

**REPORT TO: PLANNING & TRANSPORT COMMITTEE - 14 JANUARY 2008**

**REPORT ON: CONSERVATION AREA APPRAISALS**

**REPORT BY: DIRECTOR OF PLANNING & TRANSPORTATION**

**REPORT NO: 10-2008**

## **1 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to seek Committee agreement for a programme to undertake the creation, monitoring and review of Conservation Areas in accordance with Section 61 Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 and Planning Advice Note 71: Conservation Area Management (PAN:71) as issued by Scottish Government.

## **2 RECOMMENDATION**

- 2.1 It is recommended that the Committee approves the proposed program of Conservation Area management as indicated within Table 1 paragraph 5.3.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications arising from this report. Modest expenditure will occur at consultation phase.

## **4 BACKGROUND**

- 4.1 A Conservation Area as defined within the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is "an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". Local authorities have a statutory duty to identify and designate such areas under Section 61 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 4.2 A Conservation Area is a management tool which protects the character and appearance of an area, it is not a tool to restrict development, rather a means to promote high quality development to preserve or enhance the special character of the area.
- 4.3 There are presently 16 Conservation Areas within Dundee City Council's boundary, which have their own unique character which it is desirable to preserve or enhance. All of Dundee's Conservation Areas have had extended planning controls placed on them, through the use of Article 4 Directions. An Article 4 Direction can remove 'permitted development' rights, and are made under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended. The effect of a Direction is that planning permission is required for specified classes of work therefore providing additional protection. Examples of works which may require planning permission are as follows window and door replacement, external painting and stone cleaning, erection of fences, gates and porches.
- 4.4 Once a Conservation Area has been designated and its issues evaluated and understood, it is vital that action be taken to manage change effectively. This may

require new policies in local plans, the publication of supplementary guidance (eg Conservation Area Appraisals) or environmental improvements to the public realm.

- 4.5 PAN:71 provides guidance and best practice with regards to conservation area management, it emphasises the importance of designation of Conservation Areas as a valuable tool in the protection of important areas. It also advises Local Authorities that as a result of Conservation Areas being dynamic and constantly evolving that care be taken “not to assume that designation alone will secure protection and enhancement. Review of existing areas is required and provides an opportunity to assess the justification for designation, consider the validation of boundaries, identify opportunities for enhancement and set management priorities”. (PAN:71)

## **5 CONSERVATION AREA APPRAISALS**

- 5.1 A conservation area appraisal as outlined in PAN:71 is a management tool which helps to identify the special interest and changing needs of an area. An appraisal provides the basis for the development of a programme of action that is compatible with the sensitivities of the historic area and enables local authorities to fulfil their statutory duties to protect and enhance conservation areas. Appraisals also inform policy and assist development control. They provide an opportunity to inform residents about the special needs and characteristics of the area and help householders, Council Members, officers and developers identify and formulate development proposals.
- 5.2 A conservation area appraisal is made of a number of key components, the first being a research and survey collection process, in order to understand and evaluate the character of the area. An appraisal checklist is contained within PAN:71 as an initial guide to this process. On completion of the survey a draft conservation area appraisal is created, the draft appraisal will be reported to the Planning and Transportation Committee seeking approval for public consultation. As a result of the responses received from the consultation exercise the draft conservation area appraisal will be updated and a finalised appraisal shall be reported to the Planning and Transportation Committee seeking formal approval as a material planning consideration.
- 5.3 The purpose of this report is to seek Committee approval for a program to undertake the creation, monitoring and review of Conservation Areas through the use of Conservation Area Appraisals. The program (Table 1) has been prepared taking into account a number of factors including; the review of potential areas to be included as Conservation Areas, date of designation as Conservation Area, date of last review and development pressures.

Table 1: Proposed Timetable for Conservation Area Appraisals

Priority	Name/Location	Existing/Proposed CA	Date Designated	Outstanding Status	Article 4 Direction
1	Lochee	Proposed	N/A	N/A	N/A
2	Central	Existing	10/10/1983	Y	Y
3	West Ferry	Existing	19/08/1997	N	Y
4	Trottick	Existing	05/04/1971	N	Y
5	Crescents	Existing	10/10/1983	Y	Y
6	West End Lanes	Existing	12/02/2002	Y	Y
7	Reres Hill West End	Existing	19/08/1997	N	Y
8	Suburbs	Existing	12/02/2002	N	Y
9	Forthill	Existing	19/08/1997	N	Y
10	Grove	Existing	19/08/1997	N	Y
11	University	Existing	12/02/2002	N	Y
12	Law Terrace	Existing	08/07/1991	N	Y
13	Broughty Ferry	Existing	19/08/1997	N	Y
14	Blackness	Existing	07/11/1997	Y	Y
15	Maryfield	Existing	08/07/1991	N	Y
16	Logie	Existing	08/07/1991	N	Y
17	Baxter Park	Existing	12/02/2002	Y	Y

5.4 The programme is based on a 12 month timetable to have a draft Conservation Area Appraisal prepared for each of the areas identified above, it may be possible to prepare more than one appraisal concurrently. The timetable has been prepared on the basis of available resources and workload pressures.

5.5 It is recommended that the draft appraisals be presented to the Planning and Transportation Committee for approval to undertake public consultation on a rolling programme basis according to the limited staff resources available. A separate timetable for the period of public consultation will be presented in due course. On completion of the public consultation exercise, the draft appraisal will be reviewed taking into account any comments received and will be presented to the Planning and Transportation Committee for formal approval as a material planning consideration.

## 6 POLICY IMPLICATIONS

6.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

There are no major issues, however in preparation of the individual reports several issues may arise.

## 7 CONSULTATIONS

7.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Head of Finance have been consulted and are in agreement with the contents of this report.

**8 BACKGROUND PAPERS**

- 8.1 Planning (Listed Building and Conservation Areas) (Scotland) Act 1997
- 8.2 Planning Advice Note 71: Conservation Area Management

Mike Galloway  
Director of Planning & Transportation

Ian Mudie  
Head of Planning

IAR/GK/MM

14 December 2007

Dundee City Council  
Tayside House  
Dundee