READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

TO: STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT

COMMITTEE

DATE: 5 APRIL 2016 AGENDA ITEM: 12

TITLE: CONSERVATION AREAS ENHANCEMENT PILOT PROJECT -

UPDATE ON TRAINING DAY

LEAD COUNCILLOR PAGE PORTFOLIO: STRATEGIC ENVIRONMENT,

COUNCILLOR: PLANNING AND

TRANSPORT

SERVICE: PLANNING WARDS: ABBEY, MINSTER.

LEAD OFFICER: KIARAN ROUGHAN TEL: 0118 9374530

JOB TITLE: PLANNING E-MAIL: <u>kiaran.roughan@reading.gov.uk</u>

MANAGER

1. EXECUTIVE SUMMARY

1.1 At its meeting in March 2015, this Committee considered a report on concerns about Conservation Areas in the Borough. It agreed that a working group of relevant officers be set up to work with the Baker Street Area Neighbourhood Association and other groups to examine priorities for environmental action and improvement and ways to deal with priority matters within such areas within available budgets and resources. A report to this Committee in November 2015 noted progress in setting a working group of Council and community representatives, assisted by representatives of Historic England, to investigate and progress various initiatives related to the enhancement of Conservation Areas. This report provides an update on the working of the group and specifically on the outcomes of a Training Day on the preparation of Conservation Area Appraisals that took place on 24th February 2016.

2. RECOMMENDED ACTION

- 2.1 That Committee note the outcomes of the Training Day on the preparation of Conservation Area Appraisals that took place on 24th February 2016 to assist the members of the working group to identify the special historical and architectural interests and develop management plans to preserve and enhance their conservation areas;
- 2.2 That Committee welcomes and supports the setting up of a Conservation Area Advisory Committee (CAAC), based on the draft

- framework for its constitution set out in Appendix 1, to continue the work of the pilot group on the enhancement of Conservation Areas on a more formal basis.
- 2.3 That Committee notes that the Planning Applications Committee confirmed (see Appendix 2) the non-immediate Article 4 Direction to remove permitted development rights to convert from a C3 dwellinghouse to a C4 House in Multiple Occupation for Jesse Terrace as shown on the map in the Notice attached to the report copied at Appendix 3.

3. CONTEXT

- 3.1 In light of the Committee resolution on the enhancement of Conservation Areas in March 2015, Councillor Page invited a number of parties to set up a limited pilot project to examine what might be pursued within available budgets and resources. A report was presented to the November 2015 meeting of this committee in which it was noted that a review of the Castle Hill/ Russell Street Conservation Area Appraisal would be carried out to inform consideration of further potential actions including the possible designation of a Conservation Area at Risk and applying for grant funding for initiatives to manage and enhance the conservation area. The report discussed various tools that could be used to manage change in a conservation area. It outlined initiatives being undertaken or looked into by Streetcare to assist in enhancing conservation areas. It also reported on work in the Baker Street area by Environmental Health and Community Safety and Neighbourhood Initiatives. The report also indicated that the possibility of setting up conservation area advisory committees (CAAC) would be investigated further.
- 3.2 The November 2015 Committee Meeting received a presentation from Martin Small of Historic England who offered to provide a training event in the Council Offices to train representatives of community groups, as well as officers, on preparing conservation area appraisals and associated management plans. The offer of training was taken up and the event, run by officers from Historic England, was held in the Mayor's Parlour on 24th February 2016.
- 3.3 The training was attended by Councillor Page, a number of officers of the Council and by representatives of community groups. In total there were around 30 attendees including the representatives from Historic England. The training covered the purpose of conservation areas, relevant government policy, researching the historic environment and an introduction to the Oxford Character Assessment Toolkit. The participants then split into groups to undertake an exercise carrying out an assessment of particular streets in the Castle Hill/ Russell Street Conservation Area using worksheets in the toolkit. After discussing feedback on the exercise, the training then took participants through

- "writing a Conservation Area Assessment, considering management options, consultation, and finally a presentation on/discussion of implementation and monitoring.
- 3.4 A follow up, "Masterclass" is to be held on 6th April 2015. Participants were asked to review the existing conservation area appraisals for their areas, noting the special characteristics and issues of the area. They have then been asked to review whether these remain the most relevant matters and, if not, what are the current special characteristics and issues affecting the area that an up to date appraisal should take account of? This will inform whether, and why, a review of a conservation area appraisal would be undertaken.
- 3.5 Various matters were discussed during the day and at the end of the training. Matters included the provision of green conservation area road name signage in all the conservation areas in the Borough, providing leaflets, guidance and other material to promote awareness of what it means to live in a property in a conservation area, setting up heritage watch groups and other forms of community monitoring of areas. There was also discussion of conservation area advisory committees (CAAC), conservation areas at risk and the potential to apply for grants to implement management plans in such areas.

Jesse Terrace Article 4 Direction.

- 3.6 In November 2015, SEPT Committee also approved the making of a new Non Immediate Article 4 Direction to control changes of use to small HMO use for the properties in Jesse Terrace, Reading. The Article 4 Direction was subsequently served on owners of properties in Jesse Terrace on 7th January 2016. No written representations on the Direction were received.
- 3.7 Under Standing Orders, delegation for decisions on Article 4 Directions lies with Planning Applications Committee. A report was, therefore, presented to Planning Applications Committee on 10th March 2016 recommending that the Direction be approved. A copy of the report, including appendices, is attached at Appendix 2 to this report. A copy of the Direction is attached at Appendix 3. Planning Applications Committee confirmed the Direction at its meeting on 10th March 2016. The Article 4 Direction is a non-immediate Direction and this means that it does not take effect immediately. It gives property owners 12 months' notice of its effect. The Direction will therefore come into force on 1st February 2017.

4. THE PROPOSAL

(a) Current Position

4.1 A further meeting of the working group was held on 11th March 2016. There was a report back from each of the groups on the training event,

their first thoughts on actions arising for their conservation areas and progress on reviewing their conservation appraisals for reporting back to the Masterclass" event on 6th April 2016. That feedback will pick up the various issues that each of the groups has already identified and which were summarised in the November 2015 report. BSANA had already arranged a community event, held on 12th March 2016, to pass on the training to other members of the community and to involve them in the appraisal of the Castle Hill/Russell street Conservation Area. The event attracted around 25 participants.

- 4.2 In the light of the offer of training on Conservation area appraisals discussed above, it was decided that officers would not carry out a review of the existing Castle Hill/ Russell Street Conservation Area appraisal as had been indicated in the November 2015 Committee Report. Officers considered that it would now be more appropriate for the community themselves to carry out the assessment, decide what they think it is important to preserve and enhance and decide what they consider should be the management priorities. Some officer technical support will be made available to support this process and officers and councillors will respond to any draft appraisal and management plans produced by the community groups. The Council will seek to agree and adopt the revised conservation area appraisals providing they are appropriate and realistic.
- 4.3 The review of the Conservation Area Appraisal will inform consideration of whether the Council should declare a Conservation Area at Risk for the Castle Hill/ Russell Street Conservation Area. This is a requirement for making any application for grant assistance for improvements to the conservation area (Note: any grant will only cover a proportion of any costs involved and a condition of any grant is that there is match funding there is currently no budget for such match funding). The working group is of the view that such an initiative should be pursued.
- 4.4 The setting up of a conservation area advisory committee (CAAC) was further discussed by the working group. CAAC's normally consist mostly of non-local authority people who represent the interests of residents and businesses and who are able to bring expertise or understanding of the area's history and amenity. Membership of a CAAC will, therefore, comprise of people with an interest in the built environment and its heritage, and be drawn from local amenity societies, residents' associations, independent historical, architectural and planning experts, and local residents and businesses. CAACs are independent of the Council (although Councillors can be represented) and anyone can stand for election to be members. Their primary function is to advise on planning applications affecting conservation areas and other applications such as applications to undertake works to trees within conservation areas. They can also be involved in the formulation and/or commenting on conservation area appraisals and reviews of such appraisals.

- 4.5 It was agreed, initially, that it would be best to set up one committee for Reading Borough. At a later stage, it may be that separate committees might be formed to represent the interests of individual conservation areas, particularly where there is significant pressure for change in area. It was also decided that, certainly in the short term, the CAAC for Reading would primarily be concerned with the enhancement of Conservation Areas. This would include promoting initiatives and the formulation of and/or commenting on reviews of conservation area appraisals. Formally commenting on planning applications is seen as less important at this stage, as this is already undertaken via other mechanisms.
- 4.6 A draft constitution for a Reading CAAC has been discussed and is being refined by the working group. A copy of the latest draft is attached at Appendix 1 for information and comment. It will be finalised by the CAAC once it is set up (and brought back to this Committee for information at some point). As indicated, the CAAC should be a community led and formulated committee separate to the Council, albeit Councillors can be members of the group and it will need some support from Council officers. It is not for the Council to approve the setting up of the CAAC. Nevertheless, Committee is requested to welcome the setting up of the CAAC, note that Councillors may become members of the CAAC and agree to provide reasonable support to the CAAC in pursuing its aims.
- 4.7 A submission for a River Views Study was circulated to the group for discussion by Kim Pearce, a member of CADRA. The study would be based on the Oxford View Cones Study. Such a study is intended to assess the importance and content of views as a means to determine elements in need of protection and enhancement. CADRA's interest is in an analysis of the views of the River Thames, particularly west of Caversham Bridge but there are a number of areas of the borough that could be included in such a study. The group agreed to examine this further. A copy of the submission has been sent to Historic England for comment along with a request for possible assistance in undertaking the work that would be involved.
- 4.8 Councillors and officers will continue to work with the working group and with the CAAC when it is set up to progress work on the enhancement of conservation areas in the Borough. Further reports will be brought back to this committee on the work of the group.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 Conservation Areas contribute to the conservation and enhancement of heritage assets in the town and to producing a sustainable environment and economy within the Borough. This report seeks meet the 2015 -18 Corporate Plan objective for "Keeping the town clean, safe, green and active." Under the heading, Neighbourhoods, the Corporate Plan aims to improve the physical environment - the cleanliness of our streets, places for children to play, green spaces, how we feel about our neighbourhood and

whether we feel safe, have a sense of community and get on with our neighbours. This will involve designing and joining up our services around the needs of neighbourhoods, engaging and enabling local residents and targeting resources so that we can improve outcomes for the most deprived areas.

5.2 However, other aims under the Corporate Plan seek to balance the budget and any environmental improvements and other actions must be capable of being undertaken within existing budgetary resources.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 The Conservation Areas Enhancement Pilot Project is a response to concerns raised by community groups with an interest in their conservation areas. It is therefore responding to community concerns. The report recommends continued work with local community organisations.
- 6.2 The Working Group that has been set up has representatives from the communities with an interest in selected conservation areas. Any initiatives arising as part of the project will be responses to community engagement and their development and implementation will involve wider community engagement.

7. EQUALITY ASSESSMENT

7.1 The work of the Working Group is at an early stage and the specific proposals put forward in this report involve research and background with no immediate impacts. An Equality Impact Assessment scoping has not been carried out in relation to this report, but such an assessment may be required, along with, potentially, a full Equality Impact Assessment, to support further initiatives that will be the subject of future reports.

8. LEGAL IMPLICATIONS

8.1 There are no direct legal implication arising from this report

9 FINANCIAL IMPLICATIONS

9.1 As indicated in the report, various services of the Council are already responding to a number of the issues raised within their existing budgets. The resolution of SEPT Committee in its consideration of the original report on "Enhancement of Conservation Areas," was that,a working group be set up to examine priorities for action and improvementin selected conservation areas within available budgets and resources.

9.2

Risk Assessment

9.3 Any increase in workload will need to be carefully monitored as there is no budgetary provision for undertaking this project. Any increase in workload will affect the Planning Section's ability to deal with other priorities.

BACKGROUND PAPERS

- Conservation Area Appraisals;
- English Heritage advice 'Conservation Areas at Risk'

Appendix 1

Draft Terms of Reference for the Reading Conservation Area Advisory Committee.

- 1. To advise the Council when preparing Conservation Area Character Appraisals or policies for the preservation and enhancement of a Conservation Area, Heritage Sites or other areas deemed to be of Historical Importance. As appropriate, take the lead in revising conservation area appraisals and formulating policies for particular conservation areas (including making positive proposals for their enhancement and measures for the general care and maintenance of the area). Make recommendations concerning the boundaries of potential conservation areas and modifications to the boundaries of existing conservation areas.
- 2. To assist in furthering the education, involvement and support of the local bodies and the general public in conservation issues.
- 3. To advise the Council on certain planning applications, inclusive of Pre-Applications, or other matters which may be referred to the Committee which affect the character or appearance of a Conservation Area, Heritage Site or other area deemed to be of Historical Importance. Representations from the CAAC on planning applications should be submitted to the Planning and Development Team. Recognising the voluntary nature of this committee, not every application will be considered and therefore a lack of comment will not imply endorsement.
- 4. To advise the Council on schemes which may be referred to the Committee for works or operation other than maintenance works, to the public highway, public realm, public open space or any other council managed space.
- 5. The CAAC will meet as required to address priorities and have arrangements in place to submit timely planning application comments between meetings. Meetings will be set as deemed necessary.

Membership

- 1. The Committee membership will aim to reflect a cross-section of interests, local people and appropriate skills. Nominations to serve on the Committee will be sought from relevant local groups, professional bodies and companies, and more widely if it deemed appropriate.
- 2. Councillors, who are not members of the Planning Committee, may be appointed to serve on the Committee. However, Councillors from the Planning Committee may be invited to attend meetings, but in an observational capacity only.

- 3. The CAAC shall elect a chair, a vice chair and a secretary to serve for a minimum period of a year.
- 4. The name of the Chair along with a general contact for each CAAC shall be included on the CAAC webpage on the Council's website. The Constitution of the Committee shall be posted on the Council's website.
- 5. The committee will have no less than six and no more than 20 members in order to ensure that it can work effectively. The names and addresses of all CAAC members shall be held by the Council for reference.
- 6. The CAAC will advertise for new members when places become available and new members will be chosen by the Committee on the basis of their potential contribution to the work of the CAAC.
- 7. Appointments to committees shall be for a period of four years, but may be renewed after that period.
- 8. It is important that a proportion of the Panel members have knowledge of planning and are familiar with looking at drawings. In recruiting new members, every reasonable effort will be made to ensure that the Committee is made up of individuals that will be able to give constructive, professional opinions in relation to the goals of improving the historic environment of Reading. To ensure the quality of the Committee's output, "advisory memberships" may be taken from professional persons engaged in historical conservation or planning outside of the town of Reading.

Procedures

- 1. Details of meetings shall be included on the CAAC webpage on the Council's website and a summarised annual report also placed on the web-site.
- 2. A quorum of at least one third of the CAAC members shall be required for the committee to vote on decisions.
- 3. Matters shall be decided by a simple majority vote of members present. The Chair shall have the casting vote where agreement cannot be reached.
- 4. The CAAC does not fall within the definition of a committee or sub-committee as contained in Section 102 of the Local Government Act of 1972. Meetings of the Committee will not be open to the public or the press. However, comments of the CAAC on planning applications will be published by the relevant case-worker with the related Planning Application documents, referred to at Planning Committee meetings and published on the Council's CAAC web-site page.

- 5. The CAAC may invite applicants and other parties involved in proposed developments or in regards to items having to do with the historic environment to the meetings in order to explain or clarify issues. It is important to note that the CAAC is a consultee in its own right and it is there to form its own views on the applications they received to comment on.
- 6. Representations from the CAAC on planning applications will be set out in adequate detail. If the CAAC objects to an application they will clearly identify the reasons why the proposal is harmful to the character and appearance of the conservation area and why it is not in accordance with the Council's development plan or planning guidance.
- 7. The CAAC's comments shall be taken into consideration in the planning officer's assessment of the planning application and recorded in the officer's report.
- 8. Members of the CAAC shall not be remunerated for their participation in the activities of the CAAC.
- 9. If any member of the CAAC has any pecuniary interest, direct or indirect, in any planning application or other matter before the CAAC, that member shall declare their interest, withdraw from the meeting while the matter is under consideration, and this should be noted in the minutes.

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

TO: PLANNING APPLICATIONS COMMITTEE

DATE: 10th March 2016 AGENDA ITEM:

TITLE: JESSE TERRACE - CONFIRMATION OF ARTICLE 4 DIRECTION IN RELATION

TO SMALL HOUSES IN MULTIPLE OCCUPATION.

SERVICE: PLANNING WARDS: BOROUGHWIDE

LEAD OFFICER: KIARAN ROUGHAN TEL: 0118 937 4530 (74530)

JOB TITLE: PLANNING MANAGER E-MAIL: kiaran.roughan@reading.gov.uk

RECOMMENDED ACTION

1.1 That Committee confirms the non-immediate Article 4 Direction to remove permitted development rights to convert from a C3 dwellinghouse to a C4 House in Multiple Occupation for properties in Jesse Terrace as shown on the map in the Notice attached at Appendix 1.

2. INTRODUCTION

- 2.1 A petition was presented to the Strategic Environment Planning and Transport (SEPT) Committee on 26th March 2015, requesting the extension of the existing Article 4 Direction that covers Jesse Terrace in Abbey Ward, and controls changes to the external appearance of the buildings, to also bring changes of use to small HMO use under control.
- 2.2 In July 2015, SEPT Committee considered a report reviewing the use of Article 4 Directions to control changes of use from single dwelling houses to houses in multiple occupation (HMO), including whether it was a measure that could be used in other areas of the Borough. SEPT Committee noted the results of the review and resolved that proposals for an Article 4 Direction covering Jesse Terrace to prevent changes of use from a C3 dwellinghouse to a C4 small house in multiple occupation be brought forward to a future meeting of the Committee.

- 2.3 In November 2015, SEPT Committee approved the making of a new Non Immediate Article 4 Direction to control changes of use to small HMO use for the properties in Jesse Terrace, Reading.
- 2.4 Under Standing Orders, delegation for decisions on Article 4 Directions lies with Planning Applications Committee.

3. Article 4 Direction

- 3.1 In November 2015, SEPT Committee considered a report reviewing the Council's existing use of an Article 4 Direction to control changes of use to small HMO use in parts of the Borough. It went on to consider the application of such a Direction to other parts of the Borough, specifically properties in Jesse Terrace, Reading. It was considered that the location of the properties in Jesse Terrace within the Russell Street/Castle Hill Conservation Area, the unspoilt character of the street, and its importance as an example of a very fine, attractive street with interesting architectural detail of a type that is important to Reading's heritage, was justification for restricting further changes of use to HMO use in Jesse Terrace.
- 3.2 The Committee went on to approve the making of a new Non Immediate Article 4 Direction to control changes of use to small HMO use for the properties in Jesse Terrace, Reading. A copy of the SEPT Committee Report is attached at <u>Appendix 1</u>.
- 3.3 The Article 4 Direction seeks to control the proliferation of HMO use in order to prevent detrimental effects on the physical character of the street. The Direction will require that a planning application is made for proposed changes of use from C3 dwellinghouse to the C4 use class which covers houses in multiple occupation for 3 to 6 unrelated persons.
- 3.4 The Direction was made on 7th January 2016 and served on owners and occupiers of properties fronting Jesse Terrace. A copy of the Direction and the map are attached at <u>Appendix 2</u> to this report. The period for responding to the Direction ended on 15th February 2016. A number of telephone enquiries about the Direction were received by officers. However, no objections to the Direction were received. No other written representations were received. Planning Applications Committee can therefore now confirm the Direction.
- 3.5 The Direction, which is a Non Immediate Article 4 Direction, will not take effect until 1st February 2017. Once the Direction takes effect, planning permission will be required to change use from a C3 dwellinghouse to a C4 small house in multiple occupation. Such applications will be considered in the light of relevant policies (currently policies CS18 and DM8) and the advice in the Council's Supplementary Planning Document on Residential Conversions.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 The Planning Service contributes to the Council's strategic aims in terms of:
 - Seeking to meet the 2015 -18 Corporate Plan objective for "Keeping the town clean, safe, green and active."
 - Seeking to meet the 2015 -18 Corporate Plan objective for "Providing homes for those in most need."
 - Seeking to meet the 2015 -18 Corporate Plan objective for "Providing infrastructure to support the economy"
- 5.2 The Article 4 Direction will contribute, in particular, to achieving the strategic aim of keeping the town clean, safe, green and active.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 Consultation measures have been carried out in relation to the making of the Article 4 Direction in accordance with Annex A of replacement Appendix D to Circular 9/95:
 - Local advertisement;
 - Site notices; and
 - Individual notice to every owner of every part of the land within the area or site to which the direction relates.

7. EQUALITY ASSESSMENT

7.1 Measures to control small houses in multiple occupation may have a particular adverse impact on younger people, as these types of accommodation tend to be occupied by younger people, and students in particular.

8. LEGAL IMPLICATIONS

8.1 Article 4 Directions relate to Section 4 of the Town and Country Planning Act 1990. If a non-immediate Article 4 direction comes into force, a planning application will be required for any change of use from C3 (dwellinghouse) to C4 (small HMO) within the identified area. Permitted development rights will remain to change from C4 use to C3.

9 FINANCIAL IMPLICATIONS

- 9.1 There will be financial implications associated with the new Article 4 direction. These are summarised below:
 - Planning applications submitted solely because of an Article 4
 Direction are not subject to any fee and the whole cost of
 considering and determining such applications therefore falls to the
 Local Planning Authority; and

• There could be substantial resource implications for the planning enforcement service of following up reports of unauthorised changes of use to small HMOs.

Risk Assessment

9.3 Additional resources may be required to deal with applications or enforcement resulting from the Article 4 Direction but, because of the limited number of properties in Jesse Terrace, these will be accommodated in this instance within existing budgets.

BACKGROUND PAPERS

Reports to the Strategic Environment Planning and Transport (SEPT) Committee on 26th March 2015, 15th July 2015 and 22nd November 2015.

Copy of the Article 4 Direction for Jesse Terrace.

READING BOROUGH COUNCIL

ARTICLE 4 DIRECTION - RELATING TO JESSE TERRACE, READING

DIRECTION MADE UNDER ARTICLE 4(1) OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015 (GPDO)

RECITALS

<u>WHEREAS</u> Reading Borough Council (the Council) being the appropriate Local Planning Authority within the meaning of Article 4(5) of the GPDO, are satisfied that it is expedient that the development of the description set out in the Schedule below should not be carried out on the land and buildings in Jesse Terrace, Reading and shown edged black on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 as amended.

NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country Planning (General Permitted Development) Order 2015 **HEREBY DIRECT** that the permission granted by Article 3 of the said GPDO shall not apply to development on the said land of the description set out in the Schedule below:

SCHEDULE

Development consisting of a change of use of a building from a use falling within Class C3 (dwellinghouses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C4 (houses in multiple occupation) of that said Schedule, being development comprised within Class L of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 and not being development comprised within any other Class.

This Direction, if confirmed, will come into effect on 1st February 2017.

Made under the Common Seal of the Council this Th day of Jamay 2016.

Authorised Signatory

The Common Seal of <u>READING BOROUGH COUNCIL</u> was affixed to this Direction in the presence of:-

Authorised Signatory

Confirmed under the Common Seal of the Council this

day of

2016.

The Common Seal of <u>READING BOROUGH COUNCIL</u> was affixed to this Direction in the presence of:-

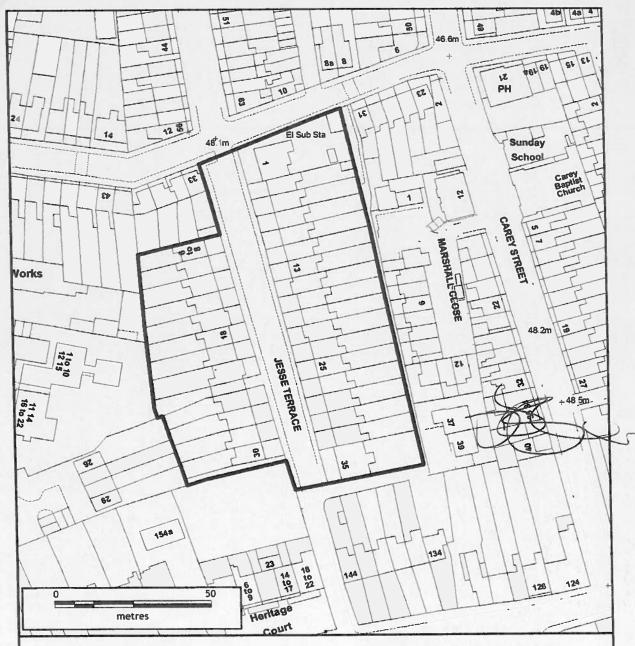
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JESSE TERRACE ARTICLE 4 DIRECTION AREA (FOR HOUSES IN MULTIPLE OCCUPATION)

24th November 2015

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