

**Report of Environment and Design Group**

**Report to Chief Planning Officer**

**Date:** 15 August 2016

**Subject: Proposed Grand Quarter Conservation Area – public consultation on the proposed boundary and draft Conservation Area Appraisal and Management Plan**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): City and Hunslet Ward	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

1. The purpose of this report is to recommend approval for the public consultation phase of the intention to designate the Grand Quarter Conservation Area and adopt the Grand Quarter Conservation Area Appraisal and Management Plan as non-statutory planning guidance. Views will be sought on the proposed boundary and the draft version of the Conservation Area Appraisal and Management Plan.
2. The designation of the conservation area is a prerequisite of the area being eligible for the Heritage Lottery Fund (HLF) Townscape Heritage scheme (TH) currently being bid for. The deadline for the Stage 1 bid for the TH project is the end of August 2016. If successful, the area must be a designated conservation area by the time of the application to start the delivery phase of the scheme.

The TH scheme is a key funding element of the Council's focus on regenerating the New Briggate area. A successful bid will deliver important improvements to the Grand Arcade, Leeds Grand Theatre & Opera House, the New Briggate shops opposite and the public realm which are designed to improve and enhance its role in the economic and cultural life of the city (See briefing notes on the wider regeneration proposals – Appendix 1, and on the proposed conservation area including the proposed boundary – Appendix 2 and proposed timetable for its designation – Appendix 4).

## **Recommendations**

3. Approve the public consultation phase of the intention to designate the Grand Quarter Conservation Area and adopt a Conservation Area Appraisal and Management Plan as non-statutory planning guidance.

### **1 Purpose of this report**

- 1.1 The purpose of this report is to recommend approval for the public consultation phase of the intention to designate the Grand Quarter Conservation Area and adopt a Conservation Area Appraisal and Management Plan as non-statutory planning guidance. Views will be sought on the proposed boundary and the draft version of the Conservation Area Appraisal and Management Plan.

### **2 Background information**

- 2.1 Local planning authorities are under a legislative duty to review conservation area designations and to designate new conservation areas where need arises. There is also a legislative duty to formulate and publish proposals for the preservation and enhancement of conservation areas (commonly known as a Conservation Area Appraisal and Management Plan), endorsed at the local level in saved UDP policy N22 and reflected within National Planning Policy Guidance in the form of the NPPF. These needs have to be prioritised given staff resources and wider Council aims.
- 2.2 The New Briggate area is a regeneration focus for the Council and a Regeneration Vision is being developed setting out a number of proposed improvements to the area (see Appendix 3 for a consultation document on this emerging document - New Briggate Vision June 2016). A key funding element of regenerating the area is to submit a Townscape Heritage Stage 1 bid to the Heritage Lottery Fund in August 2016. To qualify for this funding the area must be a designated conservation area by the time of the application to start the delivery phase.

### **3 Main issues**

- 3.1 The Grand Quarter is a place of 'special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance' (Section 69 of the 1990 Planning (Listed Buildings and Conservation Areas) Act) making it worthy of conservation area designation.
- 3.2 Designating the area as a conservation area is recommended to formally recognise its significant heritage value, positively manage change in the area and promote its heritage-led regeneration, including attracting heritage funds such as the HLF TH bid.
- 3.3 The designation of the conservation area is a prerequisite requirement of the area being eligible for the HLF TH scheme. The Stage 1 bid for the TH project is being submitted at the end of August 2016 and, if successful, the area must be designated by the time of the application to start the delivery phase. The TH

scheme forms an important element of the Council's wider regeneration focus on the New Briggate area.

- 3.4 The proposal of this report is to approve the public consultation on the proposed Grand Quarter Conservation Area boundary and draft Appraisal and Management Plan. Following the public consultation, the boundary and appraisal will be amended as appropriate and then proposed for approval and adoption following the standard procedure. The proposal in the TH bid submission is to designate the conservation area, subject to public consultation, in Spring 2017 (see Appendix 4 for the proposed timetable of designation and adoption).
- 3.5 The intended designation of the Grand Quarter Conservation Area, following public consultation, supports the delivery of the Best Council Plan by aligning with the 2015-16 breakthrough projects of 'Promoting sustainable and inclusive economic growth' and 'Becoming a more efficient and enterprising council'. The proposed heritage-led regeneration of the area, stemming from the conservation area designation, will promote the full use of buildings in the area bringing vacant historic floor space back into economic use and addressing the long-term maintenance issues and inappropriate change that currently restrict the heritage value of the area being fully capitalised upon for the good of the city. In its partnership approach to the regeneration of the area the Council is working in an efficient and enterprising way.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Councillor Lewis has been fully briefed on the Council's wider regeneration focus on the area including the proposed designation of the Conservation Area (see Appendix 1 briefing paper).
- 4.1.2 There is no statutory requirement to consult on the designation or boundary amendment of a conservation area. However, proposals for the preservation and enhancement of conservation areas (ie management plan) must be submitted to a local public meeting. Historic England's guidance on conservation area appraisals recommends that public consultation is an integral part of the process involving the local community in evaluating what makes an area 'special', whether it should be designated and where the boundaries should be drawn.
- 4.1.3 The proposal of this report is to conduct a full consultation on the proposed conservation area in line with Historic England guidance and statutory requirements, including the consultation of ward and executive members, council officers, stakeholders and partners in the area and the wider public. The consultation will include a public meeting, a public display with access to the draft appraisal and management plan and proposed boundary and online access to the same.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 Legal Services have been asked to advise on the requirement for Equality Impact Assessment (EqIA) for the ongoing programme of conservation area appraisals and their advice is that they should be subject to screening. It was agreed that all conservation areas, whether new or being reviewed, should be subject to EqIA

screening. The guidance and screening document assist with assessing whether the function is relevant to equality, diversity, cohesion and integration. The use of the screening document provides a record of both the process and decision. The benefit of this is that where it is concluded that an EqIA is not required, there is evidence to demonstrate that this was considered at the relevant time. A EqIA screening paper will be completed and submitted to the Equality Team of Leeds City Council as required as part of the process of the proposed designation of the conservation area boundary and adoption of the appraisal and management plan in line with standard practice on the other recent conservation area reviews and designations.

### **4.3 Council policies and the Best Council Plan**

4.3.1 See 3.5 for the links to the Best Council Plan objectives.

4.3.2 Link to corporate priorities:

- Culture (CU1) - Increased participation in cultural opportunities through engaging with all our communities.
- Harmonious Communities (HM1) - More inclusive, varied and vibrant communities through empowering people to contribute to decision making and delivering local services.
- Harmonious Communities (HM2b) - An increased sense of belonging and pride in local neighbourhoods that help to build cohesive communities.
- Business Outcome (BO2) - We are an intelligent organisation, using quality information to commission better outcomes

### **4.4 Resources and value for money**

4.4.1 The public consultation and review process will be undertaken within the current resources of the Conservation Team. The conservation area may result in additional enquiries and caseload such as additional planning permission applications covering the works that would normally be regarded as permitted development, additional tree works enquiries and additional conservation advice. Other than these resource implications the proposals have no future expenditure implications for the Council.

4.4.2 The designation of the conservation area is a prerequisite requirement of the area being eligible for funding by the proposed HLF TH scheme.

### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 Under Part 3 Section 3E of the Council's Constitution (Officer Delegation Scheme (Executive Functions)) the Chief Planning Officer has authority to discharge any function of the Executive in relation to the authority's role as a local planning authority.

### **4.6 Risk Management**

4.6.1 There is no system of appeal in relation to the designation of conservation areas and adoption of appraisals and management plans. The only significant risk in following the proposals of this report would be an appeal on procedural grounds via a judicial review following designation and adoption of the appraisal and management plan. The procedure for the proposed designation will follow the

methodology used by the council for its other conservation area designations and appraisal and management plan adoption.

- 4.6.2 The significant risk of not designating the proposed conservation area and not adopting the appraisal and management plan is that the Council doesn't identify and protect the special architectural and historic character of the Grand Quarter and the heritage asset is not used as a positive factor in the regeneration of the area.

## **5 Conclusions**

- 5.1 Taking the proposed conservation area boundary and appraisal and management plan to public consultation is the next step in progressing the intention to designate the Grand Quarter Conservation Area. Designation of the area as a conservation area is a prerequisite for it to be eligible for the heritage-led regeneration bid being made to the Heritage Lottery Fund for the proposed Townscape Heritage scheme which is a key funding element of the Council's focus on the regeneration of the New Briggate area.

## **6 Recommendations**

- 6.1 To approve the public consultation phase of the intention to designate the Grand Quarter Conservation Area and adopt a Conservation Area Appraisal and Management Plan as non-statutory planning guidance.

## **7 Background documents<sup>1</sup>**

- 7.1 Appendix 1: Councillor R Lewis Briefing, Grand Quarter Townscape Heritage Bid Update, 18 July 2016
- Appendix 2: Proposed Grand Quarter Conservation Area briefing with proposed boundary
- Appendix 3: New Briggate Vision June 2016 – consultation document on the evolving regeneration vision for the area
- Appendix 4: Proposed timetable for the designation of the Grand Quarter Conservation Area and adoption of the appraisal and management plan

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.