
Report To:	Environment and Regeneration Committee	Date:	30 April 2015
Report By:	Corporate Director, Environment, Regeneration and Resources	Report No:	E&R/15/30/04 SJ/MP
Contact Officer:	Stuart W Jamieson	Contact No:	01475 712493
Subject:	Inverclyde Local Development Plan: Conservation Area Proposals		

1.0 PURPOSE

- 1.1 The purpose of this report is to inform Committee of the outcome of the consultation on the proposed conservation area boundary at The Cross, Kilmacolm and seek approval for its designation together with two new conservation areas at West Bay and Shore Street/Kempock Street, Gourrock and the re-designation of the amended conservation area boundary in Inverkip. It is also to seek approval to carry out consultation on Article 4 Directions and investigate the preparation of Conservation Area Appraisals for all conservation areas in Inverclyde.

2.0 SUMMARY

- 2.1 The Inverclyde Local Development Plan: Proposed Plan (May 2013) proposed three new and one amended conservation area boundaries, with only The Cross, Kilmacolm receiving representations during the consultation period. Following the Scottish Government's Examination of the LDP, it was concluded that the proposal should be included in the adopted Plan. However, as the Council made a commitment to a full public consultation on this boundary once the LDP was adopted, this was carried out between January and February 2015, and one supportive representation was received.
- 2.2 The next stage is to formally designate the new and amended conservation areas which have already been approved through the LDP. Thereafter Article 4 Directions need to be prepared for all new and existing conservation areas in Inverclyde to cover those activities deemed not to be permitted development and which are not covered in the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011.
- 2.3 Scottish Government advises that it is also advantageous to prepare Conservation Area Appraisals for designated conservation areas which assist in their management and their protection and enhancement.

3.0 RECOMMENDATION

- 3.1 That Committee:
- Notes that there were no objections to the recent consultation on the proposed conservation area boundary at The Cross, Kilmacolm;
 - approves the designation of conservation areas at The Cross, Kilmacolm, West Bay and Shore St/Kempock St, Gourrock and the amendment of the existing conservation area boundary in Inverkip;
 - approves public consultation on proposed Article 4 Directions for all conservation areas in Inverclyde; and
 - approves the investigation into the preparation of Conservation Area Appraisals for all eight conservation areas.

Aubrey Fawcett
Corporate Director, Environment, Regeneration and Resources

4.0 BACKGROUND

- 4.1 The Inverclyde Local Development Plan: Proposed Plan (May 2013) included proposals under Policy HER3 for three new conservation areas and an amendment to an existing conservation area. The proposal for a new conservation area at The Cross, Kilmacolm was the only one that received representations during the consultation period, and this required to be taken to Examination by reporters appointed by Scottish Ministers. The Examination concluded that the proposal for a conservation area at The Cross should be included in the adopted Plan along with those at West Bay and Shore Street/Kempock Street, Gourrock. In its submission to the Scottish Government for the Examination, the Council made a commitment that a full public consultation would be carried out on the finalised conservation area boundary in Kilmacolm once the LDP was adopted.
- 4.2 The LDP was adopted on 29 August 2014 and the consultation was carried out between 30 January and 27 February 2015. One representation was received from Kilmacolm Civic Trust stating that they were 'delighted and very content' with the finalised boundary. The absence of more representations is probably because the boundary had already been through a full consultation process with the LDP and the subsequent Examination. The finalised boundary is identified in the adopted Plan.

5.0 PROPOSALS

Conservation Areas

- 5.1 It is now proposed to take forward the designation of the conservation area at The Cross, Kilmacolm along with those at West Bay and Shore Street/Kempock Street, Gourrock which are also identified in the adopted LDP. The amendment to the existing Inverkip Conservation Area boundary will also be taken forward and the conservation area boundary re-designated.
- 5.2 Designation and re-designation of the respective conservation area boundaries will entail advertising a street by street description of the boundary, notification of properties within the conservation area (or being removed from it, in the case of Inverkip) and notification to the Scottish Government. The designation of the conservation areas will be effective from the date of confirmation of the boundary by the Scottish Government.

Article 4 Directions

- 5.3 It is also intended to create Article 4 Directions for the proposed new and amended conservation areas and update those for the other four existing conservation areas. The aim of an Article 4 Direction is to ensure that the traditional details which greatly enhance the environment of the conservation area are not removed or altered without prior reference to the Council as Planning Authority and that development does not go ahead which could cumulatively lead to a loss of character within the area.
- 5.4 The Article 4 Direction applies additional controls to changes within the conservation areas by extending planning regulations to works that would otherwise be regarded as permitted development. These restrictions will be over and above those already deemed not to be permitted development in conservation areas under the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011.
- 5.5 It is proposed to carry out a six week consultation period where all residents and businesses within the conservation areas would be notified by letter of the proposed/amended Article 4 Directions and their opinions sought along with those of the relevant statutory undertakers. Details will also be made available at the local libraries.

Conservation Area Appraisals

- 5.6 Planning Advice Note (PAN) 71 states that “A Conservation Area Appraisal is a management tool which helps to identify the special interest and changing needs of an area. It 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.” Appraisals provide benefits through informing planning policy and assisting Development Management in both determining applications and defending appeals.
- 5.7 As the Council does not have a Conservation Officer to provide the necessary expertise, Scottish Civic Trust was asked to provide costs for the preparation of Appraisals for all eight conservation areas in Inverclyde. This includes background research, survey work, community engagement and report writing and, if considered appropriate, could be carried out on a priority basis over a period of time, as funding permits.

6.0 IMPLICATIONS

6.1 Finance

Financial implications

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

Annually Recurring Costs/Savings

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

6.2 Legal

There are no direct legal implications arising from this report.

6.3 Human Resources

There are no direct human resource implications arising from this report.

6.4 Equalities

There are no direct equalities implications arising from this report.

6.5 Repopulation

There are no direct repopulation implications arising from this report.

7.0 CONSULTATIONS

7.1 **Chief Financial Officer:** no requirement to comment.

7.2 **Head of Legal and Property Services:** no requirement to comment.

7.3 **Head of Organisational Development, HR and Communications:** no requirement to comment.

8.0 BACKGROUND PAPERS

- 8.1
1. Inverclyde Local Development Plan 2014
 2. Report of Examination on Inverclyde Local Development Plan 2014