

**Planning, Infrastructure and  
Economic Development Policy  
Advisory Committee**

**6 March 2024**

**Over-arching Conservation Area Management Plan proposal**

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
PIED PAC	6 March 2024
Decision to be made	7 March 2024

<b>Will this be a Key Decision?</b>	No
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	Cabinet Member for Planning, Infrastructure and Economic Development
<b>Lead Head of Service</b>	Rob Jarman
<b>Lead Officer and Report Author</b>	Janice Gooch
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

The Over-arching Conservation Area Management Plan has been drafted to address concerns that there was limited guidance on the 22 Conservation Areas that do not have either a Conservation Area Appraisal or Management Plan. This made making informed, justified decisions difficult to undertake in these areas.

Writing, consulting, and getting approval for a full Conservation Area Appraisal and Management Plan (CAAMP) takes several months to complete, and therefore it was considered that a quick short-term solution would be to provide an over-arching Conservation Area Management Plan (CAMP) in the interim period that would provide the guidance for the areas that currently have no appraisal or management plan. This will provide general guidance and information prior to the completion of a new full CAAMP for each individual Conservation Area.

The over-arching CAMP is expected to improve awareness of the positive aspects of Conservation Areas within these communities, which are recognised for their unique heritage character, and enable positive and informed enhancements to benefit residents and visitors.

For the 22 Conservation Areas that do not currently have an appraisal or management plan, the new over-arching CAMP will ensure that informed and justified planning decisions are easier to make.

Following early discussions with the Parish Council (see below), concerns were raised that the document included additional and/ or more comprehensive information than some of the earlier plans, and therefore it is proposed to recommend that: the existing management plan will be the key document, however, where the existing management plan has not included details covered in the Over-Arching CAMP, then this document will be taken into consideration with planning applications, until the existing CAAMP can be reviewed and the MP updated to suit as part of the regular review of the Conservation Areas. If the Over-arching Conservation management Plan gets approval, it will become an adopted document, and therefore it will automatically be applied to all planning decisions.

The document should sit along existing plans, and where there is a conflict, the full CAAMP for the CA will have president, with the over-arching plan 'filling in the blanks' or providing additional information. The Case Officers (Planners) will have to give the new plan as much weight when they are assessing the application as they would to any other full CAAMP.

We have also attached a draft programme (Appendix 2) of undertaking the CAAMPs and the reviews of the existing CAAMPs. This is subject to staff resourcing.

### **Purpose of Report**

Recommendation to Cabinet Member

### **This report asks the Committee to make the following recommendations to the Cabinet Member for Planning, Infrastructure and Economic Development:**

That

1. The Overarching Conservation Area Appraisal and Management Plan be approved for public consultation; and
2. Delegated powers be given to the Head of Development Management to allow for public consultation, as required under the Planning (Listed Building and Conservation Area) Act 1990.

# Over-arching Conservation Area Management Plan proposal

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>• Accepting the recommendations will materially improve the Council's ability to protect the historic environment.</p>	HLT Team Leader
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendations support the achievements of encouraging protection of the heritage of the conservation areas within the borough that currently do not have supporting documents.</p>	HLT Team Leader
<b>Risk Management</b>	Already covered in the risk section	HLT Team Leader
<b>Financial</b>	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Finance Manager

<b>Staffing</b>	We will deliver the recommendations with our current staffing.	HLT Team Leader
<b>Legal</b>	<p>Pursuant to s.71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act") the Council must formulate and publish <i>proposals for preservation and enhancement of conservation areas.</i></p> <p><i>(1) 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.</i></p> <p><i>(2) Proposals under this section shall be submitted for consideration to a public meeting in the area to which they relate. Due to the nature of the Management Plan, we are looking at holding a central meeting within Maidstone and a meeting towards the south of the Borough, together with online public consultation.</i></p> <p><i>(3) The local planning authority shall have regard to any views concerning the proposals expressed by persons attending the meeting.</i></p> <p><i>As part of the review and the wider consideration of the Conservation Areas, a review of the Article 4 directive will be undertaken. This will be a separate programme of works in the medium term due to the nature of the implementation. A simple matrix system will consider which Conservation Areas are more at risk and these will be the focus of the first round. Guidance will be sought with Legal to ensure correct implementation. The implementation of the Article 4 directive will help protect the character of the conservation areas.</i></p>	HLT Team Leader
<b>Information Governance</b>	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes.	Information Governance Team

<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment.	Equalities & Communities Officer
<b>Public Health</b>	We recognise that the recommendations will not negatively impact on population health or that of individuals.	HLT Team Leader
<b>Crime and Disorder</b>	No anticipated impact	HLT Team Leader
<b>Procurement</b>	None required	HLT Team Leader
<b>Biodiversity and Climate Change</b>	There are no implications on biodiversity and climate change, but a CA can be used to offer further protection, including to trees, and open spaces.	Biodiversity and Climate Change Manager

## 2. INTRODUCTION AND BACKGROUND

- 2.1 The Over-arching Conservation Area Management Plan has been drafted to address concerns raised that there is currently limited guidance on the 22 Conservation Areas that do not have either a Conservation Area Appraisal or Management Plan. This made making informed, justified decisions difficult to undertake in these areas.
- 2.2 Writing, consulting, and getting approval for a full Conservation Area Appraisal and Management Plan (CAAMP) takes several months to complete, and therefore it was considered that a quick short-term solution could be to provide an Over-arching Conservation Area Management Plan (CAMP) in the interim, for those areas that currently have no appraisal or management plan. This will provide general guidance and information prior to the completion of a new full CAAMP for each individual Conservation Area. Once the full CAAMP has been completed, the CA can then be removed from the Over-arching CAMP.
- 2.3 The Over-arching CAMP is expected to improve awareness of the positive aspects of Conservation Areas within these communities, which are recognised for their unique heritage character, and enable positive and informed enhancements to benefit residents and visitors.
- 2.4 For Conservation Areas that do not have an appraisal or management plan, the new Over-arching CAMP will ensure that informed and justified planning decisions are easier to make. The document brings together legislation and other information from Local Plan, SPDs, and Historic England guidance, rather than proposing or creating additional restrictions for the owners of

properties within the CA's.

2.5 For the Conservation Areas that currently have Appraisals and Management Plans, some of these are dated, or are not as comprehensive as the Over-Archiving CAMP. It is therefore recommended that the produced document can help support the existing CAAMP's until there the review of the CAAMP can be undertaken, as required under the Planning Act 1990.

#### General Note

2.6 Conservation Areas, a designated heritage asset, do not stop or prevent development, but are a way of ensuring that any development or change to the area retains or enhances the character and setting of the settlement. The proposed CAMP provides guidance to ensure that we protect and enhance our conservation areas until they have their own CAAMP, as required under the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.7 The CAMP does not consider implementing Article 4 Directives but does provide guidance about what they are, and where they already exist (in the Appendix 1).

#### Consultation and Guidance

2.8 Prior to this PIED PAC, a hybrid event briefing was held with invitations sent to the Parish Councils who have conservation areas that have no appraisals or management plans, and the Planning Committee. The attendance was good (11) and a discussion was undertaken by all, raising their concerns, and the general support for the document. Queries were raised regarding the implementations of Art. 4 Directives, and it was advised that this was currently being reviewed separately. Concern was raised that some of the existing CAAMP's had older or less comprehensive Management Plans, and it was raised whether this document could help support these existing plans, until they could be reviewed.

2.9 To run alongside the CAMP, a revised and up-dated guidance for Owners/ Occupiers within CA's will be issued which is hoped to provide answers to some of the frequently asked questions, queries and misunderstanding regarding CAs.

2.10 This should help us to improve communication with residents and conservation area stakeholders.

2.11 As part of the engagement, it is proposed to hold a few workshops as part of the general consultation process with parish councils (which councillors and public are welcome to attend) to provide additional information and guidance about how we can work together, with supporting bodies, to enable the best management of conservation areas.

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### **3. AVAILABLE OPTIONS**

3.1 Option 1 - The Committee could choose to recommend that the report recommendations be approved by the Cabinet Member for Planning, Infrastructure and Economic Development.

3.2 Option 2 - The Committee could choose not to recommend that the report be approved by the Cabinet Member for Planning, Infrastructure and Economic Development.

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#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

4.1 The preferred option is option 3.1.

4.2 By approving the proposed Over-arching Conservation Area Management Plan, it will offer a framework to allow for informed decisions to be undertaken and provide the public and wider stakeholders with a reference document to increase the quality of any proposals to ensure protection of the character of the 22 Conservation Areas that currently do not have a CAAMP.

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#### **5. RISK**

5.1. There is not anticipated to be any discernible risk associated with the report and its recommendations. Any risk has been assessed in regard to the Council's risk management principles.

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#### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

6.1 If approved to proceed to public consultation, this will take the form of the public meeting (options of an online meeting and in person) to allow for general feedback. Any comments will be reviewed and where appropriate, the document will be amended.

6.2 Following this, a further review of PIED PAC and then submission to the Planning Committee for approval.

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#### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

7.1 The report and guidance, if approved, will be available on the MBC's website as part of the public consultation. Following public consultation and review, if approved by Cabinet, the guidance will be used to assist consideration of planning applications where it is appropriate to do so.

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#### **8. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

- Appendix 1: Proposed Conservation Area Management Plan (CAMP)
  - Appendix 2: Draft programme of undertaking CAAMPs & reviews of CAAMPs
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## **9. BACKGROUND PAPERS**

- Draft Programme showing proposed timeframe for completing CAAMP and undertaking review of the CA boundary's, as required under the Planning (Listed Buildings and Conservation Areas) Act 1990.