



PLANNING COMMITTEE – 14TH MAY 2014

SUBJECT: PROPOSED REVIEW, EXTENSION AND RE-DESIGNATION OF BUTE TOWN CONSERVATION AREA

REPORT BY: DIRECTOR OF THE ENVIRONMENT

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is for Planning Committee to consider a recommendation that: 1) the existing Bute Town Conservation Area be reviewed; 2) that a public consultation exercise be carried out with a view to extending its boundary and subsequently re-designating it; and 3) a review be undertaken to determine the effectiveness of the existing Article 4 Direction that has been in place since 23rd April 1979 and which removes some of the permitted development rights of householders.
- 1.2 The proposed review is required in order to fully align the Conservation Area Boundary with the boundary of the proposed Heritage Lottery Fund's (HLF's) Townscape Heritage (TH) grants programme area. The Council has been awarded a Round 1 pass to develop a heritage scheme for Bute Town and officers are working with landowners and residents in the area to develop the project towards a Round 2 bid in 2015.

2. SUMMARY

- 2.1 Having now secured a Round 1 pass in January 2014 under the project bid title 'Re-uniting Bute Town with its Heritage,' the TH project is now entering into the development stage of the process leading to a Round 2 application to the HLF in 2015.
- 2.2 As part of this process it has become essential to consider reviewing both the existing Bute Town Conservation Area boundary and the associated Article 4 Direction following their designations in the 1970's.

3. LINKS TO STRATEGY

- 3.1 The Key Objectives relevant within the Caerphilly County Borough Council Local Development Plan up to 2021 (Adopted November 2010) are to: -
 - 22 Maintain the vitality, viability and character of the County Borough's town and village centres and re-establish them as a focus for economic activity and community pride.
 - 23 Maintain, enhance and develop a hierarchy of town and village centres which are easily accessible, and which meet the needs of all sections of the population.
 - 24 Protect and enhance the overall quality of the historic natural and built environment of the County Borough.
- 3.2 Bute Town was also identified as an important 'Gateway' to the county borough in the landscaping proposals funded through the Heads of the Valleys Programme. The settlement has a high profile both in terms of its conservation importance and its strategic location, just

south of the Heads of the Valley Road.

- The Welsh Government has several objectives which include:
- Enhancing the historic environment;
- Safeguarding historic buildings; and
- Ensuring that conservation areas are protected and enhanced.

- 3.3 Planning Policy Wales (Edition 6) February 2014 states in paragraph 6.3.2 'Local planning authorities are required to formulate and publish proposals for the preservation or enhancement of conservation areas. The positive management of conservation areas is necessary if their character or appearance is to be protected and enhanced. Authorities should establish consistent criteria against which existing and / or new conservation areas and their boundaries should be reviewed.' In paragraph 6.3.3 it also states that the 'preparation of townscape audits and conservation area character appraisals can assist planning authorities in the exercise of their planning and development management functions.' A recent character appraisal for Bute Town was produced and submitted at the Round 1 HLF bid stage and this will continue to be developed and updated in accordance with the Round 2 stage HLF bid.
- 3.4 Local Planning Authorities have an important role in securing the conservation of the historic environment while ensuring that it accommodates and remains responsive to present day needs. This is a key aspect of the Local Authority's' wider sustainable development responsibilities, which should in particular be taken into account in the exercise of its development management functions. There is a range of planning controls relevant to the terraced housing in Bute Town, in relation to their listed status and the area's protection by conservation area designation.

4. THE REPORT

Background

- 4.1 Bute Town, also known locally as Drenewydd is a small, self-contained community comprising 43 houses, St. Aidan's Church and the Windsor Arms Public House. Bute Town has exceptional significance as a rare surviving example of one of the earliest planned industrial worker's housing developments in Wales and all 45 properties are situated within the designated Conservation Area and all but one (St Aidan's Church) have been grade II listed by Cadw as buildings of special architectural or historic interest. It is also one of the most elaborate, complete and best preserved industrial workers' housing development in South Wales. Its most conspicuous characteristic is its roof-scape of shallow pitched roofs and deeply overhanging eaves. Other significant features include the symmetry of the composition and its substantial, locally quarried stone walls with deep-set openings. It is situated just south of the Heads of the Valleys Road (A465) – overlooking the upper reaches of the River Rhymney, to the north of Rhymney itself.
- 4.2 The Local Planning Authority (LPA), under Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), has a duty from time to time 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,' and to 'designate those areas as conservation areas.'
- 4.3 In addition, under Section 69(2) of the Act it is the duty of the LPA to review those parts that have already been designated conservation areas under this section and to establish whether the conservation area should be extended, varied or cancelled as a result of such a review.
- 4.4 Conservation Areas were first introduced by the Civic Amenities Act 1967. Bute Town was declared a Conservation Area under the terms of this Act on 20th October 1972.

- 4.5 On the 21 May 2013, the Regeneration and Environment Scrutiny Committee considered a report that explored ways in which a heritage scheme could be taken forward in Butetown. As part of this project officers indicated that in order to develop a successful scheme there would be a need to review the existing conservation area designation so that it would more appropriately accord with the proposals set out in the Heritage Lottery Fund (HLF) Round 1 Townscape Heritage Grants Programme application that was submitted to the HLF by the Council in August 2013.
- 4.6 Having secured a Round 1 pass in January 2014 under the project bid title 'Re-uniting Bute Town with its Heritage' the project is now entering into the development stage of the process leading to a Round 2 application to the HLF in early 2015.
- 4.7 The application will include a number of proposals for Bute Town including: re-building chimney stacks and providing new roofs to the area's grade II listed properties; interpretation information of the Upper Furnace Ironworks, Rhymney, (a scheduled ancient monument); and general environmental enhancement works to the area to physically link the village with its past. As an integral part of this process a new conservation area character appraisal has been undertaken and the conservation area boundary has been reviewed. The review has also included those areas that were formerly outside of the Conservation Area but which need to be included if they are to form part of the Round 2 TH (HLF) funding bid.

Conservation Area Boundary Review

- 4.8 The rural setting of Bute Town is predominantly formed by the surrounding rough pastureland – the village itself sits on the grassed South facing foothills of the Brecon Beacons. West of the site is the A469. East of the development is the footpath that leads down over the River Rhymney and then on to the B4257, and across to the Old Furnace Farmhouse, Rhymney House Hotel (formerly the Manager's House of the Rhymney Iron Company), and the Union Ironworks site, also known as Upper Furnace, Llechryd, Rhymney, built in 1801 and now a scheduled ancient monument.
- 4.9 It is these additional areas of significance described in paragraph 4.8 that need to be explored in more detail to give a much wider understanding of the area and its development in the early 19th century and which should be considered for inclusion within the re-designated conservation area. A map housing the extent of the amended Conservation area is also attached. Colour copies of these documents can be viewed at the Council's Planning Division.
- 4.10 A Bute Town (Drenewydd) Conservation Area Character Appraisal was produced in July 2013 as part of the supporting documentation for the HLF Round 1 application for Townscape Heritage (TH) funding. This appraisal is attached in Appendix 1 of this report. This appraisal will form part of the evidence base towards the review of the Conservation Area. A map showing the extent of the amended Conservation area is also attached. Colour copies of these documents can be viewed at the Council's Planning Division.

Article 4 Directions

- 4.11 As part of the review process it is also proposed to review the effectiveness of the existing Article 4 Direction that has been in place since 23rd April 1979 and which removes some of the permitted development rights of householders that would normally allow works to be carried out without permission from the Council.
- 4.12 The objectives of conservation area designation can generally be met through a Planning Authority's development management functions. The General Permitted Development Order requires planning applications for certain types of development in conservation areas, which outside these areas would be classified as permitted development. However in exceptional circumstances, Local Planning Authorities can withdraw specific permitted development rights through the **use of Article 4 Directions**. The designation of a conservation area does not in itself automatically justify making an Article 4 Direction.

- 4.13 The Local Planning Authority must notify residents and take account of local views as part of this review process and prior to reconfirming or otherwise any Article 4 Direction.

Community Involvement

- 4.14 Whilst there is no statutory requirement to consult prior to re-designation of the Conservation Area, there should be an appropriate level of consultation undertaken with residents, landowners and people with a specific interest in the area. The greater the public support for the designation the more successful its implementation will be without the need for additional statutory controls.
- 4.15 The initial public consultation exercise will take the form of an information letter to residents; followed by a 'drop in' tea/coffee morning at a nearby location. This will enable residents and others with an interest, to raise any views and/or concerns they may have in respect of the proposals and make recommendations for minor or major changes.
- 4.16 In due course there may be a need for a formal public meeting to be held concerning any enhancements proposed for the Conservation Area if the Council is successful in its funding application.

5. FINANCIAL IMPLICATIONS

- 5.1 There are some minor financial implications to the Conservation Area review of Bute Town but these will not be borne entirely by the LPA. These relate to the statutory duty of the LPA to publish two Notices, one of the variation and re-designation of the Conservation Area boundary and also of the replacement Article 4 Direction in the London Gazette and in at least one local newspaper circulating in the area of the LPA. It has already been confirmed with the HLF that these costs can be met from the development grant already allocated to the Council in January 2014, i.e. out of the £134,200 (95%) from the HLF and £7,100 (5%) contribution from the Council.

6. PERSONNEL IMPLICATIONS

- 6.1 None

7. CONSULTATIONS

- 7.1 Comments received have been covered in the body of the report.

8. RECOMMENDATIONS

- 8.1 It is recommended that both the existing Bute Town Conservation Area and the Article 4 Direction be reviewed and be the subject of a public consultation exercise, with the expectation that the conservation area boundary will be re-designated accordingly and the effectiveness of the existing Article 4 Direction will be determined and if necessary replaced.

9. REASONS FOR THE RECOMMENDATIONS

- 9.1 To ensure that a proper review of the Bute Town Conservation Area is undertaken in conjunction with a public consultation exercise prior to developing plans to extend and re-designate the Conservation Area and review the Article 4 Direction.

10. STATUTORY POWERS

10.1 Planning (Listed Buildings and Conservation Areas) Act 1990, Welsh Office Circulars 61/96 & 1/98 and Planning Policy Wales (February 2014).

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Background Papers: Planning (Listed Buildings and Conservation Areas) Act 1990
Planning Policy Wales (February 2014)
Welsh Office Circulars 61/96 & 1/98

Appendices:
Appendix 1 Bute Town (Drenewydd) Conservation Area Character Appraisal July 2013
Appendix 2 Location Plan: Bute Town, Rhymney - "Reuniting Bute Town with its Heritage" (HLF TH bid)