

DECISION-MAKER:	CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT
SUBJECT:	PORTSWOOD RESIDENTS GARDENS CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN
DATE OF DECISION:	11 APRIL 2011
REPORT OF:	HEAD OF PLANNING AND SUSTAINABILITY
STATEMENT OF CONFIDENTIALITY	
None	

BRIEF SUMMARY

As part of the Historic Environment Team's programme of Conservation Area Appraisals, an Appraisal and Management Plan for the Portswood Residents Gardens Conservation Area (PRGCA) has been carried out. This work is required in order that changes to and within the Conservation Area can be managed within a defensible clear policy framework, and applications for changes can be determined based on a clear understanding of the important elements of the area.

RECOMMENDATIONS:

- (i) To adopt the Conservation Area Appraisal and Management Plan (CAAMP), and to agree that the policies contained within the Management Plan will guide future development proposals in the Conservation Area.

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 CAAMP. This would result in a significant loss of good will built up with the Residents over the last year, and would result in additional strains on resources, as the Council is obliged to review the existing Appraisal in any event.

DETAIL (Including consultation carried out)

- 3 A conservation area (CA) 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 Portswood Residents' Gardens as a CA in October 1996 to conserve the special character and appearance of the area. The Council published the first Character Appraisal of the CA in 1999. This recognised that 'the special quality of this early example of the Garden City Movement is derived from its residential character, architectural quality and its generous layout in terms of the ratio between open space and buildings.

- 4 In January 2009 Cabinet agreed to make a new Direction pursuant to Article 4(2) of The Town and Country Planning (General Permitted Development) Order 2005, the effect of which was to remove Permitted Development rights within part of the Portwood Residents' Gardens Conservation Area.
- 5 The Council has worked closely with the Portwood Residents Gardens Residents Association (PRGRA) in formulating the revised CAAMP. The work was undertaken by local volunteers, and edited by the Council. There have been a number of meetings, both formal and informal, to discuss the extent of the appraisal and the nature and extent of the Management Plan (see Appendix 2).
- 6 The CAAMP will replace the existing Conservation Area Appraisal, and the Management Plan element builds on the existing Article 4 (2) Direction, which remains unchanged.
- 7 Part One of the CAAMP is an appraisal of the character of the conservation area, and includes a broad analysis of the natural as well as the built environment. While more detailed than the 1999 Appraisal, the analysis is broadly similar, in that there has been very little physical change to the area.
- 8 Part Two of the CAAMP sets out detailed Management Policies, which will, if approved, guide officers when determining future planning applications for the Conservation Area. These policies are similar to those recently adopted for the neighbouring Oakmount Triangle Conservation Area, but have been adapted to suit the particular circumstances of the Residents Gardens.
- 9 During the extensive consultation (see Appendix 2), it became apparent that, while there was broad support for the Management Policies, there are three areas where residents raised major concerns. These areas are:
- Solar panels and photovoltaics;
 - uPVC windows;
 - Traffic management.
- These issues are dealt with in detail below.
- 10 The Article 4 (2) Direction removes Permitted Development (PD) Rights for households for works to the principle elevations of properties fronting a Highway. This includes works to the roof. Works to rear and side elevations are not usually covered by the Direction, and therefore are deemed to be Permitted Development.
- 11 In the case of solar panels or photovoltaic arrays, these need to be erected on south-facing elevations to maximise efficiency. Where the south elevation fronts a highway and the panels will be 200mm or more proud of the roof line, erection of this equipment is deemed to require planning permission. The key question when determining an application for any form of development within a conservation area is whether or not it will *conserve or enhance* the area. Therefore the issue with solar panels and photovoltaic arrays is whether they would meet these criteria. Applications for consent will have to be decided on a case-by-case basis.

- 12 With regard to uPVC windows and doors, these would not normally be acceptable in conservation areas because of the negative impact they have on the visual character of such areas. However, the Plan recognises that thermal efficiency is a major concern for residents who want to manage down their bills. Therefore the management policies allow for the possibility of well designed double glazed units in traditional wood or metal, or for the insertion of secondary glazing.
- 13 Traffic management is possibly *the* major issue raised by residents. Their concerns ranged from all-day parking by non-residents to the practice of using the area as a short cut (rat running).
- 14 A letter received on behalf of the residents association states:
'You will see from the evidence that by far the biggest issues of concern for residents of the Conservation Area are traffic and parking. It is widely feared that the current situation, already seen by many as intolerable, will become even worse once the new Sainsbury superstore is opened nearby. As you know, a Resident Permit Parking Scheme is currently being proposed which we hope will help with the parking problems, if approved. However, this does not address the widespread and deeply felt concerns regarding traffic flows through the CA, speeding and "rat-running". (A Council survey showed that 95% of the traffic in the CA is non-local already, and this will be worsened by the Sainsbury's development.) Residents have therefore asked me to stress that there is a great deal of frustration that officers' advice is that traffic matters cannot be included in the Management Plan policies, but only as an Enhancement Opportunity. This contrasts with parking, for which there is a relevant planning policy in the Core Strategy and thus a linked policy in the Management Plan. Both traffic management measures and controls on car parking are regarded as inseparable and absolutely essential to preserve and enhance the Conservation Area. The residents' view is that the City Council must do something about these crucial issues, and that it makes nonsense of both conservation policies and public consultation if they are not taken into account. I trust your report will reflect these views.'
- 15 The CAAMP is designed to guide homeowners when planning works, and officers when dealing with applications. Nevertheless, as identified by the residents, other matters can be equally important in their impact on the residential environment. In response to the residents concerns, it is proposed to deal with all traffic management and parking issues in the 'Enhancement Opportunities' section of the Plan. The Council is committed to introducing a Residents Parking Scheme into the area (subject to public consultation), and dealing with these matters in this way will have no effect on the enforceability of the CAAMP.

RESOURCE IMPLICATIONS

Capital/Revenue

- 16 There are no capital implications arising from this report.
- 17 The revenue costs of publicity of up to £3,000 arising from this report can be contained within existing approved E & T revenue estimates.

Property/Other

18 There are no Property implications 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

Other Legal Implications:

20 The Council must be satisfied that any conservation area 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 CAAMP 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.

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KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	Portswood
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SUPPORTING DOCUMENTATION

Non-confidential appendices are in the Members' Rooms and can be accessed on-line

Appendices

1.	Conservation Area Appraisal and Management Plan
2.	Schedule of consultation

Documents In Members' Rooms

1.	None
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Integrated Impact Assessment

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

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

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
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