

**SUBJECT: MONMOUTHSHIRE CONSERVATION AREAS  
REVIEW OF DESIGNATED CONSERVATION AREAS**

**MEETING: PLANNING COMMITTEE**

**DATE: 5<sup>th</sup> January 2016**

**DIVISION/WARDS AFFECTED: All**

**1. PURPOSE:**

1.1 The purpose of this report is:

To seek Planning Committee's endorsement of the Conservation Area Appraisals as amended in the light of the public consultation, to seek approval for designating a new conservation area and to adopt a strategy for completing the review of the remaining conservation areas.

**2. RECOMMENDATIONS:**

2.1 To endorse the consultation process carried out and the recommended actions by the Heritage Team in response to comments received, principally with regard to amended conservation area boundaries.

To adopt the completed Appraisal as Supplementary Planning Guidance

To endorse a Single Member decision at Cabinet

**3. KEY ISSUES:**

3.1 Background Legislation and Policy

The Planning (Listed Building and Conservation Areas) Act 1990 (S.69) imposes a duty on local authorities to review their areas "from time to time" and to consider whether further designation of conservation areas is called for.

A Conservation Area is defined in the Act as an "area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". A conservation area is more than a cluster of buildings of interest – special quality and interest can also be derived from surviving historic street patterns.

The reason for periodic reviews being necessary is that over time development can affect the character of an area and the way places are valued can change.

Paragraph 1.19 of the Adopted Local Development Plan commits to providing Conservation Area Appraisals as accompanying Supplementary Planning Guidance.

3.2 Monmouthshire's Conservation Areas

Monmouthshire has 31 Conservation Areas, most of which were designated in the 1970s but apart from a partial review of Abergavenny c.2000 none had been fully appraised. They cover 1,648 hectares in total. They form part of a suite of heritage designations in the county including 2,200 Listed Buildings, 169 Scheduled Monuments, 44 Registered Historic Parks and Gardens and 3 Landscapes of Outstanding Historic Interest as well as part of the Blaenavon Industrial Landscape World Heritage Site.

### 3.3 Resourcing the Conservation Area Appraisals to date

The progress with Conservation Area Appraisals had long been recognised as a priority. Having completed the review of Trellech Conservation Area in-house it was agreed that the amount of time required necessitated bringing in additional resource. It was not until in 2009 a Planning Improvement Grant was secured from Welsh Government that Monmouthshire County Council was able to commission consultants to carry out Appraisals. The budget did not allow for all 31 areas to be reviewed but the following 18 conservation areas were selected as the priorities:

Abergavenny	Llandogo	Raglan
Caerwent	Llanover	St Arvans
Chepstow	Llantilio Crossenny	Shirenewton
Grosmont	Magor	Tintern
Llanarth	Mathern	Usk
Llandenny	Monmouth	Whitebrook

Tenders were invited and CDN was appointed in 2009 and the work completed in 2012 at a cost of £89K. The delay in going out to public consultation was a consequence of a period of limited resources to carry out the necessary editing of the draft reports received.

### 3.4 Public Consultations September 2015

The form of public consultation agreed was a series of drop-in meetings where members of the public could come and see the plans displayed, view the draft appraisal documents and discuss issues with officers, primarily the Heritage team. The draft appraisals were also made available on the Council's website.

Meetings were held as follows:

Usk 3<sup>rd</sup> September (*Usk, Raglan, Llandenny*)

Chepstow 7<sup>th</sup> September (*Chepstow, Tintern, St Arvans, Llandogo, Mathern*)

Abergavenny 9<sup>th</sup> September (*Abergavenny, Llantilio Crossenny, Llanover, Llanarth*)

Monmouth 16<sup>th</sup> September (*Monmouth, Grosmont, Whitebrook*)

Caldicot 29<sup>th</sup> September (*Magor, Shirenewton, Caerwent*)

Magor 19<sup>th</sup> October (extra meeting to respond to concerns that insufficient local people attended the consultation at Caldicot)

The primary focus was to seek local views on the existing and proposed boundaries. Comments could be made verbally, by email, through completing pro-formas or through longer letters and representations. The consultation ended on 31<sup>st</sup> October.

Attendance at the consultations was variable:

Usk (26); Chepstow (39); Abergavenny (41); Monmouth (18); Caldicot (15) and Magor (16), making a total of 155 attendees.

### 3.5 Summary of Consultations received

All comments, verbal, completed pro-formas, emails and letters have been considered by the Heritage Managers.

Most comments were supportive of the process and of the way staff conducted the various events. The majority of comments were either providing typographical or factual corrections or were focusing on a specific issue related to their own property.

Specific comments to note or to be actioned are identified in the next section.

### 3.6 Specific comments received and proposed action to be taken

<b>Conservation Area</b>	<b>Subject of consultation response</b>	<b>Recommended action</b>
<b>Abergavenny</b>	One comment expressed concern at the number of empty buildings owned by Monmouthshire County Council	Heritage Managers to investigate what empty properties MCC owns in Abergavenny and explore if they are eligible for the Town Centre Loan Scheme.
	One comment expressed concern about the gradual erosion of historic character through window and door changes and removal of chimneys	Heritage Managers to explore the potential for, and resource implications of, an Article 4 Direction to remove Permitted Development Rights on these aspects of the Conservation Area.
	Cllr Tatum supports the extension of the area to include the former railway barracks.	Include but modify consultant's recommendation by removal of modern building at roundabout as it has no historic merit.
	Cllr Edwards recommended that Oxford Street, Richmond Road and Priory Street should be included as should Bailey Park.	Heritage Managers to consider whether this historic character is best protected through an extension of the existing conservation area or the creation of a specific new one. Members to note that the extended area marked by Cllr Edwards on an accompanying plan also includes the former Cattle Market site, decisions about which have already been made.
	<p>Abergavenny Civic Society</p> <p>The Society welcomed the Appraisal which they "regard as sound, perceptive and interesting". They also say that "awareness of its content has already been valuable as a context for our own [i.e. ACS] characterisation study of the entire urban area".</p> <p>However their main criticism is that the consultants "have failed to provide adequate guidance on how</p>	<p>Recommended that the Appraisal can adequately inform future development proposals as it stands</p>

	<p>development proposals may satisfy policy HE1.”</p> <p>The society also expressed concern at the delay since the preparation of the drafts and the missed opportunity for the appraisal to have informed a number of planning decisions in the intervening period.</p> <p>They support the boundary changes with one exception – that the extension to include the railway yard area south of Brecon Road should be reviewed as since the preparation of the draft there has been clearance of buildings and redevelopment which has affected its character.</p> <p>They also ask that 5 additional areas are considered (these are shown in ACS annotated map at Appendix 1):</p> <p>a) area between Hereford Road and Ross Road on account of its character deserving of conservation area status;</p> <p>b) area immediately to the north of this (north of old railway)</p> <p>c) Lansdown Road</p>	<p>Heritage Managers to review this proposed extension. Its character is mixed with some out of keeping modern buildings. It may now be appropriate to remove this whole area from the proposed conservation area.</p> <p>This comment was also made by Cllr Edwards - the recommended action is as above for Heritage Managers to survey and advise on conservation area merit. Initial findings are that this area meets the criteria of being an area of special architectural and historic interest.</p> <p>Heritage Managers to survey and advise – initial view is the case for extension here is less clear than it is for the preceding area as the character is later and less significant.</p> <p>Heritage Managers to survey and advise – initial view is that this is detached from the existing area and the potential Hereford Rd/Ross Rd area and whilst the road retains good character it may not be of sufficient quality in itself to merit designation as a stand-alone conservation area.</p>
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	<p>d) northern part of Pen-y-pound including some listed buildings</p> <p>e) Belgrave Road extension</p> <p>In addition they ask that Bailey Park be included.</p> <p>Re Article 4 Directions the Society supports recommendations for them but feels the Appraisal offers insufficient detail</p>	<p>Heritage Managers to survey and advise. Initial view is that there is a good case for slight extension of the boundary as proposed by the Civic Society.</p> <p>Heritage Managers to advise – initial view is that this building at the junction of Western Road is of a different character to that which justifies conservation area designation of this part of the town and that the boundary as proposed in the appraisal is correct.</p> <p>This has been considered before but Heritage Managers will review again</p> <p>Policy decision to be made on Article 4 Directions and the associated resource implications.</p>
<b>Caerwent</b>	Cllr Murphy identified typographical and factual errors	Typos had already been corrected and where circumstances had changed since writing of the draft (e.g. the nursery closing and proposed as a dwelling) it was decided not to amend and to accept the appraisals as an assessment at a particular date.
	James Harris sent lengthy written comments citing errors or points of disagreement and expressing concern over the management of the heritage by the Council and by Cadw	Factual errors have mostly already been corrected. Other comments have been noted.
	Clerk to the Community Council expressed concern at the proposed amendment of the boundary to take out a small area to the east including Caerwent Gardens and Vicarage Gardens	This small area contributes nothing to the special character of Caerwent and as such does not merit retention in the conservation area. It is recommended to follow the proposal in the draft report.
<b>Chepstow</b>	A view was expressed at the consultation event that the Garden City should be included.	Garden City should be assessed by the Heritage team re whether it should be a separate conservation area. Joining it up to Chepstow

		CA would not be feasible on account of the intervening built area not meeting the criteria for conservation area status. Many parts of the Garden City have been adversely affected by later alterations and so the further review will need to balance this against the historic and architectural interest of the original.
	Cllr Farley asked that the Garden City be considered for inclusion. He advocated greater enforcement action taken to protect the character of the conservation area and he recommended considering appointing “conservation ambassadors” and building closer links with the Civic Society.	As above it is agreed the Garden City should be further assessed. Enforcement action is taken where necessary but has to be prioritised to match existing staff resources. Conservation ambassadors is perhaps something for the Town Council to promote and closer relations with the Civic Society would certainly be welcomed.
	Chepstow Town Council supports much about the appraisal but objects to the proposed removal of Mount Way and Garden City Way. It advocates the extension of the area to include the Garden City and to continue much further up Welsh Street towards the racecourse roundabout.	Heritage Managers to review boundary, in particular re Garden City which has been raised by many people.
	Cllr Le Peltier urges Article 4 Directions to be introduced	Planning Committee are invited to consider the resource implications; Heritage Managers can advise.
	Savills object on behalf of Mabey Bridge to the extension of the Conservation Area to the east on three grounds: no visual or practical connection between the proposed area and the closest parts of the conservation area; the extension is not necessary as Brunel House and the railway bridge are already listed; most of the land is allocated for redevelopment and	Heritage Manager to review boundary; however a link is felt to exist and the presence of listed buildings is not a reason not to designate conservation areas where the criteria of historic and architectural special interest is identified. The designation would not impact on the proposed redevelopment as the heritage is already recognised given the presence of listed buildings. However it is accepted that the area which this boundary extension seeks to protect is in fact equally protected already by virtue

	therefore will be subject to substantial change.	of it being in the curtilage and setting of the listed structures. Accordingly Planning Committee are invited to consider whether it would add any benefit to extend the boundary to include this area. Also to consider whether greater benefit would be achieved through an appropriate S.106 agreement attached to the anticipated development.
	One comment objected to the proposed amendment to the boundary to the north-west to remove Mount Way but this was for reasons of concern over development threat in the area.	Recommended to amend as the boundary as shown in the appraisal. This small part of the conservation area now has modern housing that does not merit being part of the designated area.
	One respondent objected to the lack of an Equality Impact Assessment. Also felt that the existing conservation area was too large to be effectively managed and cited two properties in particular that he urged action on –No 5 Mount Pleasant and Rosedale.	Advice received is that an EIA was not required for this particular consultation. Heritage Monitoring Officer has inspected No 5 Mount Pleasant and advised and a Planning Enforcement Officer is negotiating improvements to Rosedale – action has therefore been taken.
	Chepstow Civic Society accepts most of the proposals but like other commentators the society argues for the inclusion of the Garden City housing. It notes a number of inaccuracies and it expresses concern about the adverse impact of parked cars in key views of and from the castle.	As above Heritage Managers to review Garden City as to whether it meets the criteria for Conservation Area designation.
<b>Grosmont</b>	Three consultation responses cited the discrepancy in the document where the map showed proposed removal of two small areas to the west side of Grosmont whereas the text referred to no boundary changes.	For those who attended the public meetings this was clarified as an anomaly that we have no explanation for. The officers' recommendation has always been to follow the text and retain the existing boundary and this is reinforced in the light of comments received.

<b>Llandenny</b>	One respondent provided detailed and helpful factual corrections and extra historical information.	Corrections to be made; information to be noted.
<b>Magor</b>	<p>Cllr Taylor concerned that: the conservation area had in some instances suffered and that the Appraisal was an opportunity to improve; the reduction in the size of the area could put trees at risk and asked that TPOs be considered;</p> <p>Sycamore playing field is a key green space and should be retained within the CA; And questioned the removal of Pond Cottage and asked why some properties on Newport Road had not been included.</p>	<p>The Appraisal is intended to raise awareness of the character that needs to be preserved. Heritage Managers have already spoken to the Tree Officer who has assessed the impact on trees and is content that no further action is required.</p> <p>Heritage Managers to survey and review. Initial view is that the playing field is not in itself the setting of a building of special interest and that it is safeguarded through alternative legal protection; Pond Cottage is not being removed from the area though it is acknowledge it is in poor condition and in need of repair. Initial view is that the boundary on Newport Road is correct as drawn.</p>
	One comment focused on one of those points above – the playing fields and objected to their removal from the area.	Given the number of comments about the proposed boundary change – Heritage Managers to review again the existing and proposed boundaries.
	One comment expressed concern that taking the areas of modern housing out of the conservation area removed the buffer zone to the historic core of Magor; also commented that signage should be improved	Ditto
	Several comments expressed view that they could not see the point of the proposed conservation area boundary change	Ditto
	One comment asked for the boundary at various points - Pond Cottage, Ty Cornel and Procurators House to be reviewed.	Heritage Managers to survey and review. Initial view is that Ty Cornel may be more appropriate out of the conservation area rather than within; the boundary should precisely follow the perimeter wall



		of the Procurators House and the maps will be checked to verify if this is the case. Pond Cottage is definitely in the Conservation Area.
	One comment expressed particular concern about Manor Farmhouse and Pond Cottage.	Heritage Managers to consider what action could be taken to address these buildings at risk. Environmental Health officers will be contacted regarding Manor Farmhouse.
	One comment felt the consultants had proposed reducing the size of the area too much but supported MCC officers views on retaining more of the existing area.	No action needed.
<b>Monmouth</b>	Comments received that the Wye Bridge and Wyesham should be included in the Conservation Area. This is an extension the consultants had not recommended.	Wye Bridge is listed and whilst the river is an essential part of the setting of Monmouth it is felt that the eastern river bank and Wyesham have suffered adverse development and accordingly do not merit inclusion in the conservation area.
	One respondent objected to the proposed amendment to the boundary towards Osbaston as it would include their house.	Heritage Managers to inspect – initial view is that the building merits inclusion within the conservation area; the concern at its inclusion was more to do with perceived impact on future development but in reality this is controlled anyway by virtue of being outside the development boundary.
	One respondent advocated greater attention to signage.	Much effort is already spent on trying to control signage but it is so often retrospective action addressing unauthorised works.
<b>Raglan</b>	One comment relates to Orchard Lea and objects to its proposed inclusion in the conservation area believing that it will prevent the carrying out of further improvements.	Boundary to remain as proposed.
<b>Tintern</b>	One comment said the area looked “scruffy” and felt the	Heritage team to review the feasibility of carrying out a

	appraisal was not going to do much to change this.	Presentation Audit with a view to rationalising signage as one way of lifting the appearance of the area.
<b>Usk</b>	Mill Street – this is currently in the Conservation Area but consultants recommended its removal. One comment received supported the consultant’s opinion. Officers on the other hand judge it to retain distinctive period character and whilst different from the majority of Usk Conservation Area recommend that the boundary is unchanged in this respect.	Retain Mill Street within the Usk Conservation Area and leave the boundary in this respect as it has been since 1975.
	<p>Usk Civic Society notes a number of inaccuracies.</p> <p>It supports the amendments to the Conservation Area boundary and officers decision not to remove Mill Street.</p> <p>It agrees with Article 4 Directions but would wish to be consulted on detailed proposals at draft stage.</p> <p>It recommends a number of areas of the town for enhancement and would wish to see draft proposals.</p>	<p>These are noted.</p> <p>If Article 4s are drafted and/or enhancement proposals prepared the Civic Society will be consulted at an early stage.</p>
	One comment felt the proposed boundary appeared on the west side of the river should instead be along the levy flood bank and up and across the old railway bridge.	Heritage Managers to review the boundary.

### 3.3 Next Steps for the Draft Appraisals

- 3.3.1 Many of the comments received have cited errors. Where these are errors such as the name of a building or road these should be changed but where the discrepancy relates to a change in circumstance since the date of the fieldwork carried out by the consultants then we will leave the text as it is. The appraisals are a record of a particular time and there is a risk of continually updating them to take account of ongoing developments.
- 3.3.2 Some have asked for a Council response to their comments but the resource implications of ongoing feedback needs to be carefully managed. This report to Committee has provided initial responses to many of the comments.
- 3.3.3 In some cases (e.g. Abergavenny and Chepstow), comments received raise the question as to whether a whole new conservation area should be designated to recognise significance noted but well outside the existing area. In some cases comments received compel us to review proposed minor amendments to boundaries (e.g. at Chepstow and Monmouth)
- 3.3.4 Final versions of the Conservation Area Appraisals need to be made and issued in English and in Welsh.
- 3.3.5 Where areas are taken out of designation it removes the automatic protection afforded to trees in conservation areas. The Tree Officer has asked for opportunity to consider if any of these affected trees merit Tree Preservation Orders though initial view is that there is no resulting action needed.
- 3.3.6 The need to consider the introduction of Article 4 directions has been raised both by the consultants and by some of the comments so a response needs to be agreed. If the decision is that they should be introduced in appropriate parts of certain conservation areas these will need to be reviewed in detail by Heritage Managers and sufficient resource allocated. The process would involve survey to identify the specific features or characteristics which would benefit from removal of permitted development rights and then a process of consulting owners affected would need to be managed. The pros of supporting the preservation of the conservation area (e.g. retention of more traditional windows on unlisted buildings) needs to be considered against the resource needed to manage additional applications for consent that could result from introducing Article 4 directions. The resource needed to manage enforcement action that would inevitably arise should also be taken into account.

### 3.4 Next Steps for the remaining Conservation Areas

- 3.4.1 The remaining conservation areas that still need to be appraised in line with legislative guidance are:

Bettws Newydd	Itton	Rockfield
Caldicot Castle	Llanhennock	Rogiet Llanfihangel
Dixton	Mounton	Skenfrith
Hendre	Pen-y-fal	Tredunnoch

- 3.4.2 Funding needs to be allocated. It is recognised that there is insufficient in-house resource to carry out these appraisals on top of all the day to day conservation work and therefore, as before, a consultant needs to be appointed. A Brief needs to be written and tenders invited.
- 3.4.3 Monmouthshire is one of the few local authorities in Wales to be granted delegation from Cadw to determine listed building consent applications. It is essential to the

retention of delegated authority that Monmouthshire continues to be regarded as delivering a high quality conservation service. Part of this is effective management of our conservation areas and as such it is important that the current appraisal process is concluded as soon as possible and that the remaining areas are programmed for appraisal during 2016.

#### **4. REASONS:**

4.1 Draft Conservation Area Appraisals have been completed and consulted upon and now need to be finalised. The local authority has a legal requirement to review its conservation areas.

#### **5. RESOURCE IMPLICATIONS:**

5.1 With regard to the existing Appraisals the resource implications are:

- officer time and costs associated with the review of consultation comments received;
- officer time and costs in reviewing and scoping out revisions to boundaries and notifying owners accordingly;
- officer time and costs in identifying potential new conservation areas and in managing the follow up public consultation;
- if Article 4 directions are introduced there is an up-front resource demand in drafting and notification and thereafter officer time and costs in monitoring and determining applications;
- completion of the draft documents, adoption of the Appraisals as Supplementary Planning Guidance;
- production of documents for public use.

5.2 The further phase involves preparation of Conservation Area Appraisals for the remaining conservation areas and carrying out the required consultation exercises for which it would be necessary to outsource this to a suitably qualified consultant and the estimated consultant budget is £25K. By the end of this process Monmouthshire would have up to date appraisals for all its conservation areas.

#### **6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS**

6.1 Conservation Area Appraisals are adopted as Supplementary Planning Guidance and as such are part of a suite of guidance to complement the Local Development Plan to ensure suitable and sustainable development within MCC. These documents support the preservation and enhancement of local identity and culture.

There is neutral impact on Equality and there are no discrimination issues.

#### **7. CONSULTEES:**

- Head of Planning
- Head of Legal Services
- Development Management Officers

#### **8. BACKGROUND PAPERS:**

Monmouthshire Local Development Plan  
Welsh Office Circular 61/96  
Planning (Listed Buildings and Conservation Areas) Act 1990

#### **9. AUTHOR & CONTACT DETAILS:**

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