

Report to	Planning Committee
Date	15 March, 2012
By	Director of Planning
Title of Report	Proposed Adoption of Midhurst Conservation Area Character Appraisal
Purpose of Report	To approve the adoption of the Midhurst Conservation Area Character Appraisal

Recommendation: The Committee is recommended to:

- 1) Approve the adoption of the Midhurst Conservation Area Character Appraisal prepared by Chichester District Council in 2011, as amended following public consultation and attached at Appendix 1.**
 - 2) Approve extensions to the Midhurst Conservation Area as shown on map 1, attached at Appendix 2.**
 - 3) Approve a removal from the Midhurst Conservation Area of a small area, as shown on map 1, attached at Appendix 2.**
 - 4) Initiate a programme of public and householder consultation to gather opinion on the desirability of an Article 4 Direction to cover specified houses in a possible future extension of the Midhurst Conservation Area, identified within Character Area 7 in the Character Appraisal.**
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1. Introduction

- 1.1 The consultation draft of the Midhurst Conservation Area Character Appraisal was prepared by Chichester District Council in 2010-11. It is intended to replace a previous document of 1999, formally adopted by Chichester District Council in 2000. The text in its edited, post-consultation form, is attached to this Agenda Item as **Appendix 1**.
- 1.2 The appraisal satisfies the statutory obligation to periodically review conservation areas, placed on Local Planning Authorities by Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The document formulates recommendations for preservation and enhancement within Part 2, which constitutes a formal Management Plan.
- 1.3 These recommendations propose a number of extensions to the boundary of the Conservation Area to include an area of 19th and early 20th Century suburban development to the southwest of the town centre, other smaller amendments and additional stretches of the River Rother. Map 1, attached as **Appendix 2** denotes the areas in question, outlined in red. The extent of the existing conservation area is denoted by blue hatching.
- 1.4 The recommendations also propose a small excision from the existing Conservation Area at its furthest northerly point. This lies within Easebourne Parish and is shown on Map 1, denoted by red and blue hatching.

2. Background

- 2.1 As Local Planning Authority, The South Downs National Park Authority (SDNPA) has responsibility for policy matters, including conservation area designation and review.
- 2.2 However, at the time The SDNPA assumed its duties on 1 April 2011, Chichester District Council was completing a revised character appraisal for Midhurst Conservation Area and it

went so far as to undertake public consultation within the town in the summer of 2011, from 9 July for six weeks.

- 2.3 Five responses were received as a result of this exercise. The Historic Building Officers of South Downs National Park Authority have considered them, reviewed the document from the standpoint of the new organisation and made a number of revisions and refinements to the original text.
- 2.4 Alterations made, though quite extensive in number and detail, are not fundamental in essence. The document retains the original subdivision into seven distinct character areas, shown on Map 2 in **Appendix 2**. Amendments to the Management Proposals are very minor. The proposals for boundary extension and the one small removal are carried forward with two localised and specific changes, proposed and explained at 2.13 of this report.
- 2.5 Conservation areas are a local designation. In previous guidance, Central Government has not sought to fetter the judgement of Local Planning Authorities to assess potential extensions to conservation areas from a local perspective, as they think fit. However, the consultation draft of the National Planning Policy Framework contains the following paragraph, 179:
- “When considering the designation of conservation areas, Local Planning Authorities should ensure that an area justifies such status and that the concept of conservation areas is not devalued through the designation of areas that lack special interest.”*
- While a consultation draft carries limited weight, the current proposals for extension have been considered against this test and are thought to comply with it.
- 2.6 The recommended extensions to the Conservation Area would include:
- Parts of Lamberts Lane
 - The south side of June Lane as far as ‘Sundew’
 - The former site of St Margaret’s Convent
 - Most of the south side of Petersfield Road as far as Guillard’s Oak
 - Part of the east side of Carron Lane
 - Ashfield Road and Cobden Road
 - Chichester Road as far as ‘Taylors’
 - Sections of the River Rother including The Wharf
- 2.7 By far the largest extension relates to a substantial area of late Victorian and Edwardian suburban housing lying between Petersfield Road and Bepton Road. While the area contains a few scattered buildings which pre-date the Victorian period, mostly on Petersfield Road, the majority of the development here consists of speculative, brick-built terraced housing. While these houses are not especially uncommon in character, a high proportion on Carron Lane and Ashfield Road are reasonably original and well preserved examples of their type. In this regard, they are becoming increasingly unusual.
- 2.8 However, the cumulative impact of further alterations could mean that the currently positive character value that this area contributes to the southern end of the town has the potential to steadily diminish. At a certain level of change, it might actually tip to become negative. Conservation Area status alone would not offer potential to moderate minor incremental alterations implemented under householder permitted development rights. To control such changes, the Local Planning Authority can only resort to Article 4 Directions. Additional controls of this nature would certainly demand a careful and meaningful consultation exercise with householders and are unlikely to prove successful without a certain level of local consent.
- 2.9 Other components of the proposed extension may be thought less controversial in their intrinsic merit and wider impact. The stretch of Chichester Road concluding at ‘Taylors’ has a strong character, with a tree belt to the east side and an excellent run of well preserved, mostly Victorian houses lining the west. It forms a strong gateway, marking the approach to the historic town core.

- 2.10 It is proposed to include the entire length of the River Rother as it flows through the town. This largely reflects its considerable importance to nature conservation and connectivity, but has the effect of bringing the Wharf into the conservation area. While most of the Twentieth Century building in this predominantly residential enclave is not of obvious merit, much is generally unobtrusive in impact and it is not felt to unduly affect the overall character of the river corridor.
- 2.11 The other significant extension is in Lamberts Lane. This road has a somewhat diffuse character along much of its length, where educational and recreational uses have defined the edge of town. The northern end of the lane, behind Capron House, is marked by better defined boundary treatments than elsewhere and this is felt to justify a localised extension in this vicinity.
- 2.12 The small excision from the existing conservation area in Easebourne relates to three infill houses, constructed behind Vanzell Cottage. This Seventeenth Century building closes the view up North Street, at the junction with the A286. The modern dwellings to the rear, though set at a slightly elevated level, are of no special architectural interest and would not appear to be under obvious development pressure.
- 2.13 The amendments now proposed to the Chichester District Council extension recommendations relate to the brick terrace commencing with 'Briarwood' on Bepton Road, which is dated to 1901, Sussex Terrace adjacent to the south, of similar date and a pair of semi-detached houses, 9/10 Heathfield Gardens, which face Bepton Road and are mid-Twentieth Century in origin. The appearance of the two brick terraces, situated on a busy road, have been compromised by the loss of approximately 70% of their original fenestration. The semi-detached houses are devoid of special merit and are thought to detract from the street scene at this point. For these reasons, it is not proposed to pursue future extensions to include these properties.

3. Other Considerations

- 3.1 South Downs National Park Authority is preparing a programme of conservation area guidance and appraisal, which will necessarily be extensive. While a number of routes for delivery of the wider programme are under consideration, it is intended to produce guidance for the towns within the National Park in-house.
- 3.2 However, as the Character Appraisal for Midhurst has already been prepared by Chichester District Council and is a marked improvement on its predecessor of 2000, it is recommended to publish it as a joint document. The management proposals commit to a further review in five years. It can then be revised as necessary and reconfigured as a SDNPA document, in a new format and with a new brand identity which will, by that time, be fully established.
- 3.3 The proposed extensions to the Conservation Area should not be seen as a measure that would necessarily block future development proposals. They would, however, offer greater control over aspects of development that may affect the special interest, character and appearance of the locations in question.
- 3.4 The formal delegation agreement between SDNPA and Chichester District Council does not include special project work, such as Conservation Area Appraisals, Management Plans or the implementation of boundary revisions. The implementation procedure involves the publication of statutory notices, direct notification of affected owners and the consideration of any views received. While it would be possible to undertake this work in-house, there could be time advantages in delegating the task, which is almost wholly administrative, to Chichester District Council for an appropriate fee, covering the costs.

4. Resources

- 4.1 If Chichester District Council carries out the largely administrative work of implementing the conservation area boundary extension, SDNPA would need to cover the full costs in terms of staff time, the publication of statutory notices and other consultation.

5. Conclusions

- 5.1 Adoption of this Character Appraisal and the recommended extensions to the Midhurst Conservation Area represent a clear commitment, following the public consultation exercise conducted by Chichester District Council last year.
- 5.2 With the exception of the parts which cover Cowdray Causeway and the Ruins, the current conservation area has a firm focus on the historic town centre. The character of the proposed extensions differs markedly from the majority of the historic core. However, those proposed for the river corridor and Chichester Road still relate to areas of very high environmental and historic value. These recommended extensions are considered to be of sufficient quality to fully justify conservation area designation.
- 5.3 The extension to the northern end of Lambert's Lane identifies an historic back lane which forms an interface between town and country. It has good boundary features and some trees of amenity value. The presence of educational uses, soon to be absorbed into the new Academy means that sites in this vicinity will shortly become the subject of development proposals.
- 5.4 Designation of a conservation area need not frustrate subsequent development, but would impose a quality threshold for design. Given the existence of sites with significant development potential within the proposed boundary extension, this may be considered an additional benefit of designation.
- 5.5 The inclusion of Character Area Seven, the late Victorian and Edwardian suburb between Petersfield and Bepton Roads, is more complicated as justification may depend upon the practicality of an Article 4 Direction to protect the character of the houses in the area from continuing dilution of architectural detail. This will demand an early consultation exercise with householders to gauge the level of support for such action, the results of which would be referred back to committee for decision.

6. Risk management

- 6.1 Physical and environmental risks invoked by the recommendation are not significant.
- 6.2 Were SDNPA to neglect the timely implementation of proposals arising from Conservation Area appraisal recommendations without good cause, a reputational risk to the National Park Authority could arise.

7. Human Rights, Equalities, Health and Safety

- 7.1 There are no implications arising from this report.

8. External Consultees

- 8.1 None.

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Appendices	Appendix 1 – Midhurst Conservation Area Character Appraisal Appendix 2 – Draft Maps for the Midhurst Conservation Area Character Appraisal.
SDNPA Consultees	Director of Planning, Director of Strategy and Partnerships, Chief Finance Officer, Monitoring Officer & Senior Solicitor.
Background Documents	Midhurst Conservation Area Character Appraisal – 2000 PPS 5 Responses to Midhurst Conservation Area Character Appraisal – Public Consultation, Summer 2011