

## **MANAGEMENT OF CONSERVATION AREAS TASK GROUP**

**2 DECEMBER 2015**

Present: Councillor R Martins (Chair)  
Councillor  
Councillors K Collett, M Haley, A Joynes and L Topping

Also present:

Officers: Interim Development Management Section Head  
Urban Design and Conservation Manager  
Enforcement Officers (LS, SW)  
Committee and Scrutiny Support Officer (IM)

### **7 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **8 DISCLOSURES OF INTEREST**

There were none.

### **9 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 10 November 2015 were submitted and signed.

### **10 ENFORCEMENT**

The Task Group had received a Planning Enforcement Plan for 2015. This outlined how the Council dealt with alleged breaches of planning control and how it made decisions regarding enforcement action to rectify proven breaches.

Enforcement officers were invited to discuss how the enforcement process was undertaken in conservation areas, and whether the approach taken differed to non-conservation areas.

During a wide-ranging discussion, the following points were raised:

- conservation area designation did not remove permitted development rights for properties in that area. (Permitted development rights were granted by Parliament and not by the local authority.) Buildings within conservation

areas might be subject to Article 4 Directions, which would remove permitted development rights and require certain works to have planning permission

- in order to assist residents and businesses in conservation areas, local planning officers provided free advice and assistance on planning applications in those areas. They also imposed less onerous requirements on drawings and materials details
- Article 4 Directions varied between conservation areas. A full list of all the Article 4 Directions was included in the Conservation Areas Development Plan. Article 4 Directions did not cover building interiors
- General Permitted Development Orders (GPDO) had changed over time. It was important for local authorities to assess their Article 4 provisions to ensure that they kept pace with change, particularly in regard to new technologies such as satellite dishes and solar panels. This might be an area of work that the Task Group could recommend
- enforcement procedures needed to be consistent, regardless of whether the case was in a conservation area or not. Alleged breaches in conservation areas were not expedited. Different consideration was given to listed building enforcement, where work carried out without the necessary consent and failing to comply with a condition attached to that consent was a criminal offence
- enforcement action was discretionary and required officers to follow five key principles (proportionality, expediency, consistency, transparency and equality). Alleged breaches of planning control within a conservation area required consideration of whether planning permission was likely to have been granted had due process been allowed to take place
- breaches of control were dealt with according to set procedures, which also attached deadlines for completion at each stage. These were set out in paragraph 4.8 of Watford Borough Council's Planning Enforcement Plan 2015 (circulated with the agenda for this meeting)
- development became immune from enforcement if no action was taken within four years of substantial completion
- the number of complaints about alleged breaches of planning control in conservation areas was relatively small. There had been none in the last year concerning replacement windows
- there were insufficient Council resources to undertake proactive enforcement work. Prior to the departure of the Senior Planner (Urban Design and Conservation), all properties in Watford Borough Council's conservation areas had been photographed. This gave a baseline of information to use in any disputes. [A new officer – shared with Three Rivers District Council – would be in post from 7 December.]

- the Interim Development Management Section Head tabled a comparative spreadsheet, detailing planning enforcement benchmark statistics in the East Hertfordshire region. This quantitative data showed that very little proactive work was being undertaken by Watford and surrounding councils, although it was known that this was not necessarily the case outside Hertfordshire
- it was important to consider the Council's objectives with the introduction of any new restrictions. Objectives in different conservation areas might vary. For example, there had been some success in removing unnecessary street clutter (signage) in residential areas as well as replacing unsightly concrete bollards. However in the civic core there were issues about advertising and shop front design that needed to be balanced with the commercial needs of the area
- there was a lack of awareness about conservation areas as well as the implications of living or running a business in a conservation area. This might be assisted by using a standardised sign or symbol on existing street signs (although there was no desire to introduce additional street clutter)
- another suggestion, which could run in parallel with the street signage proposal above, would be the introduction of a dialogue box on the annual council tax and business rate notifications. This would alert the addressee to the fact that their house or business was located in a conservation area and would signpost them to further information about development issues
- the new Council website should make more prominent reference to conservation areas and the restrictions placed on development in these areas. Whilst comprehensive information was currently available on the website, it was not always easy to locate.

## 11 **CONSERVATION AREAS MANAGEMENT PLAN**

The Task Group had received an update of actions on the Conservation Areas Management Plan as well as a separate post completion evaluation report, which had been published in February 2015.

These reports were noted.

Any comments should be sent to the Committee and Scrutiny Support Officer.

## 12 **NEXT STEPS**

### **Tuesday 5 January 2016**

- Comparative study with Dacorum and/or St Albans
- Shop front design guide
- Preparation for 26 January drop-in
- Draft survey for all Councillors

**Tuesday 26 January 2016**

- Drop-in session at the Town Hall to gather views from residents, residents associations and other interested parties (5.00pm to 8.30pm?)

**Tuesday 2 February 2016**

- Review of feedback from the drop-in session and related information
- Recommendations for the final report

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**DATE OF NEXT MEETINGS**

- Tuesday 5 January
- Tuesday 26 January
- Tuesday 2 February (to begin at 6.00pm)

Chair

The Meeting started at 6.30 pm  
and finished at 7.55 pm