

Briefing Note for Scrutiny Committee 5th October 2015

Cabinet Member for Planning and Economic Regeneration

At the meeting on 13th July 2015 Members of Scrutiny Committee recommended to Cabinet that performance on listed building and conservation area consent applications be identified as a matter of concern.

This paper covers performance in this area and the work of the Conservation Officers in order for the Scrutiny Committee to ask questions on these matters.

Listed Building Consent:

Listed building consent is required for demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest. This is separate from planning permission and covers both internal and external works to the building together with any buildings, structures and means of enclosure such as walls within the curtilage of the listed building.

Listed building consent applications are determined based on issues solely related to the character of the listed building, not wider planning issues and often requires specialist advice.

Determination of listed building consent applications takes place with the Development Management team, either by the conservation team where submitted as a stand-alone application or by planning case officers where submitted in conjunction with a planning application. In the latter instance, the conservation team would often be consulted.

To deliver a local planning authority's statutory duties, legislation confirms that properly informed input of specialist conservation advice and judgment is required.

Mid Devon district has approximately 2,500 listed buildings. Within 2014/15 85 applications for listed building consent were received, with 51 joint listed building consent and planning applications. There are 1.5 full time equivalent conservation staff in the Planning Service.

Conservation Area Consent:

The need for Conservation Area Consent applications for demolition works in a conservation area has been removed by the Government. Instead planning permission for these works is needed. This will be recorded as an application type within the 'other' category (see below).

Performance:

The Government sets national performance requirements for the determination of planning related applications. Listed building consent applications are considered one of the application types under the 'other' category where there is a requirement to decide 80% or more of such applications within 8 weeks of validation.

Performance for the determination of listed building consent applications and 'other' applications by quarter and whole for 2014/15 and the first quarter of 2015/16 was as follows:

Planning Service Performance	Target	2014/15				2014/15	2015/16
		Q1	Q2	Q3	Q4		
Listed building consents	80%	68	66	77	64	70	70
'Other' applications	80%	84	77	83	70	78	91

The Listed Building Consent application target was not met in 2014/15, nor within the first quarter of 15/16. However this must be viewed in context of work achieved by the Conservation Team including the assessment and designation of a new Conservation Area centred around Blundell's School, the review of the Article 4 Direction in Cullompton and contribution to enforcement investigation of breaches of planning control; the drafting of 5 new Conservation Area Appraisals and Management Plans.

Work areas within conservation have been reviewed and redistributed within the team.

Conservation team work areas:

The assessment and determination of listed building consent applications forms only part of the work areas of the conservation team. Other areas of work include:

- Consultation responses on planning applications where specialist conservation advice needed.
- Providing pre-application advice (for listed building consent and planning applications where heritage / conservation issues are relevant).
- Advice to Listed Building owners on repairs, maintenance and the meaning of listed status.

(Processing listed building consent applications, providing consultation responses and providing advice is estimated to take up 75-80% of conservation officer time).

- Dangerous buildings / structures - advice where listed buildings involved or conservation area affected. The Manor House Hotel, Cullompton has required significant conservation officer time. This is currently ongoing.
- Enforcement matters in relation to listed buildings and conservation areas. Work in conjunction with enforcement officers.
- Conservation area appraisals and management plans. Designation of new Conservation Areas such as Blundell's, Tiverton. 5 conservation area appraisals and management plans recently produced.

- Article 4 directions to limit permitted development rights in conservation areas (The Article 4 direction in Cullompton is in the process of being revised and associated design guidance written).
- Conservation Areas at Risk and Building at Risk. Identification to these, reporting to Historic England, negotiation with owners, specification of works, consideration of legal powers to take action such as repairs notice, sourcing funding for improvement schemes.
- Townscape Heritage Initiative. Consideration of potential for bid to be made for repair and facelift costs.
- Local Heritage Assets. Assessment of assets for designation and recording on the list that we are required to keep.
- Project work where specialist conservation advice is required. Current projects include Tiverton town centre regeneration and masterplanning, Burma Star war memorial relocation, Blundell's Road traffic calming and environmental enhancement scheme, Cullompton Town Team initiatives.
- Education and awareness raising on conservation related issues including advice notes and guidance.