



Report of the Chief Planning Officer

Executive Board

Date: 22 June 2011

Subject: RESPONSE TO DELEGATION TO COUNCIL BY DANOPTRA LTD RE PROPOSED HORSFORTH, CRAGG HILL AND WOODSIDE CONSERVATION AREA

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

EXECUTIVE SUMMARY

Danoptra Ltd, manufacturers of gaming machines located in Horsforth, objected to the proposed designation of a Horsforth, Cragg Hill and Woodside Conservation Area in their delegation to Council on the 6th April. They particularly objected to the inclusion of their premises in the proposed conservation area. They say that the appraisal document which defined the conservation does not follow national guidance and the fact that it has been revised several times shows that the City Council's approach is wrong.

In response, it is argued that the proposed conservation area is an area of special architectural or historic interest that merits designation and that the mill building within Danoptra's premises contributes positively to the area and should be included. The revisions to the appraisal document have not been substantive.

1.0 Purpose Of This Report

1.1 To respond to Danoptra Ltd's deputation to Council on the 6th April.

2.0 Background Information

2.1 The Area Committee have funded the preparation of a conservation area appraisal and management plan to make recommendations on the boundary of a conservation area and to make proposals to guide development in the area (see proposed boundary on attached plan).

2.2 The proposed conservation area includes the premises of Danoptra Ltd, manufacturers of gaming machines, who occupy an early 20th century former mill building. They have objected to the designation and the appraisal and management plan and made representations to Council on the 6th April.

3.0 Main Issues

3.1 There are three main issues raised in Danoptra's objection (attached):

1. Designation of conservation area

Danoptra object to the designation of a conservation area in the Horsforth, Cragg Hill and Woodside area saying that "...designation would in this case be unsound and invalid in heritage terms..." They also argue that the appraisal follows a pre-planned formula rather than addressing the merits of the area. The proposed area is incoherent and does not have sufficient merit to be designated as a conservation area.

Response to objection: the draft conservation area appraisal and management plan is an assessment of the heritage value of the area and on that basis proposes a boundary for the conservation area. It follows a template that is based on English Heritage guidance. It considers the whole of the area as an entity which has several component parts – mostly Victorian - reflecting its historical development. The appraisal shows the historical and townscape links between the parts which cause it to cohere as an area of special architectural and historic interest. Some neutral areas of 20th century housing are included within the area so that a convenient boundary can be drawn, but most buildings contribute positively to the proposed conservation area.

2. Inclusion of Danoptra's building in the conservation area

Danoptra have made the specific point that their premises should not be included in the proposed conservation area. Their consultant makes the argument that the former mill building

which is the largest building on their site is not of intrinsic historic interest, that it is not a landmark and that the boundary of the conservation has been contrived to include it.

Response to objection: Danoptra's premises include a former mill building dating from 1905 which is marked as "positive" in the appraisal document, the implication being that this should be retained unless it can be shown that this is not viable. There are modern flat-roofed buildings attached to this building shown in the foreground of the photograph at end of report which are not shown as positive and there is an additional statement in the appraisal that the sensitive redevelopment of these buildings is encouraged by the City Council.

The 1905 building does not have sufficient innate interest to make it of listable quality, but this is not the test for including buildings in conservation areas: it is the contribution to the *area* that matters. The former mill is a handsome stone building (see picture at end of report) which is a landmark, clearly visible on the approaches to the area. It sits in a knot of 19th century buildings at the eastern end of the proposed conservation area.

Danoptra have not made a case that including their premises in the conservation will affect the viability of their company or employment levels at their premises.

3. Drafting of appraisal and management plan

Danoptra argue that the redrafting of the appraisal reveals an initial unsound analysis. As a result, the document is fundamentally flawed and the only remedy is to start again.

Response to objection: the appraisal has been revised several times following two stages of public consultation with residents. The drafts of the appraisal are substantially the same. As a general point, it must be right that an appraisal can evolve and change as a draft and it is the robustness of the final version which is the key.

- 3.2 Prolonged and in depth consultation has taken place with Danoptra, either directly or through their representatives at Drivers Jonas Deloitte during the preparation of the appraisal document. The main steps of this consultation process with Danoptra and its results are summarised in **appendix 1**. It should be noted that the proposed conservation area has strong public backing, as well as the backing of Horsforth Town Council, Horsforth Civic Society and the Newlay Civic Society.

4.0 Implications For Council Policy And Governance

4.1 None.

5.0 Legal And Resource Implications

5.1 None.

6.0 Conclusions

6.1 The objections of Danoptra Ltd in their delegation to Council to the designation of the Horsforth, Cragg Hill and Woodside Conservation Area and the adoption of the appraisal and management plan have been considered and not accepted.

7.0 Recommendations

7.1 It is recommended that Executive Members note the report.

8.0 Background Papers

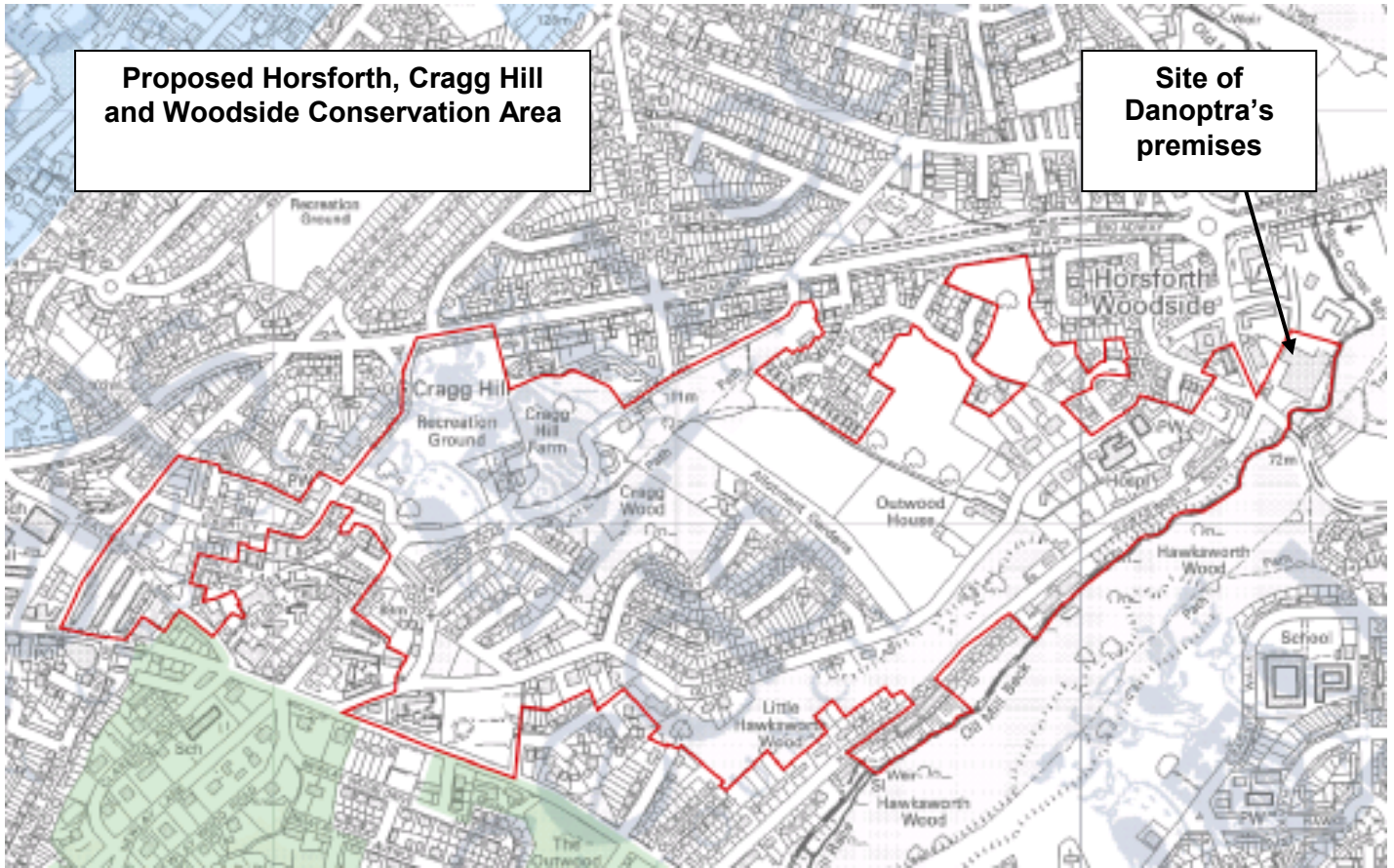
8.1 Briefing note for Members prepared by Danoptra Ltd regarding Proposed Horsforth and Cragg Hill Conservation Area Management Plan.

Appendix 1

- Following the launch of the initial consultation on 14th June, a leaflet was posted to the premises of Danoptra. A meeting was subsequently arranged with Phil Crabtree and others with representatives from Danoptra and Deloitte on 19th July. At this meeting it was agreed that they would have an extended consultation period until 6/8/10 (two weeks longer than the consultation period). Detailed responses were subsequently received on 6th August 2010.
- A report for the adoption and approval of the Horsforth Cragg Hill and Woodside Conservation Area at a Planning Board meeting on 13th August. It was agreed at this planning board that Danoptra should be directly engaged to discuss their concerns. An email was sent on 25/8/10 addressing their concerns and describing how following the public consultation period the document had been amended to address the concerns of Danoptra and other consultation responses. The main changes were the division of the conservation area into separate character areas in order to make the document more legible and better address the historical development of the area, and the reworking of the summary of special interest to better reflect the content of the document. Deloitte were contacted as Danoptra's representatives and given a deadline of 8/9/10 to respond. Subsequently they were given an extra week on top of this deadline for a response by 15/9/10.
- On 15/9/10 a further substantial objection response was received from Deloitte on behalf of Danoptra.
- The response was considered at Planning Board on 16/9/10. It was agreed that the Horsforth Cragg Hill and Woodside Conservation Appraisal and Management Plan should be amended at this point to better reflect Danoptra's concerns. A paragraph was inserted into the Horsforth Cragg Hill and Woodside Conservation Appraisal and Management Plan to identify how their building could be sympathetically developed. Minor amendments were also made to the document to reflect other concerns. Following these changes it was decided that a further three-week public consultation period was required for all respondents included Danoptra. This ran from 8th-29th November 2010.
- On 19th November 2010 a further objection was received from Deloitte, this time including a report from Roger Wool Associates, heritage consultants. Very little alteration took place to the document at this stage as it was felt all concerns had been addressed.
- A meeting took place between Danoptra and Tom Riordan on 1/12/10 where their concerns about the conservation area were aired. Following internal discussions a letter was sent to Danoptra from Tom Riordan's office on 17/12/10 supporting the inclusion of the mill in the conservation area.
- A letter was received from Eversheds, the legal representative of Danoptra, addressed to Tom Riordan on 6/1/11 wanting the conservation area designation to be debated by full council. A

response was sent by Steve Speak on 11/1/11 explaining the conservation area decision making process was officer led and that the conservation team would be happy to meet on site to discuss the future of Danoptra's building.

- A meeting was subsequently held at the Mill site in question and was attended by Cllr Richard Lewis, Cllr Brian Cleasby, Cllr Chris Townsley, representatives of Danoptra and officers of the Council. There was a tour of the mill and Danoptra outlined their concerns and expressed a desire to make a deputation to full council. This deputation subsequently took place on 6/4/11.



Proposed Horsforth, Crag Hill and Woodside Conservation Area

Site of Danoptra's premises



Premises of Danoptra Ltd – 1905 mill building in background