

Agenda Item No. 9

Title:	Review of Melksham and Westbury Conservation Areas – Formation of PPGs.
Portfolio Holder:	Cllr Phillips – Planning and Development
Reporting Officer:	James Sherry – Planning Policy and Conservation Manager
Key Decision:	No

Purpose

To establish Policy Project Groups (PPG) for reviewing Melksham and Westbury Conservation Areas (CA) as part of the on-going work for the District's Historic Environment Strategy.

Background

The Historic Environment Strategy, adopted in June 2004, proposes the review of the five town's CAs and the production of a character assessment for each one. These assessments will become useful tools for Development Control purposes in considering future planning applications and fighting appeals. Trowbridge Town Centre, Bradford on Avon and Warminster CAs have already been reviewed and adopted. The next phase of work is to review Melksham and Westbury Conservation Areas.

Key Issues

The Constitution defines a PPG as an advisory group comprised of Councillors and/or other persons appointed by the Leader or Cabinet to advise the Cabinet or the relevant Cabinet Member on a specified issue. Article 701(i) states that “the Leader or Cabinet may, at any time, establish a Policy Project Group to consider and report on a particular matter by Cabinet”.

Aims and Objectives of each PPG

- To consider and recommend any alterations to the existing boundaries of the conservation area.
- To consider and recommend the renaming of the conservation area.
- To propose and implement a programme of initial consultation with the local community and other interested parties to seek views on the

recommendations for boundary changes and to then put forward recommendations to Council.

- To prepare and recommend a character assessment for both Melksham and Warminster CAs to Cabinet for public consultation.
- To consider the results of the public consultation and recommend a final character assessment to Cabinet for each conservation area.

Timetable

A timetable showing the dates for consultation and Cabinet meetings is set out below:

Boundary Review for Melksham and Westbury CAs.	April – May 2008 PPG's set up in April 2008
Consultation on boundary changes (if applicable)	May – June 2008
Agreement to Boundary Changes- Council meeting	August – September 2008
Preparation of draft CA assessment	September – November 2008
Consultation on Character Assessment.	December 2008 – February 2009
Date of final Cabinet Report and Adoption of assessment.	March – May 2009

PPG Membership

It is proposed that the PPG for each town should be made up of the following:

- The Portfolio Holder for Planning and Development as Chair.
- Two Ward Members and or nominated Members.
- Two Town Councillors.
- Representatives from appropriate bodies/organisations to be agreed by the Leader.
- Appropriate District Council Officers.

Each PPG should be limited to a maximum of 12 members and membership should be finally approved by the Leader following responses to the invitations.

Effect on Strategies and Codes

The corporate strategies that may be effected by this report are:

- In identifying the character and important elements in each town centre this will also establish where the regeneration of each town should be targeted.
- The Town Councils and other local organisations within the locality for each area will be involved in robust consultation in this area of work.
- Development Control Officers will be able to use the character assessments to assist them in determining applications.

Risk Management Implications

The risk of Judicial Review is very unlikely providing the processes of review and public consultation are undertaken thoroughly, in line with Planning (Listed

Buildings and Conservation Areas) Act 1990 and later Government Guidance in PPG15 and other advice.

Financial Implications

The costs will be covered by the existing budget.

Legal issues

There is no right of appeal on the designation of conservation areas. The only course of action open to members of the public or organisations is to apply for a Judicial Review.

Human rights

Within conservation areas, the permitted development rights extended to householders and commercial premises are more restricted than outside of Conservation Areas. This is so the special character and appearance of the Conservation Area can be preserved and enhanced in accordance with Planning (Listed Buildings and Conservation Areas) Act 1990. Whilst the Act presents no specific requirements for consultation, it is recommended that a full and robust period of consultation is undertaken for any areas that are either to be designated or de-designated.

Recommendations

It is recommended that Cabinet:

- **Sets up two PPGs, one for the review of Melksham conservation area and one for Westbury conservation area.**
- **Agree to the objectives, timetable and membership of these PPGs.**

Background Papers

Planning (Listed Buildings and Conservation Areas) Act 1990
PPG15 Planning and the Historic Environment. 1994.
Recent Guidelines on Conservation Areas published by
English Heritage.

Plain English Guidance Given