

Development Affecting Conservation Areas Supplementary Planning Document

Public Participation Report

Chapter 1- Introduction

1.1

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
Chapter 1- Introduction					
1.1					
22097 - Steeple Morden Parish Council	Support	Steeple Morden Parish Council supports the general thrust of the Conservation Area SPD.		Support noted.	No change.
22149 - Cambridgeshire County Council	Support	No specific comments, in general support.		Support noted.	No change.
22219 - East of England Regional Assembly	Support	The Regional Planning Panel Standing Committee considered the attached report at the meeting of 27th June 2008 and endorsed the recommendation that: 'The four draft Supplementary Planning Documents prepared by South Cambridgeshire District Council are in general conformity with the RSS.'		Noted.	No change.
22177 - Great Shelford Parish Council	Support	Another useful document.		Support Noted.	No change.
1.2					
22195 - Cambridge Preservation Society	Object	Object to omission - impact of developments adjacent to a Conservation Areas should be also discussed in detail to ensure the Conservation Areas are not affected to their detriment.		Paragraph 4.14 of Planning Policy Guidance note 15 makes reference to the desirability of preserving or enhancing the Conservation Area should also be a material consideration when handling development proposals outside the Conservation Area but would affect its setting, or views into or out of the area. Policy CH/5 refers to development proposals in or affecting Conservation Areas. Therefore, the same principals apply to developments that will affect the setting of a Conservation Area as to those within. Whilst this alluded to in paragraphs 1.2, 1.5, 1.7 and 1.8, agree it should be given more emphasis in the SPD.	Add a new paragraph after paragraph 1.9 to read: "Development affecting Conservation Areas includes any development proposal outside the Conservation Area that would affect its setting, or views into or out of the area. The guidance contained in this SPD should be applied equally to any such development proposals." Renumber the remaining paragraphs accordingly.

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<i>1.3</i>					
22056 - English Heritage	Object	You will be aware that the legislative background is about to change with the Heritage Protection Bill currently before parliament. It would be appropriate to make a brief reference to this in the introduction though, as changes are some way off, further detail would be premature at this stage. It may also be appropriate to note that the document will need to be revised as necessary when PPGs 15 and 16 are updated to support the new Heritage Protection legislation.		Agree that reference should be made to the draft Heritage Protection Bill.	Add the following to the end of paragraph 1.3: "The draft Heritage Protection Bill is likely to introduce changes to the way the historic environment is protected in England when it is implemented from 2010/11. As a result, it may result in a review of PPG15 to support the new Heritage Protection legislation, at which time this SPD will need to be updated."
<i>1.4</i>					
22044	Object	Although I have no detailed comments on the Draft SPD, I continue to consider that the recent expansion of the boundaries of the St Michael's Conservation Area at Longstanton was unjustified and has diluted and devalued the importance of the Conservation Area itself, the original boundaries of which were more tightly drawn around St Michael's church.	The Draft SPD should be amended to commit and make reference to an early review of the Longstanton St Michael's Conservation Area boundaries.	The Longstanton Conservation Area was reviewed recently and an extension to its boundaries in the vicinity of Long Lane was formally designated on 22 September 2005. Conservation Areas are designated under separate legislation and their boundaries cannot be changed through the plan making process. The Development Control Policies Development Plan Document (DPD) sets out policies that apply to the Conservation Area, and it is shown on the Proposals Map for information, but cannot change the boundary. The SPD provides further guidance on the DPD policies that apply to Conservation Areas and is not the mechanism for reviewing Conservation Area boundaries.	No change.
<i>1.6</i>					
22077 - Natural England	Support	Natural England supports the aims of this SPD in protecting Conservation Areas from development.		Support noted.	No change.

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<i>1.8</i>					
22045 - The National Trust	Object	Given the statement in the Draft Heritage Protection Bill, currently being considered, that the Government intends to reverse the outcome of the 1992 High Court case (South Lakeland DC v Sec of State for the Env), either this fact should be recorded in para. 1.8 or reference to the High Court case excluded from the SPD. The Draft Bill has stated that the eventual Bill will provide that a proposed change that does not benefit the conservation area will not be considered to be appropriate.		The draft Heritage Protection Bill is still in its infancy and there are still a number of steps to be taken before its implementation, which is not anticipated until 2010/11. During this process there may be revisions to the Bill, therefore it is not yet known what the final Bill will say. Until the Bill is implemented the wording in Planning Policy Guidance note 15 remains relevant. It is proposed to add text to paragraph 1.3 to refer to the Heritage Protection Bill (in response to Representation number 22056), but it is premature to add anything further at this stage.	No change.
<i>1.9</i>					
22089 - English Partnerships and Gallagher Longstanton Limited	Object	English Partnerships and Gallagher suggest that the note to Paragraph 1.9 is revised to confirm that the 'separate' SPD is the 'Trees and Development Sites SPD' so as to avoid any confusion as to the documents being referenced.		Agree.	Amend the note at the end of paragraph 1.9 to read: "The issue of trees in Conservation Areas is the subject of the Trees and Development Sites SPD."
<i>1.10</i>					
22090 - English Partnerships and Gallagher Longstanton Limited	Object	Paragraph 1.10 makes reference to 'the separate SPD on works to Listed Buildings'. To the best of our knowledge this document is not yet available and therefore it is not possible to determine whether the policies in that document are appropriate. Furthermore, it is not possible to carry out a comprehensive assessment as the implications of policy in another (as yet unpublished document) cannot be determined. Furthermore, English Partnerships and Gallagher wish to reserve the right to revisit comments on this document when the Listed Buildings SPD is published to ensure that complementary documents are adopted.	As such the document should be revised to make reference to 'emerging' SPD as this more accurately reflects the position.	Supplementary Planning Documents cannot introduce new policy, rather they elaborate upon policies in the adopted Development Plan Documents. There is no need to amend the reference to the Listed Buildings SPD within the text of the SPD to indicate that it is "emerging". The SPDs are listed in Appendix 2 together with their status.	Ensure the status of the SPDs listed in Appendix 2 reflects the latest position.

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<i>1.11</i>					
22046 - The National Trust	Object	The Draft Heritage Protection Bill is proposing to strengthen the importance of protecting the setting of heritage assets such as conservation areas and historic parks and gardens and this needs to be reflected in the SPD.	The words "or adjacent to" in lines 6 and 7 should be replaced with "or within the setting of".	Agree with the sentiments of this representation. However, the draft Heritage Protection Bill is still in its infancy and there are still a number of steps to be taken before its implementation, which is not anticipated until 2010/11. During this process there may be revisions to the Bill, therefore it is not yet known what the final Bill will say. Until the Bill is implemented the wording in PPG15 remains relevant. Paragraph 4.14 of Planning Policy Guidance Note refers to the desirability of preserving or enhancing the area should also be a material consideration when handling development proposals outside the Conservation Area but would affect its setting, or views into or out of the area. As a result, it would be appropriate to replace "or adjacent to" with "or affecting".	Amend the last sentence of paragraph 1.11 to read: "Any planning application within or affecting a Conservation Area will be considered against the key characteristics identified within the appraisal and the policies outlined in the management plan."
22099 - Steeple Morden Parish Council	Object	Should make clear that any planning application which impacts upon the character and setting of a Conservation Area will be considered against the key characteristics identified within the appraisal not just those that are within or adjacent. Some applications due to their scale and position could impact upon a Conservation Area though physically they might be some distance from the boundary.		The second and third sentences of Paragraph 1.11 already state that where a character appraisal exists, planning applications within and adjacent to Conservation Areas will be considered against the key characteristics identified within them, and the policies outlined in the management plan. It is also proposed to introduce an additional paragraph after paragraph 1.9 (in response to Representation 22195) to clarify that it is not just development within Conservation Areas to which the policy applies, but also any development proposal that affects its setting, or views into or out of the area.	No further change.

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22098 - Steeple Morden Parish Council	Object	Those villages who are not in possession of the current Conservation Area appraisal will take precedence in the review because they are particularly vulnerable to challenge.		Paragraph 1.11 states that individual character appraisals and management plans will be prepared for all Conservation Areas in South Cambridgeshire, but acknowledges this may take some time to complete. It is expected that appraisals will be undertaken following the settlement hierarchy in the Core Strategy DPD, with those villages without appraisals but most likely to be affected by major developments in and around Cambridge being prioritised. It is not appropriate to refer to a more detailed timetable for the completion of appraisals within the SPD as this is a separate process.	No change.
22178 - Great Shelford Parish Council	Support	A draft Great Shelford Conservation policy document was produced in 2007. As far as we are aware this has not been adopted. Reading through the SPD it is clear that there are recommendations in there which are not covered in the Great Shelford Conservation Area Draft Policy Statement. It would be useful to know if the latter document will be updated in the light of the SPD being approved.		The Great Shelford Conservation Area Appraisal was adopted on 12.9.07, and is available to view on the Council's website: http://www.scambs.gov.uk/Environment/Conservation/ConservationAreaAppraisals/sawstonShelford.htm . The Conservation Areas SPD sets out the broad approaches to development affecting Conservation Areas across the whole district and will be read in conjunction with any local character appraisal, which provides a more detailed context to the local area. Therefore there is no need for both documents to cover identical things as they correspond with each other.	No change.

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Chapter 2 - New Developments in Conservation Areas

2.1

22078 - Natural England

Object

Paragraphs 2.1 - 2.7 should cross-reference other relevant SPDs such as Biodiversity and Trees and Development Sites since these issues will also require due consideration in the application for infill development.

There is no reference to trees or biodiversity issues within these paragraphs. Referring to the Trees and / or Biodiversity SPDs would therefore be out of context and would create unnecessary repetition, as reference is already made to other SPDs in the Introduction. The SPDs are also listed in Appendix 2 as sources of further information.

No change.

2.4

22193 - Cambridge Preservation Society

Object

Clearer definition required of "character appraisal" and its status as material or not consideration in the planning process.

Noted.

Add a footnote to paragraph 1.11 as follows:

"Conservation Area Character Appraisals are produced by the Council covering various Conservation Areas within the district. The appraisals define the special character and evolve guidelines for development and enhancement schemes."

2.9

22194 - Cambridge Preservation Society

Object

Spelling - "from" should read "form".

Noted.

Amend the first sentence of paragraph 2.9 to read "The South Cambridgeshire Design Guide identifies that a number of villages have a strong linear form and in such villages backland development may weaken or erode this character."

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<i>2.17</i>					
22180 - Great Shelford Parish Council	Object	Enlarge on hard landscaping to cover permeability and possibly general advice on how frontages should be treated. Parking is a real problem - maybe some advice on how car parking can fit into a conservation area.		<p>Landscaping issues will be covered in further detail by the Landscape, Biodiversity and Trees SPDs. General advice on frontages is already covered within paragraph 2.17 which deals with appropriate materials and guidelines on boundary treatments, and earlier in the SPD in the section dealing with Scale, Massing and Detailing.</p> <p>It is recognised that car parking can be a problem within many Conservation Areas given that many buildings pre-date motor cars. However, where there is sufficient space, householders are able to use their Permitted Development Rights to put in hard surfacing to accommodate cars within their curtilage, and if this surface area is over 5 square meters the surface is required to be of porous materials. These will need to be of appropriate materials to be sympathetic to the Conservation Area. Where there is no space for off-street car parking vehicles will inevitably be parked on the street. If this becomes a safety concern the local highways authority may take appropriate action to ensure safe passage of vehicles.</p>	No change.
22091 - English Partnerships and Gallagher Longstanton Limited	Object	English Partnerships and Gallagher believe that whilst high quality design is important, in the context of Conservation Areas reference should also be made to design which preserves or enhances the character or appearance of the area, consistent with PPG15.		Agree that a high standard of design is important in Conservation Areas, as indeed it is anywhere, in accordance with Government guidance in Planning Policy Statement 1. However, the introduction to the SPD stresses the importance of preserving or enhancing the character or appearance of Conservation Areas, in particular the section that deals with South Cambridgeshire LDF Policy (paragraphs 1.7 to 1.12). Therefore, it is not necessary to repeat these overarching principles throughout the SPD, as this would be unnecessary repetition.	No change.

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22092 - English Partnerships and Gallagher Longstanton Limited	Object	English Partnerships and Gallagher object to the reference to 'the setting of a Conservation Area' in paragraph 2.17. Clarification is requested to confirm that this is a reference to the conservation area itself, rather than the area around a conservation area. It is noted that PPG15 makes no reference to 'setting' of a conservation area, although it does make reference to the setting of 'proposed new development' (paragraph 4.18).	A revision to the sentence is requested as follows: 'In order for new developments to preserve or enhance a Conservation Area it is ...'.	Agree the revised wording is more consistent with Planning Policy Guidance note 15.	Amend the first sentence of paragraph 2.17 to read: "In order for new developments to preserve or enhance a Conservation Area it is important that they are constructed of appropriate materials, i.e. materials drawn from the pallet of traditional materials found in the locality."
22093 - English Partnerships and Gallagher Longstanton Limited	Object	English Partnerships and Gallagher also object to paragraph 2.17 in that it places an undue emphasis on 'traditional materials' and identifies that contemporary design will only be approved in exceptional circumstances.	Accordingly, it is recommended that the penultimate sentence of paragraph 2.17 be amended as follows: 'Proposed development within conservation areas based on a contemporary design approach and use of non-traditional materials, will be carefully assessed for any unacceptably adverse impact on the character or appearance of the conservation area.'	Paragraph 2.17, as worded, places emphasis on the use of traditional materials to preserve and enhance the character and appearance of Conservation Areas whilst allowing, in exceptional circumstances, high quality contemporary design. The suggested wording weakens this stance considerably, removing the need for high quality design and implying contemporary design will be permitted as the norm rather than the exception.	No change.
2.18					
22179 - Great Shelford Parish Council	Object	No mention made of the need for an unadorned ridge on thatched building. We are still getting fussy ones here.		The issue of ridges on thatched buildings is too detailed an issue for the Conservation Areas SPD. It is already covered in the Council's Thatching Guidance and will also be addressed in the Listed Buildings SPD.	No change.

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2.19 22100 - Steeple Morden Parish Council	Object	2.19/20 We do not accept the argument expressed that the use of recycled material could confuse the ability to read and understand the pattern of development. Where this is necessary a simple search through planning records or limited knowledge of building techniques will elicit the truth. The benefit to the environment of using recycled materials that are in keeping with the surroundings out weighs this consideration.		The last sentence of paragraph 2.19 recognises the wider sustainability agenda, and actually promotes the reuse of salvaged materials, where appropriate. It is important to recognise that reclaimed materials are a finite resource and therefore there is a need to prioritise the use of them for historic buildings, particularly for works to Listed Buildings, then works affecting the setting of a Listed Building. There can also an issue concerning the quality of some reclaimed materials, which needs to be considered. It is also important to consider the local context in which the materials are to be used, and it is often better to be true to the era of development (by using new materials) than try to make a new building look older than it is, which can result in a building that is neither one thing or the other. Paragraphs 2.19 and 2.20 recognise there is a role for recycled materials and provides flexibility for their use in appropriate circumstances. This will be assessed on a case by case basis.	No change.

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22032 - Solopark Plc	Object	Solopark objects to the Council's bias against the use of recycled materials in historic environments and believes that quality of materials (whether new or recycled), and quality of detailing and workmanship are more important considerations. The use of recycled materials is also more sustainable than the use of newly procured materials, and it should be a key objective of the Council to secure their use. This part of the SPD is based on whimsical philosophical arguments which are opposed.	The SPD should be amended so as to provide maximum flexibility in the use of recycled materials in all situations. The Council is free to express a preference and to negotiate according to that preference, but should not insist on new materials for philosophical reasons. Paragraphs 2.19 and 2.20 need to be adjusted with this in mind.	Conservation Areas and Listed Buildings are recognised for their special architectural or historic interest and it is appropriate to specify what the Council considers as appropriate materials. Paragraphs 2.19 and 2.20 recognise there is a role for recycled materials and provides flexibility for their use in appropriate circumstances. It is important to recognise that reclaimed materials are a finite resource and therefore there is a need to prioritise the use of them for historic buildings, particularly for works to Listed Buildings, then works affecting the setting of a Listed Building. There can also an issue concerning the quality of some reclaimed materials, which needs to be considered. It is also important to consider the local context in which the materials are to be used, and it is often better to be true to the era of development (by using new materials) than try to make a new building look older than it is, which can result in a building that is neither one thing or the other. Although the Council has expressed a preference for the use of new materials for all significant new developments affecting the setting of Listed Buildings, the use of recycled materials can be negotiated on a case-by-case basis, and in some circumstances it may be appropriate to substitute recycled materials instead. The last sentence of paragraph 2.19 recognises the wider sustainability agenda, and actually promotes the reuse of salvaged materials, where appropriate. Therefore there is already flexibility in the SPD wording for the use of recycled materials, where appropriate.	No change.

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<i>2.20</i>					
22094 - English Partnerships and Gallagher Longstanton Limited	Object	It is understood that a separate SPD is being produced for Listed Buildings. This document should clearly set out the requirements for developments affecting the setting of listed buildings, not the 'Development Affecting Conservation Areas' SPD.	English Partnerships and Gallagher request that this paragraph be deleted from the document.	Many Listed Buildings are located within Conservation Areas and, by their nature, Conservation Areas often contain several Listed Buildings. The two often go hand-in-hand, and there will therefore inevitably be a degree of overlap between SPDs addressing these topics. Although a Listed Buildings SPD is in production it is appropriate to draw out specific issues where directly relevant to the Conservation Areas SPD. Paragraph 2.20 does not go into any detail, as this would be for the Listed Buildings SPD to address, but instead provides a brief outline of appropriate materials in conjunction with Listed Buildings, which is within the context of Conservation Areas.	No change.
<i>2.21</i>					
22095 - English Partnerships and Gallagher Longstanton Limited	Object	English Partnerships and Gallagher object to the current wording of the last sentence of paragraph 2.21. Paragraph 4.1 of PPG15 states that designation provides the basis for policies to preserve or enhance their character or appearance. Therefore those elements of interest should be identified as a part of the process of designating an area as a conservation area. PPG15 also states that policies should be developed which identify what aspects of the character or appearance should be preserved or enhanced and the means by which that objective is to be pursued (paragraph 4.9). However, no reference is made to the 'setting' of conservation areas in PPG15.	The text as currently drafted is too prescriptive and should be deleted or revised to read: 'The District Council will refuse Outline Applications for developments within Conservation Areas, or affecting their character or appearance, where the information submitted is not sufficient to determine whether or not the proposal would preserve or enhance that Conservation Area'.	Agree the revised wording referring to "affecting their character or appearance" rather than "affecting their setting" more accurately reflects Government guidance in Planning Policy Guidance note 15. The last sentence of paragraph 2.21 should be amended accordingly.	Amend the last sentence of paragraph 2.21 to read: "The District Council will refuse Outline Applications for developments within Conservation Areas, or affecting their character or appearance, where the information submitted is not sufficient to determine whether or not the proposal would preserve or enhance that Conservation Area."

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22101 - Steeple Morden Parish Council	Object	We cannot find any reference under what circumstances the Planning Authority would consider the use of an Article 4 direction nor when it would consider withdrawing permitted development rights.		Agree it would be useful to cover Article 4 Directions within the SPD. It would also be useful to add a note to explain the implications for contravening legislation.	<p>Add a new section after paragraph 2.21 as follows:</p> <p>"ARTICLE 4 DIRECTIONS</p> <p>2.22 In order to restrict the right of landowners from carrying out certain types of development, an Article 4 Direction can be placed on specific buildings or areas. This enables the local authority to require permission for what is otherwise allowed without consent. This is despite the current changes to the permitted development rights to landowners which are in the process of being update. This does not necessarily mean that permission would be refused, but allows the authority to assess any potential impact to the buildings, the street scene and the Conservation Area.</p> <p>2.23 General advice is that you should contact the District Council and discuss your proposal before any work begins. Officers will be able to inform you of any reason why the development may not be permitted and if you need to apply for planning permission for all or part of the work.</p> <p>Contravention of the statutory legislation relating to Conservation Areas may result in the local planning authority taking legal action."</p>

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22181 - Great Shelford Parish Council	Object	No mention is made of Article 4 direction - this was suggested for some areas in the Great Shelford Conservation policy document. It would make owners and developers aware of how minor changes can affect the harmony of a terrace of cottages for example and establish ground rules for extensions such as front porches.		Agree it would be useful to cover Article 4 Directions within the SPD. It would also be useful to add a note to explain the implications for contravening legislation.	<p>Add a new section after paragraph 2.21 as follows:</p> <p>"ARTICLE 4 DIRECTIONS</p> <p>2.22 In order to restrict the right of landowners from carrying out certain types of development, an Article 4 Direction can be placed on specific buildings or areas. This enables the local authority to require permission for what is otherwise allowed without consent. This is despite the current changes to the permitted development rights to landowners which are in the process of being update. This does not necessarily mean that permission would be refused, but allows the authority to assess any potential impact to the buildings, the street scene and the Conservation Area.</p> <p>2.23 General advice is that you should contact the District Council and discuss your proposal before any work begins. Officers will be able to inform you of any reason why the development may not be permitted and if you need to apply for planning permission for all or part of the work.</p> <p>Contravention of the statutory legislation relating to Conservation Areas may result in the local planning authority taking legal action."</p>

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22096 - English Partnerships and Gallagher Longstanton Limited	Object	If specific additional information is required to enable assessment of applications in conservation areas (including outline applications) this should be set out in this document to provide guidance to applicants and to avoid delay in determining planning applications. The list of information requirements should also specify the circumstances in which the information may be required and cross reference pre-application discussions with officers to confirm the circumstances for additional information. Furthermore, development proposals that are not within conservation areas should not be required to provide additional information.		<p>Paragraph 2.21 states that Outline applications may need to provide additional information "such as key elevations, locations of structures, details of access et cetera" in order to judge the impact of a development proposal on the character and appearance of a Conservation Area. The type of additional information that may be required will be specific to the development proposal and the Conservation Area affected. Therefore it is not possible to foresee every eventuality and provide a comprehensive list within the SPD. It is recommended that pre-application discussions are held with officers before submitting any planning application that may affect the character or appearance of a Conservation Area. Such discussion may be able to highlight potential issues or areas where additional information may be required to supplement an Outline planning application. Therefore it would be helpful for the text of the SPD to encourage pre-application discussions with officers.</p> <p>Any development proposal with the potential to affect the character or appearance of a Conservation Area will be required to comply with the need to provide sufficient information to judge its impact. This may include development proposals outside a Conservation Area, and is consistent with Government guidance in Planning Policy Guidance note 15.</p>	Add the following after the third sentence in paragraph 2.21: "Consultation with SCDC officers prior to submission of a planning application is encouraged to ensure applicants provide sufficient information with their application to judge its impact."

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Appendix 2 - Contact Details and Further Information

Local information

22196 - Cambridge Preservation Society	Object	Should also refer to the Landscape Guidance SPD.		Agree.	Add "Landscape Guidance for Development Sites SPD" to the list of other relevant SPDs by SCDC in Appendix 2.
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National information

22055 - English Heritage	Support	The SPD for Conservation Areas provides a helpful and accessible guide to current policy and advice. We are pleased to see references in the bibliography to recent English Heritage publications on renewable energy and methods of assessing important views.		Support noted.	No change.
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