

# WIRRAL COUNCIL

## PLANNING COMMITTEE

26 July 2012

<b>SUBJECT:</b>	<b>ADOPTION OF THE OXTON CONSERVATION AREA MANAGEMENT PLAN.</b>
<b>WARD/S AFFECTED:</b>	<b>OXTON</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF REGENERATION, HOUSING &amp; PLANNING</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR PAT HACKETT</b>
<b>KEY DECISION?</b>	<b>NO</b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to inform Members of the completion of the Conservation Area Management Plan for the Oxton Conservation Area. Wirral Council has prepared the Management plan in partnership with The Oxton Society.
- 1.2 The Authority has a statutory duty to protect and enhance the character of conservation areas and to preserve its listed buildings in accordance with National Guidance contained in the National Planning Policy Framework (NPPF) and other guidance. In order to meet those obligations, we need to develop policies which identify clearly what features of the area should be preserved or enhanced and set out how this can be done. Character appraisals provide a clear assessment and definition of an area's particular interest and management plans set out the action needed to protect it. Within this, the most important policy is a presumption against the loss of elements which have been identified in the character appraisal as making a positive contribution to the special interest for which the area was designated. The Management Plan and Character Appraisal documents for Oxton will eventually sit alongside the conservation policies contained within the Local Development Framework.

### 2.0 RECOMMENDATIONS

- 2.1 For Members to approve the adoption of the Management Plan as a material reference in planning and conservation matters, and that this report is referred to Cabinet for approval.

### **3.0 BACKGROUND**

- 3.1 Oxton Conservation Area was designated in 1979, and the designation has been instrumental in preserving the historic buildings within its boundary. However, policies over and above the Council's Unitary Development Plan (UDP) and general planning policies are required in order to promote the enhancement and conservation of particular features that are under threat.
- 3.2 The Oxton Conservation Area Appraisal was adopted by Wirral Council in 2010. The recommended boundary amendments were the subject of a further Committee Report, adopted in July 2011. The next stage of the process of affording protection for the built heritage of Oxton is the formal adoption of the Management Plan.
- 3.3 The use of such plans is set out in the Government's publication, "Guidance on the Management of Conservation Areas" and "Valuing Places: Good Practice in Conservation Areas". The Management Plan itself reflects the contents of the Oxton Conservation Area Appraisal, which sets out the special character of Oxton, the threats to it and the opportunities for enhancement in the longer term.
- 3.4 The format of the Plan has been based on similar plans already adopted for other conservation areas in Wirral, broadened here in order to take account of the complexity of the Oxton CA and its circumstances. Both the material and structure of the Plan reflects the content of discussions with the Oxton Society over the past two years.
- 3.5 The Oxton Society cannot represent everybody within the designated area, but enjoys a substantial local membership and has a constructive relationship with the Local Authority. After recommending a series of amendments to the text, the Society has written to the Authority and has offered its support for the adoption of the Plan.
- 3.6 The partnership with the Oxton Society and the wider community is crucial if the objectives of the Plan are to be achieved. If the environment of Oxton is to be maintained and enhanced, it will require the commitment, co-operation and support of all residents.
- 3.7 In terms of planning controls, the Management Plan sets out the criteria against which all development and all proposals affecting the historic environment should be considered by the Authority. The document must be consulted alongside other local and national planning and conservation guidance. This Plan does not introduce any additional planning controls - it merely offers some more specific advice on how the present controls can be employed more effectively.
- 3.8 The impetus to the adoption of the Management Plan has been the extension of the Conservation Area in line with the recommendations contained within the Character Appraisal, this being successfully concluded in summer 2011. It made sense to defer the compilation of the Management Plan until the Area had been formally extended.

## **4.0 THE OXTON CONSERVATION AREA AND ITS MANAGEMENT**

- 4.1 The built heritage of Oxton is extraordinarily diverse, ranging from pre-industrial cottages to polite Edwardian developments, commercial businesses and post-war housing. In and amongst these developments lie a variety of curious and irregular spaces, landscaping, trees, roads and alleyways.
- 4.2 Each aspect of the area's character needs to be protected. The appraisal sets out the contribution of each type of asset within Oxton and the Management Plan gives an indication of how this should be enhanced and protected. The aim of the guidance is to:
- (i) encourage all Council departments and associated organisations and the local community to work in tandem to help realise conservation objectives.
  - (ii) provide guidance to home and business owners on how policies might be developed and implemented to support successful conservation - through conscientious design, choice of materials and constructional elements, landscaping, archaeology, and an improved public realm.
- 4.3 In terms of alteration and loss of features, an Article 4 Direction would help to strengthen controls. Until a Direction has been adopted, it should be possible to promote the retention of more features through education and the use of planning enforcement under existing powers. For example, planning permission is required in advance of making material alterations such as changes to windows and doors on non-dwelling houses, i.e. flats or commercial premises etc. Similarly, Conservation Area Consent is required for the removal of more than 50% of a front boundary wall, occasionally taken down in order to create off-road parking to the great detriment of the street scene.

## **5.0 PUBLIC CONSULTATION**

- 5.1 The contents of the Management Plan have been publicised on the Council's website since December 2011, with an advertisement placed in the local paper in early Spring 2012. No adverse comments have been received. A public notice was placed in a local paper in February 2012 and this has not solicited any comments. There are few practical implications of the Plan for residents, the approach being centred on future curatorial policy for a variety of agencies and groups.
- 5.2 The Oxton Society has responded with a written submission supporting the adoption of the Management Plan, and has made some recommendations regarding a slight re-drafting of some sections - this has been carried out in line with their wishes. One of the Society's principal comments was to highlight the importance of the Area's sandstone walls in creating a harmonious and traditional street scene, and of the need to address these features specifically rather than simply grouping them in with the assemblage of historic building features within each property.

## **6.0 POLICY IMPLICATIONS**

- 6.1 The NPFF sets out the Government's objectives for the historic environment and the reasons for its conservation. This document is integral to plan making and is an important material consideration, alongside adopted local planning policies, when assessing development that will affect a heritage asset, including conservation areas.
- 6.2 Local policies including Wirral's UDP Policy CH01: The Protection of Heritage, CH2: Development Affecting Conservation Areas, Policy CH3 Demolition Control with Conservation Areas and Policy CH7 Oxtown Village Conservation Area, will be reinforced by the Management Plan.
- 6.3 Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that it shall be the duty of a Local Planning Authority "from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are Conservation Areas." It is considered appropriate to introduce the Management Plan in order to improve opportunities for enhancement and preservation within the designated area.
- 6.4 Section 72 of the Act states that, "In the exercise, with respect to any buildings or other land in a Conservation Area, of any functions under or by virtue of any of the provisions mentioned in subsection, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." The Management Plan provides guidance on precisely how this might be achieved.
- 6.5 English Heritage's "Understanding Place: Conservation Area Designation, Appraisal and Management" (2011) provides a comprehensive discussion on the benefits of good practice in Conservation Areas. The production of the Plan is in accordance with this guidance.

## **7.0 FINANCIAL AND STAFFING IMPLICATIONS**

- 7.1 The Plan has already been produced and would remain in force until it was edited, re-written or withdrawn. There are no further staffing implications.

## **8.0 EQUAL OPPORTUNITY IMPLICATIONS / EQUALITY IMPACT ASSESSMENT**

- 8.1 There are no implications arising directly from this report under this heading.

## **9.0 HEALTH IMPLICATIONS / IMPACT ASSESSMENT**

- 9.1 There are no implications arising directly from this report under this heading.

## **10.0 COMMUNITY SAFETY AND LOCAL AGENDA 21 IMPLICATIONS**

10.1 There are no implications arising directly from this report under this heading

## **11.0 ANTI-POVERTY IMPLICATIONS**

11.1 There are no implications arising directly from this report under this heading

## **12.0 SOCIAL INCLUSION AND HUMAN RIGHTS IMPLICATIONS**

12.1 There are no implications arising directly from this report under this heading

## **13.0 LOCAL MEMBER SUPPORT IMPLICATIONS**

13.1 This document will be of interest to Ward Members for Oxtton and the Members assigned to the Oxtton Conservation Area.

## **14.0 BACKGROUND PAPERS**

- Conservation Area Appraisal for Oxtton Conservation Area (2010)
- English Heritage Guidance on the Management of Conservation Areas (2006)
- National Planning Policy Framework (March 2012)

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## **REFERENCE MATERIAL**

*Oxtton Village Conservation Area Appraisal:*

<http://www.wirral.gov.uk/my-services/environment-and-planning/builtconservation/conservation-areas/oxtton-village>

*Draft Management Plan, here attached.*

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Planning Committee (item 60): Proposed Adoption of the Oxtton Conservation Area Appraisal - ADOPTED</b>	<b>10 August 2010</b>

