			
Financial: Risk of negative impact on council financial resources through costs of implementation, negative impact on tax base, increased unfunded demand on council services, or reduced fee income.	1	2	2	<p>Risk is considered to be mitigated to an acceptable degree by countervailing factors, i.e.</p> <ul style="list-style-type: none"> - Increased fee income where planning applications are required - Reduced expenditure of staff time/resources on 'prior approval' applications, the fees for which do not cover processing costs - Potential to access significant heritage-related funding via the government and Heritage Lottery Fund, which Conservation Areas can apply for. 	1	2	2
Environmental: Risk of undermining Climate Emergency goals, negatively impacting on biodiversity, or of contributing to deterioration of local environment in terms of amenity, noise, air quality, vibration.	1	2	2	<p>Overall projected environmental impacts from the proposals are considered to be positive, as set out in the report:</p> <ul style="list-style-type: none"> - Maintaining and enhancing the local environment from an amenity perspective is one of the main aims of the designation - While designation does not prohibit demolition and redevelopment it is likely overall to encourage more efficient use of the embodied carbon represented by the existing built fabric - Removal of permitted development rights still leaves scope for many retrofit options, design innovations and low-zero carbon energy technologies <p>The low risk of negative environmental impact is considered to be lower than the environmental risks of not proceeding with the designations, i.e. in particular that poor quality development could undermine the character and appearance of the</p>	1	2	2

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				areas in question, with an associated negative impact on local amenity and environmental quality.			
Social/Equalities: Risk of negatively affecting groups with protected characteristics, or of negatively impacting public health and wellbeing.	1	2	2	No negative impacts on groups with protected characteristics are anticipated, as set out in the report. In addition, heritage designation is associated with wellbeing benefits in terms of pride of place and improved visitor experience within the areas in question.	1	2	2
Stakeholder: Risk that effects and manner of designation could have a negative impact on stakeholder relationships.	1	3	3	Engagement with stakeholders, including the Town Centre BID, has been ongoing in order to understand and ease concerns and build confidence that the council will be informed by stakeholder input in the way that Conservation Area controls and associated planning guidance (Conservation Area Statements, Supplementary Planning Guidance) are implemented.	1	2	2
Reputational: Negative public reaction arising from perceptions of areas subject to designation or presentation of the proposals.	1	3	3	Council has been pursuing a Communications Strategy, including Press Release and SocialMedia, to set out the rationale behind the proposals and the risks (poor quality development, loss of ground floor retail uses in the heart of the town centre) associated with not acting. Whilst mixed views were received during the original consultation, there has been clear support expressed for the principles of protecting Crawley's new town heritage identity and for restoring local planning powers to give the Council, local stakeholders and local people a say on new development such as upwards extensions and changes of use in the town centre.	1	2	2
Legal: Risk of legal challenge to designations	1	2	2	Legal Services colleagues have advised on drafting of the recommendations to ensure they are effective and thereby reduce risk of legal challenge on procedural grounds. The report and appendices clearly set out the rationale of the proposals and also the Council's consideration of consultation	1	2	2

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				responses, thereby minimising chances of a legal challenge on Wednesbury 'reasonableness' grounds.			
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I have read and understood the above risk assessment; (sign)

Employee Name	Signature
CLEM SMITH <u>HEAD OF ECONOMY AND PLANNING</u> <u>CRAWLEY BOROUGH COUNCIL</u>	