

Agenda Item	5
Report No	RC/014/16

Strathpeffer Conservation Area Character Appraisal and Management Plan Consultation Draft

Report by the Director of Development and Infrastructure

Summary

This report sets out the Strathpeffer Conservation Area Character Appraisal and Management Plan Consultation Draft. Members are asked to approve this document for public consultation.

1. Background

- 1.1 A Conservation Area is defined as “an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”.
- 1.2 Strathpeffer Conservation Area encompasses the Victorian Spa Town, including the Spa Pavilion Gardens which are themselves formally designated as a Garden and Designed Landscape of national importance. Strathpeffer was designated as a Conservation Area in 1974 and this is the first formal and substantial review of the designation.
- 1.3 The Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 provides the current legislative framework for Conservation Areas. Under the 1997 Act, The Council has a statutory duty to determine which parts of their area merit Conservation Area status and the Council is required by law to protect Conservation Areas from development which would be detrimental to their character.
- 1.4 It is, therefore, necessary for the Planning Authority, residents and property owners to be aware of the key features which together create the area’s special character and appearance. As such, the 1997 Act places a statutory duty on the Council to formulate and publish proposals for the preservation, management and enhancement of Conservation Areas, commonly referred to as Conservation Area Character Appraisals and Management Plans.

2. Purpose of the Document

- 2.1 The purpose of the Conservation Area Appraisal is to define and evaluate the character and appearance of the study area, identify its important characteristics and ensure that there is a full understanding of what is worthy of preservation. The area’s special features and changing needs have been assessed through a process which includes researching its historical development, carrying out a detailed townscape analysis and preparing a character assessment.

- 2.2 The Management Plan sets out proposed amendments to the Conservation Area boundary to ensure the Conservation Area accurately reflects what is of special interest and is logical and coherent. The Management Plan provides a framework for the controlled and positive management of change in the Conservation Area, defines challenges and opportunities and specifies a set of policies that will inform and guide future planning decisions in the area.
- 2.3 It is recognised that the successful management of a Conservation Area can only be achieved with the support and input from stakeholders, and in particular local residents and property owners. As such, input into the document from the public is encouraged.

3. Consequences

- 3.1 With a small number of exceptions, the Appraisal and Management Plan does not place additional constraints or controls on householders, businesses and other institutions beyond those that currently exist. It will, however, clarify the special interest of Strathpeffer for all stakeholders so all are aware of what is important and what is worthy of preservation and enhancement. The document will ensure a more consistent and positive approach to the management of change across the Conservation Area.
- 3.2 The proposed revisions to the Conservation Area boundary will result in 2 additional residential properties being incorporated within the Conservation Area boundary. These buildings will be subject to the same planning controls and restricted permitted development rights as elsewhere within the boundary.
- 3.3 Conversely, the proposed boundary revisions will remove a significant number of properties from the Conservation Area, and the enhanced planning controls that govern Conservation Areas will be removed in these cases.

4. Next Steps

- 4.1 Subject to member approval, it will be necessary for the proposed Character Appraisal and Management Plan to be subject to public consultation for a minimum period of 6 weeks prior to final adoption and notification to Scottish Ministers. It is good practice to encourage community involvement and input into Appraisals and the long term management of conservation areas; in this case it is envisaged that the local community will have views and opinions that may help form the final document.
- 4.2 The consultation will include press adverts and posting on the Council website with copies made available in libraries, service points and Council offices. The Appraisal and Management Plan will be circulated to a list of interested parties and key partners/stakeholders including the Community Council. At least one public exhibition will be held at a suitable venue during the consultation period.

4.3 Following the public consultation exercise all comments will be recorded and considered and the Appraisal and Management Plan amended accordingly. The final version, along with the consultation report, will be brought back to the local area committee for formal approval and adoption as Supplementary Guidance to the Inner Moray Firth Local Development Plan.

4.4 Any changes to the Conservation Area boundary will require approval by the Planning, Development and Infrastructure Committee before being advertised in the press. Scottish Ministers will then be notified of the revised boundary.

5. Implications

5.1 There are no wider implications to existing resources associated with this report. The cost of consultation will be met by existing budgets and all time and work associated with this process is within existing capacity.

5.2 The Appraisal and Management Plan is a draft proposal for public consultation and does not present any legal implications or raise any equality, climate change/carbon clever and/or rural issues for the Council.

5.3 Headings and a member foreword will be added in Gaelic.

5.4 Committee will be aware that Conservation Area designation places statutory duties on the Local Authority. However, in this case the proposals simply review, revise and refine an existing designation therefore there are no new implications associated with the recommendations of this report.

Recommendation

The Committee is invited to approve the Strathpeffer Conservation Area Appraisal and Management Plan Consultation Draft for public release and 6 week consultation.

Designation: Director of Development and Infrastructure

Date: 4 April 2016

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Background Papers:

Strathpeffer Conservation Area Character Appraisal and Management Plan