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Blackpool Council

11 July 2014

To: Councillors Blackburn, Cain, Campbell, Collett, Cross, Jackson, Jones, Rowson, Taylor and Wright

The above members are requested to attend the:

EXECUTIVE

Monday, 21 July 2014 at 6.00 pm
in Committee Room A, Town Hall, Blackpool

A G E N D A

1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

- (1) the type of interest concerned; and
- (2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

- 2 LANCASHIRE MUNICIPAL WASTE PFI CONTRACT AND JOINT WORKING AGREEMENT**
(Pages 1 - 40)
- 3 CONFIRMATION OF NON-IMMEDIATE ARTICLE 4 DIRECTION - STANLEY PARK CONSERVATION AREA**
(Pages 41 - 52)
- 4 DESIGNATION OF FOXHALL CONSERVATION AREA**
(Pages 53 - 60)
- 5 DESIGNATION OF RAIKES CONSERVATION AREA**
(Pages 61 - 68)

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: (01253) 477157, e-mail lennox.beattie@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Report to:	EXECUTIVE
Relevant Officer:	John Blackledge, Director of Community and Environmental Services
Relevant Cabinet Member:	Councillor A. Cross, Cabinet Member for Street Scene and the Environment
Date of Meeting:	21 st July 2014

LANCASHIRE MUNICIPAL WASTE JOINT WORKING AGREEMENT

1.0 Purpose of the report:

- 1.1 To inform the Executive of the proposed changes to the Lancashire Municipal Waste Joint working Agreement between Blackpool Council and Lancashire County Council and provide the relevant background information along with details of the implications of the same for the Council.

Furthermore, to seek approval for further future actions.

2.0 Recommendation(s):

- 2.1 To approve the Deed of Variation to the existing 'Joint Working Agreement Relating to the Lancashire Municipal Waste PFI' to be effective upon termination of the Contract.

3.0 Reasons for recommendation(s):

- 3.1 Changes are required to the existing Joint Working Agreement with Lancashire County Council, in order to provide continuity of services and maintain the joint working arrangements with Lancashire County Council as a consequence of Lancashire County Council's proposed revised arrangements for the Lancashire Municipal Waste PFI Contract Waste PFI Project. The proposed changes will be set out in a Deed of Variation to the current Joint Working Arrangement.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? NO
- 3.2b Is the recommendation in accordance with the Council's approved budget? YES

3.3 Other alternative options to be considered:

The Council could request that Lancashire County Council reconsiders its revised proposals for the Lancashire Municipal Waste PFI Contract. However, it should be noted that it is anticipated that revised proposals will have significant financial and performance benefits to the Council.

4.0 Council Priority:

4.1 The relevant Council Priority is:
'Improve health and well-being especially for the most disadvantaged'

5.0 Background Information

5.1 Lancashire County Council ("LCC") entered into the Lancashire Municipal Waste PFI Contract ("the Contract") in 2007 on behalf of both local authorities. Under the terms of a Joint Working Arrangement ("JWA"), Lancashire County Council acts as Agent for the Council in relation to the Contract and its role as Waste Disposal Authority.

5.2 Further details of the situation and proposed future options are included in the attached document which is exempt for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

5.3 Does the information submitted include any exempt information? No

This report does not contain exempt information but this is included in Appendices listed below.

List of Appendices:

Appendix 2a- Additional Information on the Proposed
Appendix 2b- Draft Deed of Variation
Appendix 2c- Draft Settlement Terms
Appendix 2d- Comparison of Costs

All these appendices are not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

6.0 Legal considerations:

6.1 The Joint Working Agreement was entered into in 2007 and remains the basis of the continued arrangements between the Council and Lancashire County Council in relation to the provision of services as part of the Council's role as Waste Disposal Authority. The Deed of Variation to the Agreement has been drafted in consultation with Lancashire County Council and agreed by the Council's Legal Services team and the final version will require the approval of both Councils prior to execution.

7.0 Human Resources considerations:

7.1 There are no Human Resource implications for the Council, albeit the team from Waste and Integrated Transport are already involved. Lancashire County Council is providing all resources required in relation to the termination of the contract, any relevant due diligence and transition arrangements. There are no equality issues or implications in relation to this decision.

8.0 Equalities considerations:

8.1 None arising from this decision.

9.0 Financial considerations:

9.1 Details of the financial consideration are exempt from publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and are outlined in the confidential Appendices to this report.

10.0 Risk management considerations:

10.1 Details of the risk management consideration are exempt from publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and are outlined in the confidential Appendices to this report.

11.0 Ethical considerations:

11.1 Going forward, performance of the plants will be overseen by a Board of Directors, which will include representation from the Council.

12.0 Internal/ External Consultation undertaken:

12.1 Consultation and dialogue has been ongoing with the Banks and Stakeholders.

13.0 Background papers:

13.1 None

ONLY APPLICABLE FOR REPORTS WHICH WILL EVENTUALLY BE CONSIDERED BY THE EXECUTIVE/ CABINET MEMBER

14.0 Key decision information:

- 14.1 Is this a key decision? YES
- 14.2 If so, Forward Plan reference number: 11/2014
- 14.3 If a key decision, is the decision required in less than five days? N/A
- 14.4 If **yes**, please describe the reason for urgency:

15.0 Call-in information:

- 15.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? NO
- 15.2 If **yes**, please give reason:

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC SERVICES

16.0 Scrutiny Committee Chairman (where appropriate):

Date informed: 11th July 2014 Date approved: N/A

17.0 Declarations of interest (if applicable):

17.1

18.0 Executive decision:

18.1

18.2 Date of Decision:

19.0 Reason(s) for decision:

19.1 **Date Decision published:**

20.0 Executive Members in attendance:

20.1

21.0 Call-in:

21.1

22.0 Notes:

22.1

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Report to:	EXECUTIVE
Relevant Officer:	Carl Carrington, Built Heritage Manager
Relevant Cabinet Member	Councillor C. Wright, Cabinet Member for Culture and Heritage
Date of Meeting:	21 st July 2014

CONFIRMATION OF NON-IMMEDIATE ARTICLE 4 DIRECTION - STANLEY PARK CONSERVATION AREA

1.0 Purpose of the report:

- 1.1 To consider confirming the Article 4(1) Direction order made on 25 October 2013 under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 as amended, in the form attached at Appendix 3a to this report, for Stanley Park Conservation Area and to come into force on 7 November 2014

2.0 Recommendation(s):

- 2.1 To confirm the making of the Article 4(1) Direction (to which Article 5 applies) made on 7 October 2013 under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 as amended, in the form attached at Appendix 3a for Stanley Park Conservation Area and to come into force on 7 November 2014.

3.0 Reasons for recommendation(s):

- 3.1 To maintain the character of Stanley Park Conservation Area.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? NO

3.2b Is the recommendation in accordance with the Council's approved budget? YES

- 3.3 Other alternative options to be considered:

Not to proceed with the order.

4.0 Council Priority:

- 4.1 The relevant Council Priority is:
'Expand and promote our tourism, arts, heritage and cultural offer'

5.0 Background Information

- 5.1 On 15 April 2013, Executive approval was received to make two new Article 4 Directions for Stanley Park Conservation Area. The Conservation Area was originally designated in 1984. The Council made an Article 4 Direction in 1984 to remove a number of permitted development rights under the Town and Country Planning General Permitted Development Orders 1977 to 1981. An Article 4 Direction enables any change to be appropriately managed through the planning system.
- 5.2 The 1984 Direction was made to allow the Council to control certain development which it considered would be prejudicial to the proper planning of the area and a threat to its amenity. The General Permitted Development Orders 1977 to 1981 have been revoked and the presently applicable General Permitted Development Order was introduced in 1995 and has subsequently been amended. It permits such development as attachment of satellite dishes, solar panels and creation of hard standing areas to the front of properties. Executive approval was given to make new Article 4 Directions to take account of the changes in legislation and to allow the management of the installation of such equipment through the planning process, so that the visual impact could be minimised by sensitive placement.
- 5.3 It was proposed to make one immediate and one non-immediate Direction for the Conservation Area, which would take effect on the dates given in the public notification subject to consideration of representations made. The immediate Direction would be a new Article 4 Direction to which Article 6 applies. This would reference the provisions of the amended 1995 Order rather than the provisions of the now revoked 1977-1981 Orders. The Article 4 Direction to which Article 6 applies was confirmed on 26 March 2014.
- 5.4 The National Planning Policy Framework which aims to achieve sustainable development states that 'The use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area.'
- 5.5 Directions under Article 5 and 6 require 6 weeks site display, local advertisement and notification of owners/occupiers. At least 21 days must be given for representations. The requisite notifications in relation to the Article 4 Direction shown at Appendix 1 to this report have been given, and the date for receipt of representations by the Council was 9 December 2013. The Secretary of State has also been informed as

required, and the details published on the Council's website. No representations have been received to this direction and the view of Service Manager Built Heritage is that the Direction is necessary having regard to the guidance, that the legal tests are met and that the Article 4(1) Direction to which Article 5 applies should be confirmed.

5.6 Does the information submitted include any exempt information? No

5.7 **List of Appendices:**

Appendix 3a Article 4 direction

6.0 **Legal considerations:**

6.1 The Town and Country Planning (General Permitted Development) Order 1995 as amended and the Town and Country Planning (Compensation)(England) Orders 2010 (No2 and No3) apply. Article 4 provides that a Local Planning Authority may make a direction if it is satisfied that that it is expedient that development should not be carried out unless permission is granted for it on an application. If the Direction is confirmed it will be necessary to give notice of confirmation in the same way that notification of its making were given and to inform the Secretary of State. An Article 4 Direction should be entered as a local land charge in Part 3 of the register as a 'Planning Charge' (Local Land Charges Rules 1977- rr2 (2) 3).

7.0 **Human Resources considerations:**

7.1 None

8.0 **Equalities considerations:**

8.1 None directly

9.0 **Financial considerations:**

9.1 Twelve months' notice of the intended changes in respect of the non- immediate Direction have been given in order to minimise any financial consequences arising from implementing the Article 4 Direction. Potential claims for compensation are time-limited to 12 months from the date of initial notification. It is not expected that there will be a significant increase in planning applications as a result of the new order. There are no planning fees for planning applications for works covered by the Article 4 Direction.

10.0 **Risk management considerations:**

10.1 None

11.0 Internal/ External Consultation undertaken:

11.1 A six week site display, local advertisement and notification of owners/occupiers has all previously been undertaken.

12.0 Background papers:

12.1 None

ONLY APPLICABLE FOR REPORTS WHICH WILL EVENTUALLY BE CONSIDERED BY THE EXECUTIVE/ CABINET MEMBER

14.0 Key decision information:

13.1 Is this a key decision? NO

13.2 If so, Forward Plan reference number:

13.3 If a key decision, is the decision required in less than five days? N/A

13.4 If **yes**, please describe the reason for urgency:

14.0 Call-in information:

14.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? NO

14.2 If **yes**, please give reason:

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC SERVICES

15.0 Scrutiny Committee Chairman (where appropriate):

Date informed: N/A

Date approved: N/A

16.0 Declarations of interest (if applicable):

16.1

17.0 Executive decision:

17.1

17.2 Date of Decision:

18.0 Reason(s) for decision:

18.1 Date Decision published:

19.0 Executive Members in attendance:

19.1

20.0 Call-in:

20.1

21.0 Notes:

21.1

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TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 5 APPLIES

WHEREAS Blackpool Borough Council being the appropriate local planning authority within the meaning of article 4(4) of the Town and Country Planning (General Permitted Development Order) 1995 as amended are satisfied that it is expedient that development of the descriptions set out in the Schedule below should not be carried out on the land within the Stanley Park Conservation Area shown edged with a thick black line on the attached plan, unless planning permission therefor is granted on an application made under Part III of the Town and Country Planning Act 1990 as amended

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 as amended hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the descriptions set out in the Schedule below:-

SCHEDULE

- (a) The enlargement of a dwellinghouse consisting of an addition or alteration to its roof being development comprised within Class B referred to in Part 1 of Schedule 2 of the said Order and not being development comprised within any other Class
- (b) Any other alteration to the roof of a dwellinghouse being development comprised within Class C referred to in Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class
- (c) The provision within the curtilage of the dwellinghouse of:-
 - (a) any building or enclosure swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse, as such, or the maintenance, improvement or other alteration of such a building or enclosure; or
 - (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gasbeing development comprised within Class E referred to in Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class

- (d) Development consisting of:-
- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
 - (b) the replacement in whole or in part of such a surface
- being development comprised within Class F referred to in Part 1 of Schedule 2 of the said Order and not being development comprised within any other Class
- (e) The installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse being development comprised within Class H referred to in Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class
- (f) The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse being development comprised within Class G referred to in Part 1 of Schedule 2 of the said Order and not being development comprised within any other Class
- (g) The installation, alteration or replacement, within an area lawfully used for off-street parking, of an electrical outlet mounted on a wall for recharging electric vehicles, being development comprised within Class D referred to in Part 2 of Schedule 2 of the said Order and not being development comprised within any other Class.
- (h) The installation, alteration or replacement, within an area lawfully used for off-street parking, of an upstand with an electrical outlet mounted on it for recharging electric vehicles being development comprised within Class E referred to in Part 2 of Schedule 2 to the said Order and not being development comprised within any other Class.
- (i) The installation, alteration or replacement of solar PV or solar thermal equipment on:-
- (a) a dwellinghouse or a block of flats; or
 - (b) a building situated within the curtilage of a dwellinghouse or a block of flats
- being development comprised within Class A referred to in Part 40 of Schedule 2 to the said Order and not being development comprised within any other Class
- (j) The installation, alteration or replacement of stand alone solar within the curtilage of a dwellinghouse or a block of flats, being development comprised within Class B referred to in Part 40 of Schedule 2 of the said Order and not being development comprised within any other Class

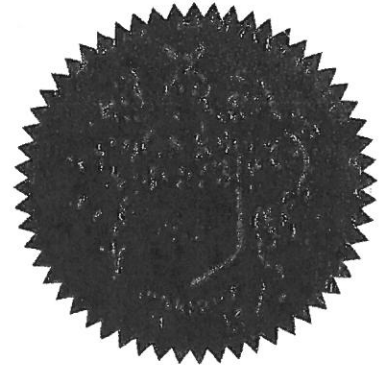
- (k) The installation, alteration or replacement of a ground source heat pump within the curtilage of dwellinghouse or a block of flats being development comprised within Class C referred to in Part 40 of Schedule 2 of the said Order and not being development comprised within any other Class
- (l) The installation, alteration or replacement of a water source heat pump within the curtilage of a dwellinghouse or a block of flats being development comprised within Class D referred to in Part 40 of Schedule 2 of the said Order and not being development comprised within any other Class.
- (m) The installation, alteration or replacement of a flue forming part of a biomass heating system, on a dwellinghouse or a block of flats being development comprised within Class E referred to in Part 40 of Schedule 2 of the said Order and not being development comprised within any other Class
- (n) The installation, alteration or replacement of a flue, forming part of a combined heat and power system, on a dwellinghouse or a block of flats being development comprised within Class F referred to in Part 40 of Schedule 2 of the said Order and not being development comprised within any other Class
- (o) The installation, alteration or replacement of an air source heat pump:-
 - (a) on a dwellinghouse or a block of flats; or
 - (b) within the curtilage of a dwellinghouse or a block of flats, including on a building within that curtilage
 being development comprised within Class G referred to in Part 40 of Schedule 2 to the said Order and not being development comprised within any other Class
- (p) The installation, alteration or replacement of a wind turbine on:-
 - (a) a detached dwellinghouse; or
 - (b) a detached building situated within the curtilage of a dwellinghouse or a block of flats
 being development comprised within Class H referred to in Part 40 of Schedule 2 to the said Order and not being development comprised within any other Class
- (q) The installation, alteration or replacement of a stand alone wind turbine within the curtilage of a dwellinghouse or a block of flats being development comprised within

Class I referred to in Part 40 of Schedule 2 of the said Order and not being development comprised within any other Class

- (r) The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in Schedule 2 to the said Order (other than by Class A of Part 2 of Schedule 2 to the said Order) being development comprised within Class B referred to in Part 2 of Schedule 2 to the said Order and not being development comprised within any other Class.
- (s) The installation, alteration or replacement on a building of a closed circuit television camera to be used for security purposes being development comprised within Class A referred to in Part 33 of the said Order and not being development comprised within any other Class.

Made under the Common Seal of Blackpool Borough Council this 7th day of October 2013

THE COMMON SEAL of BLACKPOOL BOROUGH COUNCIL was affixed to this Direction in the presence of:-



Authorised Signatory

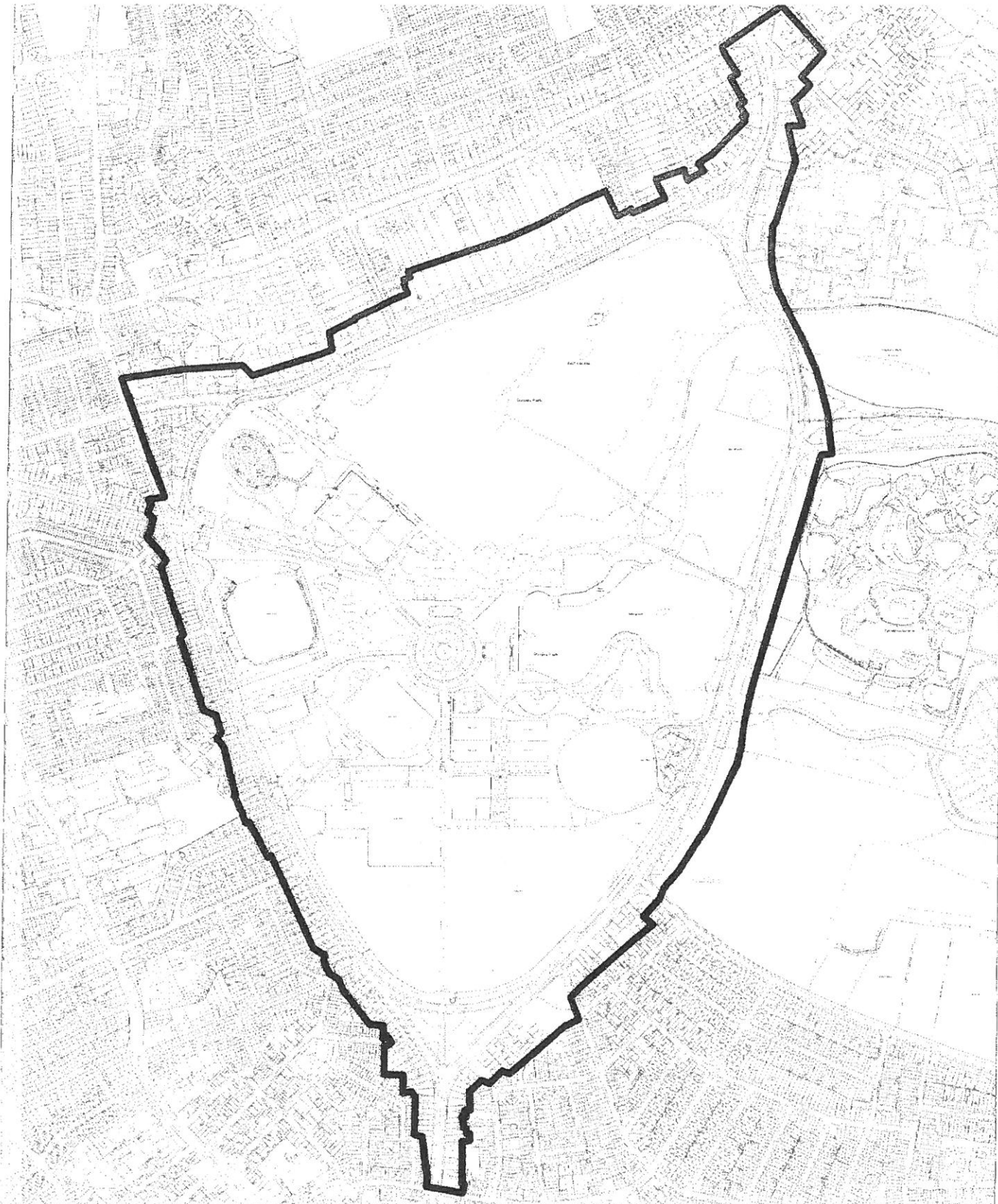
B. Barnes
Head of Legal Services

Confirmed under the Common Seal of Blackpool Borough Council this 201

day of

THE COMMON SEAL of BLACKPOOL BOROUGH COUNCIL was affixed to this Direction in the presence of:-

Authorised Signatory



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Planning & Transportation Division
Tourism & Regeneration Department
PO Box 17, Corporation Street,
Blackpool, FY1 1LZ
planning.transportation@blackpool.gov.uk



Title: Stanley Park Conservation Area

Scale: 1:8000

Date: 24/06/2013 Printed by:

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Report to:	EXECUTIVE
Relevant Officer:	Carl Carrington, Service Manager Built Heritage
Relevant Cabinet Member:	Councillor C. Wright, Cabinet Member for Culture and Heritage
Date of Meeting	21 st July 2014

DESIGNATION OF FOXHALL CONSERVATION AREA

1.0 Purpose of the report:

- 1.1 To consider recommending public consultation on the designation of Foxhall Conservation Area

2.0 Recommendation(s):

- 2.1 To agree to hold public consultation on the designation of Foxhall Conservation Area

3.0 Reasons for recommendation(s):

- 3.1 To carry out the Council's functions as required. To enable greater local development management control to help safeguard the architectural or historic character of Foxhall village whilst encouraging appropriate and high quality design for any new development if it is considered in due course that this area should be designated as a conservation area.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? NO

- 3.2b Is the recommendation in accordance with the Council's approved budget? YES

- 3.3 Other alternative options to be considered:

To not hold public consultation on the proposed designation.

4.0 Council Priority:

- 4.1 The relevant Council Priority is:
'Expand and promote our tourism, arts, heritage and cultural offer'

5.0 Background Information

- 5.1 The Government recognises that heritage assets can play an important role in the success of sustainable urban regeneration, helping to create distinctive places with a strong identity. Current guidance stresses the value of heritage in creating sustainable neighbourhoods. The Architectural History Practice Limited (AHP) was commissioned in September 2008 by Blackpool Council, funded by English Heritage, to prepare a historic townscape characterisation assessment of several areas of Blackpool, including Bloomfield. The study established that the best-preserved area was the grid of streets which includes York Street, Shannon Street, Yorkshire Street, Bairstow Street, Dale Street and east to Coop Street and Caroline Street. This distinctive group of densely-developed streets is one of the earliest parts of the study area, and it was concluded that there was potential for conservation area designation. There are currently no conservation areas or listed buildings in the area. Most of the buildings within the proposed area make a positive contribution to the distinctive character of the local townscape and some are locally listed. However, most buildings are of modest architectural quality and it is the unity of the terraced streets and their uniqueness in Blackpool rather than the individual merit of buildings that gives the area its distinctive character.
- 5.2 A conservation area is an "area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance", as set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Under this legislation, local authorities have a duty to designate such areas and to review them, and to use their planning powers to safeguard and enhance the special qualities of these areas within a framework of managing change with a positive approach. Designation automatically entails control over the demolition of unlisted buildings, strengthens controls over minor development and gives special protection to trees within the area. The National Planning Policy Framework (NPPF) states that the historic built environment is an irreplaceable resource, and strategies should be developed through Local Plans so that heritage assets are conserved in a manner appropriate to their significance. It also states that when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

- 5.3 Policy CS8 of the Blackpool Local Plan Part 1: Core Strategy - Revised Preferred Option 2012 states that development proposals will be supported which respect and draw inspiration from Blackpool’s built, social and cultural heritage. Proposals will be supported that strengthen the existing character created by historic buildings. Developers must demonstrate how the development will complement and enhance existing features of heritage significance including their wider setting for conservation areas, listed buildings and other identified heritage assets.
- 5.4 Foxhall developed as a dense area of lodging houses and private housing over a 50-year period beginning in the 1860s and providing affordable holiday accommodation for working people. This tight grid of streets was developed after the opening of Central Station in 1862 and Central Pier in 1868, close to the junction of Foxhall Road and Chapel Street. This area has recently become known as Foxhall Village, after the former Foxhall Inn. The town’s requirements for affordable, mass holiday accommodation resulted in a distinctive range of specialised housing known as ‘company housing’, built to provide lodging houses for working class holiday-makers. These were similar in appearance to Lancashire urban terraced housing but were planned and built on a larger scale, with long outshuts filling most of the rear yards, and with large single or two-storey bay windows to the front. Streets characteristic of this development include those around Yorkshire Street, Shannon Street and Coop Street.
- 5.5 If the recommendation is approved, there will be a period of public consultation. Results of this will be incorporated in a further report to the Executive for consideration as to whether the area should be formally designated.
- 5.6 Does the information submitted include any exempt information? No
- 5.7 **List of Appendices:**
Appendix 4a Map of proposed area.
- 6.0 Legal considerations:**
- 6.1 A conservation area is an “area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”, as set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Under this legislation, local authorities have a duty to 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, to review designations, and to use their planning powers to safeguard and enhance the special qualities of these areas within a framework of managing change with a positive approach. Designation automatically entails control over the demolition of unlisted buildings (subject to exemptions), strengthens controls over minor development and gives special

protection to trees within the area. Regard must be had to the provisions of the Equality Act 2010 and to the duty under s17 of the Crime and Disorder Act 1998. Regard must also be had to the Human Rights Act 1998 in particular Article 8 (right to respect for private and family life) and Article 1 (protection of property). Any interference with the rights protected by the Act must be necessary and proportionate in the interests of a democratic society.

7.0 Human Resources considerations:

7.1 There will be some officer time required to develop a conservation area management plan, and to carry out public consultation. .

8.0 Equalities considerations:

8.1 In order to ensure access for all in the community documents will be available equally to all and providing other formats when necessary. Documents will be available on the Council's website, in local libraries and at the Municipal Buildings.

9.0 Financial considerations:

9.1 Officer time cost is the only consideration under this heading and it is not envisaged that any external personnel or equipment will be required.

10.0 Risk management considerations:

10.1 None

11.0 Internal/ External Consultation undertaken:

11.1 Internal consultation has been undertaken with all relevant ward Members, Planning and Projects, Development Management and Control.

Further external consultation will be undertaken subject to the approval of this report.

12.0 Background papers:

12.1 Foxhall Conservation Area Appraisal

ONLY APPLICABLE FOR REPORTS WHICH WILL EVENTUALLY BE CONSIDERED BY THE EXECUTIVE/ CABINET MEMBER

13.0 Key decision information:

13.1 Is this a key decision? NO

13.2 If so, Forward Plan reference number:

13.3 If a key decision, is the decision required in less than five days? N/A

13.4 If **yes**, please describe the reason for urgency:

14.0 Call-in information:

14.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? NO

14.2 If **yes**, please give reason:

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC SERVICES

15.0 Scrutiny Committee Chairman (where appropriate):

Date informed: N/A Date approved: N/A

16.0 Declarations of interest (if applicable):

16.1

17.0 Executive decision:

17.1

17.2 Date of Decision:

18.0 Reason(s) for decision:

181 **Date Decision published:**

19.0 Executive Members in attendance:

19.1


20.0 Call-in:

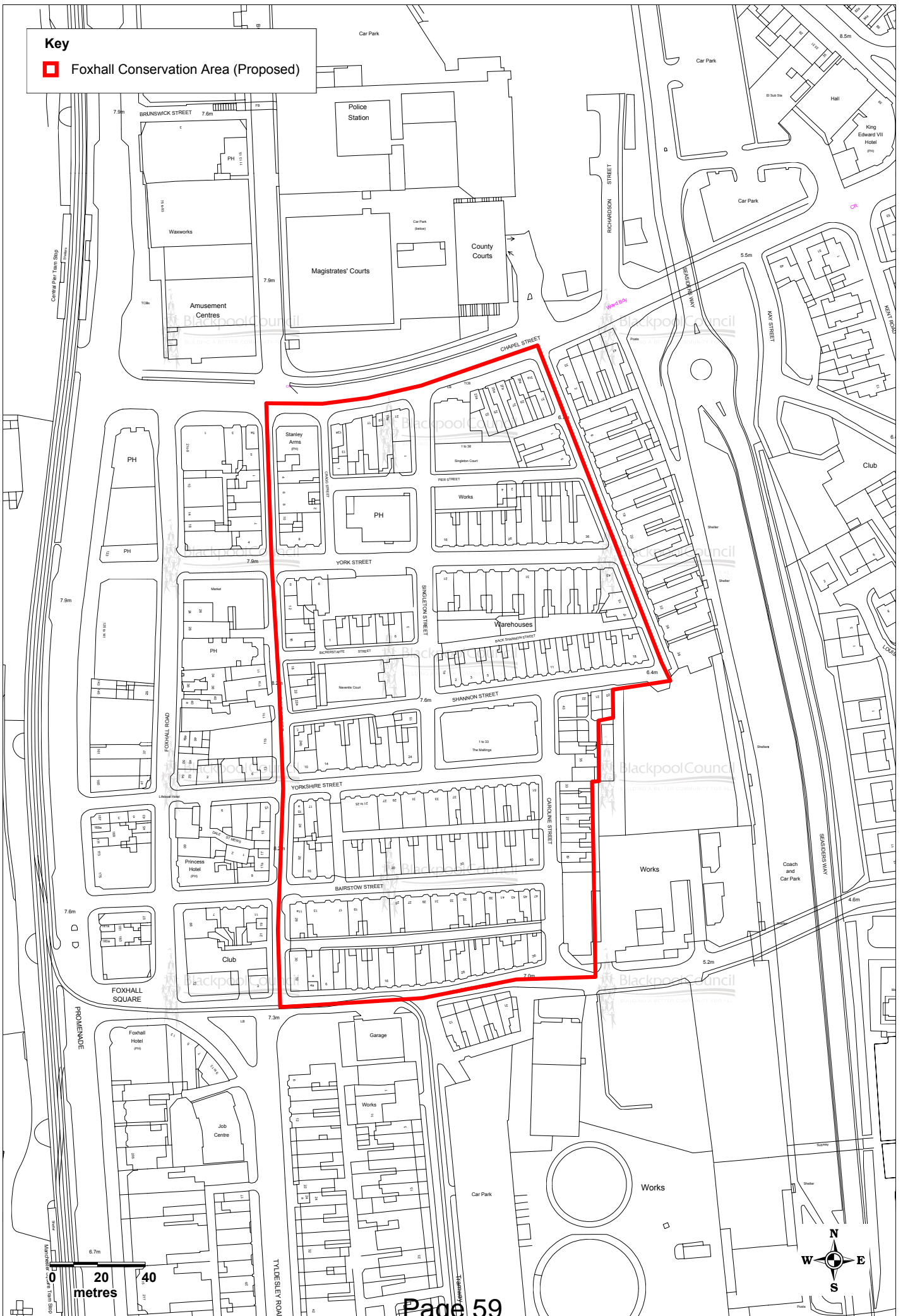
20.1

21.0 Notes:

21.1

Key

 Foxhall Conservation Area (Proposed)



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Report to:	EXECUTIVE
Relevant Officer:	Carl Carrington, Service Manager Built Heritage
Relevant Cabinet Member	Councillor C. Wright, Cabinet Member for Culture and Heritage
Date of Meeting	21 st July 2014

DESIGNATION OF RAIKES CONSERVATION AREA

1.0 Purpose of the report:

- 1.1 To consider recommending public consultation on the proposed designation of Raikes Conservation Area.

2.0 Recommendation(s):

- 2.1 To agree to hold public consultation on the proposed designation of Raikes Conservation Area.

3.0 Reasons for recommendation(s):

- 3.1 To carry out the Council's functions as required. To enable greater local development management control to help safeguard the architectural or historic character of the proposed Raikes conservation area whilst encouraging appropriate and high quality design for any new development if it is considered in due course that this area should be designated as a conservation area.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? NO

- 3.2b Is the recommendation in accordance with the Council's approved budget? YES

- 3.3 Other alternative options to be considered:

To not hold public consultation on the proposed designation.

4.0 Council Priority:

- 4.1 The relevant Council Priority is:
'Expand and promote our tourism, arts, heritage and cultural offer'

5.0 Background Information

- 5.1 The Architectural History Practice Limited [AHP] was commissioned in September 2008 by Blackpool Council, funded by English Heritage, to prepare historic townscape characterisation assessments for several areas of Blackpool, including Raikes. The study was intended to inform the Council's management of the historic environment and provide an evidence base for strategic planning policy and decision-making. Raikes was selected for this study in view of the high quality of the early 19th century and inter-war housing, developed on the former Raikes Hall estate.
- 5.2 The study was undertaken with reference to guidance from English Heritage and Commission for Architecture and Urban Environment on urban characterisation, particularly on the assessment of historic significance in areas of low demand housing, and the conservation area appraisal draws heavily on the subsequent characterisation report.
- 5.3 There are three listed buildings in the area and several more are locally listed. In addition, the characterisation report concluded that most of the buildings make a positive contribution to the distinctive character of the local townscape, and in heritage terms the area merited consideration for designation as a conservation area.
- 5.4 A conservation area is an "area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance", as set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Under this legislation, local authorities have a duty to designate such areas and to review them, and to use their planning powers to safeguard and enhance the special qualities of these areas within a framework of managing change with a positive approach. Designation automatically entails control over the demolition of unlisted buildings, strengthens controls over minor development and gives special protection to trees within the area. The National Planning Policy Framework (NPPF) states that the historic built environment is an irreplaceable resource, and strategies should be developed through Local Plans so that heritage assets are conserved in a manner appropriate to their significance. It also states that when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

- 5.5 Policy CS8 of the Blackpool Local Plan Part 1: Core Strategy - Revised Preferred Option 2012 states that development proposals will be supported which respect and draw inspiration from Blackpool's built, social and cultural heritage. Proposals will be supported that strengthen the existing character created by historic buildings. Developers must demonstrate how the development will complement and enhance existing features of heritage significance including their wider setting for conservation areas, listed buildings and other identified heritage assets.
- 5.6 Raikes can be summarised as a good, well-preserved example of a largely early 20th century suburb with notable religious buildings, almost all of which are of good or very good architectural and historical quality. It is one of the best surviving areas of suburban housing in Blackpool and compares well with comparable areas of similar date elsewhere in the country. It considered that the area bounded by Leamington Road, Bryan Road, Raikes Parade, Beech Avenue, Forest Gate and the east end of Reads Avenue merits being considered for designation as a conservation area. The area is distinctive for a combination of suburban character and historic interest. It incorporates two of the oldest buildings of Blackpool's central area, the late 18th century Raikes Hall and the No 3 pub. There are also places of worship and educational buildings of historic interest and architectural quality, some of which are listed buildings, and several buildings of Local List merit. The area has a strong character based on a partly 19th street pattern developed with early 20th century housing, and is one of the best examples of an area of inter-war housing in Blackpool. The historic townscape includes good views along key streets and westwards towards Blackpool Tower.
- 5.7 If the recommendation is approved, there will be a period of public consultation. Results of this will be incorporated in a further report to the Executive for consideration as to whether the area should be formally designated.
- 5.8 Does the information submitted include any exempt information? No

- 5.9 **List of Appendices:**
Appendix 5a Map of proposed area
- 6.0 **Legal considerations:**
- 6.1 A conservation area is an “area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”, as set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Under this legislation, local authorities have a duty to 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, to review designations, and to use their planning powers to safeguard and enhance the special qualities of these areas within a framework of managing change with a positive approach. Designation automatically entails control over the demolition of unlisted buildings (subject to exemptions), strengthens controls over minor development and gives special protection to trees within the area. Regard must be had to the provisions of the Equality Act 2010 and to the duty under s17 of the Crime and Disorder Act 1998. Regard must also be had to the Human Rights Act 1998 in particular Article 8 (right to respect for private and family life) and Article 1 (protection of property). Any interference with the rights protected by the Act must be necessary and proportionate in the interests of a democratic society.
- 7.0 **Human Resources considerations:**
- 7.1 There will be some officer time required to develop a conservation area management plan, and to carry out public consultation.
- 8.0 **Equalities considerations:**
- 8.1 In order to ensure access for all in the community documents will be available equally to all and providing other formats when necessary. Documents will be available on the Council’s website, in local libraries and at the Municipal Buildings.
- 9.0 **Financial considerations:**
- 9.1 Officer time cost is the only consideration under this heading and it is not envisaged that any external personnel or equipment will be required.
- 10.0 **Risk management considerations:**
- 10.1 None

11.0 Internal/ External Consultation undertaken:

11.1 Internal consultation has been undertaken with all relevant ward Members, Planning and Projects, Development Management and Control.

Further external consultation will be undertaken subject to the approval of this report.

12.0 Background papers:

12.1 Raikes Conservation Area Appraisal

ONLY APPLICABLE FOR REPORTS WHICH WILL EVENTUALLY BE CONSIDERED BY THE EXECUTIVE/ CABINET MEMBER

13.0 Key decision information:

13.1 Is this a key decision? NO

13.2 If so, Forward Plan reference number:

13.3 If a key decision, is the decision required in less than five days? N/A

13.4 If **yes**, please describe the reason for urgency:

14.0 Call-in information:

14.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? NO

14.2 If **yes**, please give reason:

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC SERVICES

15.0 Scrutiny Committee Chairman (where appropriate):

Date informed: N/A

Date approved: N/A

16.0 Declarations of interest (if applicable):

16.1

17.0 Executive decision:

17.1

17.2 Date of Decision:

18.0 Reason(s) for decision:

18.1 Date Decision published:

19.0 Executive Members in attendance:

19.1

20.0 Call-in:

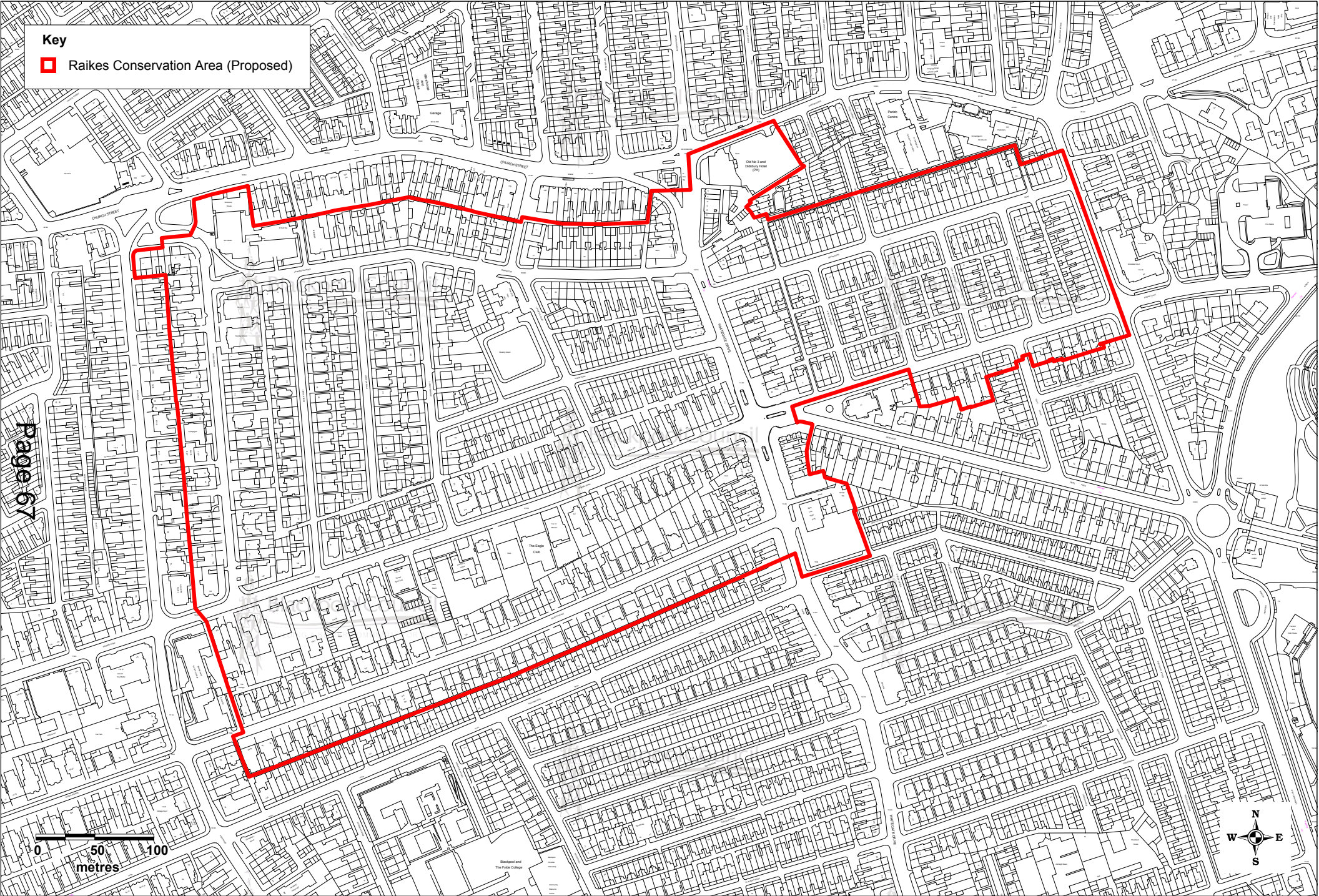
20.1

21.0 Notes:

21.1

Key

■ Raikes Conservation Area (Proposed)



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