

DECISION-MAKER:	CABINET		
SUBJECT:	THE AVENUE CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN		
DATE OF DECISION:	19 NOVEMBER 2013		
REPORT OF:	CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY
None

BRIEF SUMMARY

An appraisal was carried out on The Avenue Conservation Area during 2013 as part of the continuing appraisal programme. The final document recommends a number of management proposals that will help to guide future development.

RECOMMENDATIONS:

- (i) To adopt the Conservation Area Appraisal and Management Plan in order that the policies contained within the Management Plan will guide future development proposals in the Conservation Area;
- (ii) To approve the proposal to implement an Article 4 Direction for Cavendish Grove to remove Permitted Development (PD) rights for works to the roofs and front elevations, and to authorise the Head of Legal, HR and Democratic Services to make and advertise an Article 4 Direction and consult with residents;
- (iii) To approve the boundary of the Conservation Area is changed to include Cavendish Hall;
- (iv) To approve the boundary of the Conservation Area is changed to exclude 3 – 6 Clifford Dibben Mews.

REASONS FOR REPORT RECOMMENDATIONS

1. To enable the Council to manage change inside the Conservation Area within a clear framework.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. Not to adopt the Conservation Area Appraisal and Management Plan. This would result in the present out-of-date appraisal and guidance being used to inform development proposals within the Conservation Area.

DETAIL (Including consultation carried out)

3. A Conservation Area is 'an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. Southampton City Council designated The Avenue as a Conservation Area in 1975 to conserve the special character and appearance of the area. The last appraisal of the area was published in 1997 and is therefore 16 years old.
4. The Conservation Area consists of a large number of locally listed buildings and is particularly important as a main route into the City from the north.
5. The Appraisal was carried out over several months and involved a photographic survey of all buildings in the Conservation Area, an assessment of historic maps and a brief analysis of the exteriors of most of the historic buildings, an assessment of the issues facing the Conservation Area, a review of the appropriateness of the Conservation Area boundary, an assessment as to whether new development has made a positive, negative or neutral impact on the character of the Conservation Area and the formulation of management policies for the area.
6. Letters were delivered to each property in the Conservation Area outlining the appraisal and public consultation process. A public meeting was held on 22 May 2013 at the start of the six week public consultation. The consultation period ended on 5 July 2013. Responses were received from 12 individuals and representation from the Southampton Commons & Parks Protection Society. A summary of the responses are detailed in Appendix 2.
7. Three specific proposals were suggested during the consultation period.
8. The first proposed change was to alter the boundary of The Avenue Conservation Area to exclude 3 – 6 Clifford Dibben Mews and Avenue Place (on Alma Road) from the Conservation Area. Both developments have been built since the Conservation Area was designated in 1975 and both were built across the existing boundary.
9. The suggestion to exclude 3 – 6 Clifford Dibben Mews was met with no objections, whereas the suggestion to exclude Avenue Place (on Alma Road) was met with one objection. It has been decided to recommend the exclusion of 3 – 6 Clifford Dibben Mews because these properties do not contribute either architecturally or historically to the Conservation Area. It has been decided to retain Avenue Place (on Alma Road) because, although it is a new building, it is a good example of appropriate contemporary design within a Conservation Area.
10. It is recommended that Cabinet approve the exclusion of 3 – 6 Clifford Dibben Mews from the Conservation Area.
11. The second proposed change is to include Cavendish Hall within the Conservation Area as an example of a type of building which is becoming increasingly rare. Cavendish Hall is located behind the Southampton Spiritualist Church and is a mid 20th century building. There is a history of corrugated iron structures on The Avenue and this last remaining example is considered by the Historic Environment Team to be worth conserving. There is only one similar building in Southampton at 93 Pointout Road. The owners, the Southampton Spiritualist Church, support its inclusion in the

Conservation Area but there have been three objections received regarding this proposal. The objections were on the grounds that the building is invisible from The Avenue, is in a poor state of repair, has no architectural merit, was poorly and cheaply built and should be replaced by something more sympathetic to the local area. While it is clear that the building requires repairs and was built cheaply, the Historic Environment Team considers that it does possess local architectural merit, and the use is associated with an important religious group in the City. (See the Conservation Area Appraisal and Management Plan, page 14)

12. It is recommended that Cabinet approve the proposal to alter the Conservation Area boundary in order to include Cavendish Hall within the Conservation Area.
13. The third proposed change is to introduce an Article 4 Direction for Cavendish Grove in order to protect against unsympathetic alterations and preserve the current, valued, character of the street. The street faces many of the problems common with areas where there are large Victorian Houses. While there are still a few used as family homes, many have been subdivided into individual flats, and there is a perception among residents that homes could be converted to houses in multiple occupation (HMOs). Cavendish Grove is an un-adopted road, which means it is not maintained at public expense. The owners of properties on the west side of the Grove are responsible for the maintenance of their frontage out to the centre of the road. The east side abuts an area of shrubs, trees and grass which is common land. As the care of the Common is vested in the City Council, as representatives of the citizens of Southampton, the Council has assumed responsibility for that part of the road adjacent to the Common. The Article 4 Direction will include proposals to remove Permitted Development rights for works to the roofs and front elevations of all residential properties. This proposal has been met with general approval by local residents, but with some reservations about whether there will be too many restrictions, whether it will lead to additional financial outlay for owners, and whether it would make any difference to the character and appearance to the area. An Article 4 Direction will require owners to apply for planning permission for alterations to front elevations and roofs, including windows. There will be financial implications, which should not be punitive, but the overall intention would be to maintain and improve the character of the road.
14. It is recommended that Cabinet approve the proposal to make an Article 4 Direction for Cavendish Grove, and that officers are authorised to begin consultations with residents. A further report will be brought to Cabinet prior to the direction being served.
15. The adoption of The Avenue Conservation Area Appraisal and Management Plan will assist the Local Planning Authority to ensure that proposals for future development both enhance the area and assist with future regeneration.

RESOURCE IMPLICATIONS

Capital/Revenue

16. The cost of publication and distribution of the Conservation Area Appraisal

and Management Plan is estimated at £900. The cost of notices and land registry searches in relation to the Article 4 Direction is estimated at £500. This can be met from within the existing E&T revenue budget.

17. There are no capital implications.

Property/Other

18. There are no property implications for the Council arising from the recommendations contained within this report.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

19. The Planning (Listed Buildings and Conservation Areas) Act 1990
Town and Country Planning (General Permitted Development) Order 1995

Other Legal Implications:

20. The Council must be satisfied that any Conservation Area Appraisal and Management Plan conforms to the requirements of the Human Rights Act 1998, in particular Article 1 of the First Protocol in relation to the Protection of Property. Any interference with property rights (including restricting development opportunities, etc.) must be necessary and proportionate in order to control the use of property in accordance with the general public interest.

POLICY FRAMEWORK IMPLICATIONS

21. The recommendations set out in The Avenue Conservation Area Appraisal and Management Plan are based on and complement the existing policies set out in the Core Strategy and the saved policies of the City of Southampton Local Plan Review.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Bevois and Freemantle
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SUPPORTING DOCUMENTATION

Appendices

1.	The Avenue Conservation Area Appraisal and Management Plan
2.	Summary of consultation feedback received
3.	Summary list of Permitted Development Rights to be removed, and plan of the area to which the Article 4 will relate.
4.	Map

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

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