REPORT FOR DECISION
Agenda item no:

Rochdale Township Committee
23rd May 2012

Report of the Service Director Planning and Regulation

Prickshaw & Broadley Fold Conservation Area Character Appraisal

Wards affected: Spotland and Falinge
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To approve for the purposes of public consultation a draft Character Appraisal for the Prickshaw & Broadley Fold Conservation Area

1. It is recommended that:

1.1 The Township Committee:
   • Approves for public consultation the draft conservation area appraisal attached in Appendix 2
   • Approves the consultation strategy for the conservation area as set out in this report, following which a further report will be brought to the Township Committee detailing the results of this consultation and to seek adoption of the final appraisal

2. Reasons for recommendation:

2.1 The Prickshaw & Broadley Fold Conservation Area is designated as an area of historic and architectural interest worthy of preservation and enhancement

2.2 In light of the proposed expansion of Scout Moor Wind Farm, it is important that the impacts of this proposal together with any other development proposals which might come forward and which may have an impact on the character and setting of the Conservation Area are properly considered. The production of a conservation area appraisal will establish the intrinsic heritage value of the area and its setting, obtain local feedback and support for the appraisal, which will in turn assist the Council when assessing development proposals through the planning process

3. Alternatives considered:
3.1 To not undertake a detailed conservation area appraisal at this time would result in a lack of appreciation of the heritage value and leave the conservation area vulnerable to the insensitive development of its physical fabric and rural setting.

3.2 To seek to adopt an appraisal of the Conservation Area without obtaining local feedback into its development would also undermine the value and quality of the conservation area appraisal in this case.

4. **Consultation undertaken/proposed:**

4.1 Whilst the level of publicity to be made to the draft conservation area appraisal is discretionary, it is proposed to allow a period of public consultation of 28 days on the draft document. This accords with best practice. Further information on the proposed consultation arrangements are set out in Section 5 of the report.

5. **Main text of report:**

*Background*

5.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to survey and keep under review their district for *areas which are of special architectural or historic interest, the character of which it is desirable to preserve or enhance*, and to designate those areas as Conservation Areas. This duty is an ongoing requirement of local authorities.

5.2 Rochdale Township Committee approved the Prickshaw and Broadley Fold Conservation Area in 1987. Work on a more detailed appraisal is necessary in order to guide the design and layout of future development projects within or in the context of the Conservation Area. In particular, at this time the production of an appraisal will assist the Council in responding to any proposals seeking the expansion of Scout Moor Wind Farm, or indeed any other development proposals within the area.

*Proposed Consultation*

5.3 The proposed consultation will be informed by the issues outlined above and is proportionate to the relatively small scale of the Prickshaw and Broadley Fold Conservation Area. It is proposed to undertake consultation on a number of levels.

5.4 **Consultation of amenity and other groups:** Consultation on the draft appraisal will take place with local heritage and amenity groups within the Township.

5.5 **Consultation of owners/tenants:** Letters will be sent out to all property owners and occupiers of the Prickshaw and Broadley Fold settlement regarding the Conservation Area Appraisal and directing interested parties to the Council website and local libraries (where hard copies will be made available). Invitations to contact or meet with relevant members of the Planning Department regarding this will also be offered.
5.6 **Media:** Work will be carried out with the RMBC Communications team to publicise consultation and proposals on the RMBC website, through social media and a press release.

5.7 The results of these consultations will inform the final appraisal document. A summary of the public responses to the document will be presented in a subsequent report to Township seeking Member adoption of the character appraisal.

6 **PERSONNEL IMPLICATIONS**

6.1 The preparation of a Character Appraisal will be undertaken from within existing staff resources.

7 **FINANCIAL IMPLICATIONS**

There are no financial implication arising from this report.

8 **LEGAL IMPLICATIONS**

7.1 There are no significant legal implications arising from this report.

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**For further Information and Background Papers:** For further information about this report or access to any background papers please contact Christina Sinclair.
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Peter Rowlinson
Service Director Planning and Regulation Services
APPENDIX 1: Conservation Area boundary
APPENDIX 3: Conservation Areas Overview

What are Conservation Areas?

1. A conservation area is an area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. Areas are assessed from a local perspective where the aim is to conserve the familiar and cherished local scene. The most important conservation areas may also be of national importance but there is no separate designation for this.

2. Conservation areas are for areas, not individual buildings. However, what constitutes an area is very wide. For example, the smallest conservation area might be a house and a garden, or perhaps a church and associated vicarage, while the largest conservation area might cover a substantial rural landscape. Many are town or village centres while others cover unique areas, such as model housing estates. The designation of long lengths of canal and railway is common, as is the designation of the best of a particular urban type such as terraced housing or industrial buildings.

3. Most conservation areas support the social cohesion of the particular area through the encouragement of local pride and the care of the environment. Conservation area status is an official acknowledgement that an area has special heritage value. This eventually works its way through the developmental and ownership structure of a place and encourages a virtuous cycle of improvement. For example, it can become easier to achieve better design quality or successful grant applications to outside bodies.

How are Conservation Areas made?

4. Conservation areas are normally made or “designated” by the local planning authority under powers contained in the Planning (Listed Buildings & Conservation Areas) Act 1990. The local authority can alter the boundary of an existing conservation area or cancel it altogether. The Council is free to establish its own designation procedure and criteria. The procedure should normally include the consultation of affected properties and interested groups and bodies by letter.

5. Conservation areas should have a strong local flavour and interest and, for this reason, are designated by the Township Committees rather than a borough-wide committee at Rochdale MBC. Nevertheless, it is important to see conservation areas as part of the wider planning of the Borough. They should be consistent with other aims and policies of the UDP and complement other Council initiatives.

Urgent Designation Procedure

6. Occasionally, a proposed development or demolition will have major implications for a possible conservation area. There may not be sufficient time for the normal consultation procedure to take place and the proposal would effectively prevent the conservation area being considered for at least part of the area. In these
circumstances, it is appropriate to use the urgent designation procedure under the scheme of delegation.

7. In such circumstances, the Chief Planning Officer, after consulting the Borough Solicitor, arranges for a meeting of the Delegated Sub Committee of the appropriate Township Committee, to designate a conservation area of the minimum size. A report, within one year of designation, is subsequently presented to the Township Committee, allowing it to consider the matter following reflection, consultation and resolution of any particular planning problems.

The Consequences of Conservation Area Designation

These can be summarised as follows.

a. The local planning authority is under a general duty to ensure the preservation and enhancement of conservation areas and has a particular duty to prepare proposals to that end.
b. The local authority may be able to take steps to ensure a building is kept in good repair.
c. From time to time, limited financial assistance may be available for the upkeep of buildings in the area.
d. The details as to the limits of what works may be carried out without planning permission are different (in particular, more limited permitted development rights for householders).
e. The planning authority is to take into account the desirability of preserving and enhancing the character and appearance of the area when determining planning applications and there is extra publicity for applications to this effect.
f. Conservation Area Consent is required for the demolition of any unlisted building in the area and the local authority can take enforcement action or institute a criminal prosecution if consent is not obtained.
g. Notice must be given to the local authority before works are carried out to any tree in the area.
h. The display of advertisements is more restricted than elsewhere.

Adopted Principles

There are five adopted principles guiding the Council's actions concerning the making of new Conservation Areas. These are set out below. Principles 3. and 5. specifically underpin the reasoning of this report, which tries to square the need for public consultation with that of an urgent response to a particular circumstance.

1. Only areas and buildings of special architectural or historic interest should be made conservation areas. Areas or buildings without such special interest should not be designated, no matter how strong other reasons might be.
2. The designation of conservation areas should be consistent with the policies of the Unitary Development Plan and good planning practice.
3. The process of making of conservation areas should be open and fair. It should be responsive to local opinion and allow local people and other interested parties to comment.
4. The process should be efficient and practical. It should encourage the making of good decisions within available resources and practical time frames.

5. The process should be flexible to respond to the range of heritage and planning contexts that may arise. In particular, the process should be able to cater for urgent situations where the special interest or character of an area is under immediate threat.