

Meeting Date	27 th October, 2021
Report Title	Sittingbourne Conservation Area Appraisal & Management Plan
Cabinet Member	Cllr Mike Baldock - Cabinet Member for Planning
SMT Lead	James Freeman – Head of Planning Services
Head of Service	James Freeman – Head of Planning Services
Lead Officer	Jhilmil Kishore – Senior Conservation & Design Officer (Projects)
Key Decision	Yes
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To note the responses received from the public consultation exercise (summarised in the response table at Appendix i and set out in full at Appendix iii). 2. To note the content of the conservation area character appraisal and associated management strategy document for the Sittingbourne Conservation Area, as amended (set out in Appendix ii). 3. In light of 1 and 2 above, to resolve that the Sittingbourne Conservation Area is of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and that as such, that it should be re-designated as a conservation area in accordance with section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. 4. In light of 1 and 2 above, to resolve that the boundary to the conservation area be re-drawn as proposed on Map 1 and the related series of maps in the character appraisal and management plan document for the Sittingbourne Conservation Area to be formally adopted for development management purposes.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to make the Cabinet aware of some proposed boundary changes and to confirm that following the recent review work, the conservation area should be formally re-designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The proposals include a detailed character appraisal and associated management strategy in line

with current good practice for the management of conservation areas. Following the close of the public consultation exercise, officers recommend that the Cabinet approves the minor changes to the review document set out in **Appendix ii**, as supported by the Local Plan Panel.

2 Background

2.1 Sittingbourne Conservation Area was first designated in December 1969. The boundary of Sittingbourne Conservation Area has not been amended since. A conservation area appraisal and management strategy for Sittingbourne Conservation Area was adopted as supplementary planning guidance to the Development Plan in March 2011. There is a formal requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990 for Conservation Areas to be reviewed from 'time to time'.

2.2 The Swale Heritage Strategy, adopted in March 2020, has resulted in a stronger commitment by the Council to ensure its conservation areas are reviewed more regularly and possible new conservation areas also given consideration. The review of Sittingbourne Conservation Area is part of the work programme of the initial 3-year action plan forming part of the adopted Swale Heritage Strategy 2020 – 2032. This is the third one being undertaken, Tonge and Borden being recently completed. The focus on conservation areas in the initial action plan has given priority to those conservation areas in the Borough classified locally and nationally as 'at risk' – of which there are 8 – Sittingbourne Conservation Area is one of them.

3 Proposal

3.1 The proposal is to re-designate and amend the boundary of the conservation area and to equip it with a detailed character appraisal and a complementary management strategy which will assist with development management and heritage conservation purposes over the next decade or so. The re-designation is proposed to include amendments to the conservation area boundary to include additional areas that contribute to its special interest.

3.2 The proposed boundary change has been challenged/questioned through the public consultation exercise, but there has been a suggestion of one further boundary change to include east street up to the junction of Gaze Hill Avenue on the east side of the proposed boundary extension to the conservation area. The considerations relating to these have been clearly set out in **Appendix i** to this report.

3.3 Officers recommend that the Cabinet approves the proposed changes to the review document as set out in **Appendix ii**: Public consultation version of the 2021 draft character appraisal and management plans document. This includes a correction to the proposed extension of the conservation area boundary into East Street, and

left out The Chestnuts Surgery at 70 East Street, which was, and remains intended to be included within the proposed extension of the conservation area.

- 3.4 Due to the short turnaround time between the Local Plan Panel meeting which took place on the 7th October, and the reporting deadline for the Cabinet meeting on the 27th October, it has not been possible to incorporate the missing alleyway information at Appendix 3 of the review document nor to check whether the photo of the shopfront on page 21 of the document does in fact illustrate the latest position in terms of alteration to that particular property on the High Street. The missing information will be provided however prior to the adoption version of the document being published online, and if necessary, an updated photo will be provided in relation to the featured shopfront.

4 Alternative Options

- 4.1 One option would be to not take this review work any further and effectively abandon it. This is not recommended however because it would risk the justifiable continuation of the designation and/or the appropriately sensitive and positive management of the conservation area and its wider setting moving forward.
- 4.2 A second possible option would be to suspend the work on this review until some point in the future. Whilst this option would not result in wasted officer time, it could still lead to (a) the designation being challenged, (b) reputational damage to the Council and/or (c) development and associated infrastructure provision decisions being made for the locality without an appropriate understanding and appreciation of the special qualities of the Sittingbourne Conservation Area.
- 4.3 A third possible option would be to ignore some elements, or all of the feedback received, in terms of the suggested boundary change(s). However, whilst it is considered that the appraisal and management plan (to support the redesignation of the conservation area) is essentially sound, the feedback provided from the local community in good faith and in a constructive vein is valuable and to ignore any of this feedback without sound reasons to do so would call the value of the consultation process into question and potentially deliver a reputational blow to the Council.

5 Consultation Undertaken or Proposed

- 5.1 As agreed in advance with the relevant Cabinet Member, Councillor Baldock, a 7 week (instead of normal 6-week) public consultation ran from Monday the 2nd August 2021 until Sunday the 19th September 2021. This extra week was provided to take account of the consultation period occurring over the school summer holidays when many people were likely to be off work.

- 5.2 All those parties with property within or overlapping the current conservation area boundary were notified in writing of the review and were invited to comment on it, as were key relevant organisations including Kent County Council and Historic England.
- 5.3 Restrictions on movement imposed due to the Coronavirus pandemic meant that the normal practice of providing hard copies of the review document at Swale House could not be followed, but the review document was available to view/download on-line via the Council's website for the duration of the 7-week public consultation period. Hard copies of the review document were made available to view at Sittingbourne Library. In addition, officers designed a public consultation poster, copies of which were placed on the Swale House public notice board, and on the notice board at Sittingbourne Library in order to help further publicise the review work.
- 5.4 A total of 3 consultation responses have been received. One from the Sittingbourne Society, one from a local resident of East Street and one from Historic England. These responses are attached in full at appendix iii and the officer's response to these responses (as summarised) is attached as appendix i.
- 5.5 Historic England has responded advising that it has no substantive comments to make. It advises that the reference to the National Planning Policy Framework (NPPF) will need to be updated as the NPPF has been updated since the public consultation version of the review document was completed. It also draws attention to its Advice Note 1 (2nd. Ed.) on Conservation Area Appraisal, Designation and Management. It is confirmed that the officers have taken the guidance set out in Advice Note 1 into account, and that furthermore, this note is referred to in the review document as the key reference document guiding the review work.
- 5.6 Kent County Council in its function as the Highway Authority was consulted on the conservation area review but provided no feedback in this respect.
- 5.7 The Local Plan Panel considered this matter at its meeting on the 7th October 2021 where it was unanimously agreed by members of the panel to recommend to the Cabinet that the proposed changes to the conservation area review document recommended by officers, in light of public consultation feedback, should be approved. For the avoidance of any doubt, the recommendations for changes to the review document by officers do not materially alter the content of the character appraisal or management plan parts of the document. Nor do they propose any change to the conservation area boundary alterations proposed by officers. The recommended changes seek solely to correct some minor factual errors and close some small gaps in information. A copy of the minutes from the Local Plan Panel meeting will be available for reference at the Cabinet meeting.
- 5.8 Due to the drafting error for the proposed extension of the conservation area boundary into East Street, The Chestnuts Surgery at 70 East Street was not

notified of the conservation area review as should have been the case. Officers have apologized to the practice for this error and the practice has been invited to submit any comments on the review document. Any feedback provided will be reported verbally at the Cabinet meeting on the 27th October, 2021.

6 Implications

Issue	Implications
Corporate Plan	<p>Priority 2 of the Plan is: ‘Investing in our environment and responding positively to global challenges’. Objectives 2.1, 2.4 and 2.5 of this priority are respectively to:</p> <p>(2.1) ‘Develop a coherent strategy to address the climate and ecological emergencies, aiming for carbon neutrality in the council’s own operations by 2025 and in the whole borough by 2020, and pursue all opportunities to enhance biodiversity across the borough’.</p> <p>(2.4) ‘Recognise and support our local heritage to give people pride in the place they live and boost the local tourism industry.’</p> <p>(2.5) ‘Work towards a cleaner borough where recycling remains a focus and ensure that the council acts as an exemplar environmental steward, making space for nature wherever possible’.</p> <p>The character appraisal and management strategy document, once amended as appropriate and subsequently adopted would support all 3 of the above-stated objectives from the Corporate Plan.</p>
Financial, Resource and Property	There are no financial implications for the Council
Legal and Statutory	<p>The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on every local planning authority to “<i>determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance</i>” and, from time to time, to review the functioning existing conservation areas. As such failure to follow through on this review work would mean that the council is failing to meet its statutory duties in relation to the designation and ongoing management of conservation areas.</p>
Crime and Disorder	None identified at this stage.
Environmental Sustainability	<p>One of the three dimensions of sustainable development is its environmental role: contributing to protecting and enhancing our natural, built and historic environment. The other two dimensions are a strong economy and a healthy and socially vibrant community</p>

Health and Wellbeing	The health and wellbeing aspects of interaction with heritage assets and heritage related projects are referenced in the adopted Heritage Strategy which underpins this review work.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

The following documents are to be published with this report and form part of the report

- **Appendix i:** Public consultation – table of representations (in summary form), and the council’s response to them
- **Appendix ii:** Public consultation version of the 2021 draft character appraisal and management plan document, showing alterations recommended by officers (as tracked changes).
- **Appendix iii:** Full copies of the public consultation responses as received.

8 Background Papers

None.