

# Environment and Sustainability Committee



10 May 2022

<b>Title</b>	Staines Conservation Area Appraisal
<b>Purpose of the report</b>	To make a decision
<b>Report Author</b>	Esmé Spinks, Planning Development Manager Russ Mounty, Principal Planning Officer
<b>Ward(s) Affected</b>	Staines Ward
<b>Exempt</b>	No
<b>Exemption Reason</b>	N/A
<b>Corporate Priority</b>	Community Environment Service delivery
<b>Recommendations</b>	<p><b>Committee is asked to:</b></p> <ol style="list-style-type: none"> <li>1. Agree the draft updated Staines Conservation Area Appraisal for consultation</li> <li>2. Agree to go out to 6 weeks public consultation on the proposed amendments to the Conservation Area</li> <li>3. Delegate authority to the Group Head Regeneration and Growth, in consultation with the Chair and Vice Chair of the Environment and Sustainability Committee, to approve the final document, taking account of comments, as required, which arise from the consultation.</li> </ol>
<b>Reason for Recommendation</b>	<p>1.1 Under planning policy, local planning authorities are required to formulate and publish proposals for the preservation and enhancement of conservation areas. The appraisal of Staines Conservation is the first of eight which will be completed as part of updating the conservation areas across the borough. The appraisal defines three distinct character areas and includes recommendations on boundary changes to remove areas where designation is no longer justified and also proposals to extend the boundary in some locations.</p>

## **2. Summary of the report**

- 2.1 Under national planning policy and advice by Historic England, Local Planning Authorities (LPAs) are required to formulate and publish proposals for the preservation and enhancement of conservation areas. LPAs should also consult the public in the area in question, taking account of views expressed. Spelthorne LPA will be undertaking appraisal reviews of all its existing conservation areas over the coming year. There are eight conservation areas in the borough, six were made in the 1970s, one in 1993 and one in 2002. Preservation and Enhancement plans were agreed in the 1990s for those originally approved in the 1970s.
- 2.2 The first review of this year which has taken place relates to Staines Conservation Area. The last previous preservation and enhancement plan for this area was agreed in 1991. The review has been undertaken by AHC Consultants (Architectural History and Conservation Consultants). The attached report (Appendix 1) provides a draft updated appraisal of the Conservation Area. It includes recommendations on boundary changes to remove areas where designation is no longer justified and also proposals to extend the boundary in some locations.

## **2 Key issues**

- 2.1 Staines Conservation Area was designated in 1975 by Spelthorne Borough Council as an area of special architectural and historic interest and reviewed in 1991. Appendix 2 contains a map of the existing conservation area. The Planning Practice Guidance (PPG) stresses that 'local planning authorities must review their conservation areas from time to time' (section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Resources permitting, it is advised that every five years is ideal, but review frequency will vary according to the development pressures in the local area. Staines town is currently experiencing significant development pressures and a review of the Staines Conservation Area is required.
- 2.2 The attached draft appraisal follows advice given by Historic England as set out in '*Advice Note 1: Conservation Area Appraisal, Designation and Management*' published 8 February 2019. It seeks to analyse the special architectural and historic interest of the Staines Conservation Area, identifies opportunities for beneficial change and the need for additional protection. The draft appraisal also seeks to consider and review the Conservation Area boundary which has been in place since 1975.

The review of the Staines Conservation Area and the production of the Conservation Area Appraisal are part of a wider aim by Spelthorne Borough Council to preserve or enhance the special character and appearance of the Conservation Area as required by the Planning (Listed Buildings and Conservation Areas) Act 1990. It will also enable sustainable decisions to be taken about its future management.

### 3. Options analysis and proposal

#### Option 1 – agree the revised draft appraisal for consultation

3.1 The draft appraisal sets out nine key elements which define the special character and appearance of the Staines Conservation Area. This includes

- the location and setting
- origins and historic development
- archaeological potential
- built form and architecture
- trees and open spaces, and
- views and vistas

A number of examples are used to highlight the special interest. The draft appraisal includes some amendments to building heights and design and materials.

3.2 The next section of the draft appraisal assesses in some detail character areas. Most Conservation Areas do not have a uniform character and appearance across the area. In many cases different ‘character areas’ or ‘sub areas’ can be discerned which have their own unique appearance and characteristics. Their varied character tells a story about the history of the Conservation Area and contributes to the special character and appearance of the whole. Three distinct Character Areas have been identified for the Staines Conservation Area:

- Character Area 1 – St Mary’s Church - has the appearance and secluded, quiet atmosphere of a small village centred upon its Church: a building which dominates the character area.
- Character Area 2 – The Two Rivers - stretches from the former Staines West Station and Hale Street in the north of the Conservation Area, southwards to the rear of the buildings that face onto Clarence Street.
- Character Area 3 – Market Square and Memorial Gardens - this is the civic core of the town and saw a rapid and extensive period of redevelopment in the early to mid C19.

These character areas are shown in appendix 3.

3.3 The next section of the draft appraisal sets out recommendations for proposed alterations to the boundary of the Staines conservation area.

#### Inclusions

The draft appraisal suggests four areas to be added to the conservation area;

- “The four storey, former Debenhams building was built in 1956 by George Coles, the renowned Art Deco architect. This landmark building is an important building of high visual quality which terminates the long views along Clarence St and from Thames Street. It is of good architectural quality and it reinforces the historic built character of character area 3.” {The inclusion also includes the adjacent buildings

of nos. 47-57 High Street which contribute to the setting of Debenhams}.

- The Memorial Park; the park and adjacent car park have been included in its entirety because of the importance that this high quality open space has within the character area and also as one of the few public, open spaces from where a full appreciation of the river Thames and its relationship to Staines town can be obtained.
- A section of riverside bank and the river to the west of Church Island; this area is important in allowing an appreciation of the context and character of both character area 1 and Church Island, their relationship with each other, and with the river.
- Minor changes have occurred to the boundary of the Conservation Area to follow the line of the footpath and include its green riverbank along the eastern side of the River Colne.”

### Exclusions

The report also advises on the following exclusions from the Staines Conservation Area.

- “Minor changes to the boundary of the Conservation Area have occurred around its northern periphery to ensure that the boundary line is legible on the ground and does not dissect buildings or plots. The modern Travelodge, built after the Conservation Area was designated, has been excluded.”

A plan showing the recommended boundary changes is attached as Appendix 4.

- 3.4 The next section of the draft appraisal sets out a summary of the main issues currently adversely impacting on the Staines conservation area. The final part of the draft appraisal provides a management plan for the conservation area. This is set out in four sections; the first deals with general issues and the next three addresses management with each of the three character areas.
- 3.5 Appendix 5 contains a list of the important assets in the Staines conservation area and an assessment of significance for each.
- 3.6 This is the preferred option.

### Option 2 – do not agree the revised draft appraisal for consultation

- 3.7 The committee could decide that they want to keep the conservation area boundary unaltered. This is not recommended as the LPA would be ignoring the advice of AHC Consultants, who are its independent experts.
- 3.8 This option is not recommended.

### Option 3 – agree the revised draft appraisal for consultation but with further amendments

- 3.9 The council's consultants, David Lock Associates who are dealing with the Staines Development Framework (SDF) have made the following comments:
- The zoning plan in the SDF will need to be amended (Officer note: this is not a matter for the appraisal)
  - Not convinced that the Memorial Garden Car Park should be included
  - Two other comments relating to building heights and design and materials (Officer note: see 3.1 above).
- 3.10 On the first matter the zoning proposals within the draft SDF, previously agreed in principle by the Staines Development Task Group, are due to be considered by the Environment and Sustainability Committee at an Extraordinary meeting on 26 April 2022. If the SDF is agreed, it is expected that it will be further considered by Council on 19 May 2022. At that time, the proposed changes to the Staines Conservation Area (if agreed) will be subject to its own public consultation. It is anticipated that consultation on the conservation area appraisal will start shortly after 10<sup>th</sup> May and will last for six weeks, expiring towards the end of June. The draft SDF zoning plan (if agreed) will be consulted on its current proposed format unless the proposed changes to the conservation area are agreed before the consultation on the draft SDF to allow for the material to be amended. Otherwise a rider could be added to the draft SDF advising that the conservation area boundary is likely to be altered and this will affect the extent of the zoning plan. If the conservation area is agreed, a revised plan could be added to the draft SDF to assist understanding of what that means for the zoning proposals.
- 3.11 On the second matter, the recommendation to include the car park as part of the Memorial Gardens extension been included in its entirety because of the importance that this high quality open space has within the character area and also as one of the few public, open spaces from where a full appreciation of the river Thames and its relationship to Staines town can be obtained.
- 3.12 This was the recommendation by the expert Architectural History and Conservation Consultant, and it is advised that this remains unaltered.
- 3.13 Consequently, this option is not recommended.

## **4. Financial implications**

- 4.1 The extension of a conservation area boundary is likely to result in additional resource pressures for planning officers and the likely need to obtain, on occasions, additional independent expert heritage advice due to the additional controls outlined in 3.9 above and also the management plan. There is no additional planning fee income received by the Local Planning Authority as a result of the additional controls. This will matter be monitored to establish whether this additional work can be paid for from within existing budgets.

## 5. Other considerations

- 5.1 The broad principles of government guidance are included in the adopted Spelthorne Local Plan 2009. Of particular relevance are Policies EN5, Buildings of Architectural and Historic Interest (p.60) and EN6 Conservation Areas, Historic Landscapes, Parks and Gardens (p.61). At the time of writing the emerging Local Plan currently carries no weight.
- 5.2 If the appraisal is adopted following public consultation, it will become a Supplementary Planning Document (SPD) and be a material consideration in decision making. The role of SPD policy is confirmed by its glossary definition within the NPPF 2021 which provides:
- “Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not 73 part of the development plan.”*
- 5.3 Consequently SPDs are required to have a policy hook within existing (or, imminently to then be adopted) local plan policy. The associated policy for the appraisal SPD is policy EN6. Upon imminent adoption of the emerging local plan, the SPD would ‘hook’ onto the replacement heritage policy and remain a material consideration in decision making.
- 5.4 The conservation area designation introduces some additional controls over the way owners can alter or develop their properties.

These controls include:

- the requirement in legislation and national planning policies to preserve and/or enhance, as discussed further in the NPPF and the PPG
- local planning policies which pay special attention to the desirability of preserving or enhancing the character or appearance of the area
- control over demolition of unlisted buildings
- control over works to trees
- limitations on the types of advertisements which can be displayed with deemed consent
- restriction on the types of development which can be carried out without the need for planning permission (permitted development rights)
- support for the use of article 4 directions to remove permitted development rights where avoidable damage is occurring
- clarification of archaeological interest, thereby assisting its protection

5.5 There is no statutory remedy available to a person who wishes to challenge the legality of the designation of a conservation area and no mechanism by which the owner of land subject to such designation could claim compensation. Notwithstanding this, the Council's decision could be subject to judicial review and quashed if the Court found the grounds for designation to be inadequate e.g. a paucity of evidence regarding special architectural or historic interest, a lack of meaningful consultation etc.

## **6. Equality and Diversity**

6.1 This does not have any direct equality and diversity impacts

## **7. Sustainability/Climate Change Implications**

7.1 The protection and enhancement of existing heritage buildings and open areas has a positive impact on sustainability/climate change issues.

## **8. Timetable for implementation**

8.1 Following the approval of the amended Staines conservation area boundaries, the following process will take place:

- Advertise the appraisal and invite comments on the Council's website and Council's social media for a period of six weeks
- Advertise the appraisal and invite comments in the local press
- Notify the owners, where possible who are affected by the boundary changes
- Advise the local residents associations and invite comments
- Adopt the updated Staines Conservation Area Appraisal as a Supplementary Planning document

## **9. Contact**

9.1 For further details please contact Esmé Spinks at [e.spinks@spelthorne.gov.uk](mailto:e.spinks@spelthorne.gov.uk) and Russ Mounty at [r.mounty@spelthorne.gov.uk](mailto:r.mounty@spelthorne.gov.uk)

**Background papers:** There are none

### **Appendices:**

Appendix 1 – Staines Conservation Area Appraisal-Draft

Appendix 2 – Staines Conservation Area 1975

Appendix 3 - Staines Conservation Area Character Areas

Appendix 4 – Staines Conservation Area Boundary changes - Draft

Appendix 5 – Staines Conservation Area Asset Sheets - Draft