

REPORT OF THE DEPUTY DIRECTOR (PLANNING AND COMMUNITY STRATEGY)
TO THE EXECUTIVE
7 DECEMBER 2007

Cumnor Hill Conservation Area – Proposal by Cumnor Parish Council

1.0 Introduction and Report Summary

- 1.1 Cumnor Parish Council have requested the District Council to consider designating part of Cumnor Hill and Third Acre Rise, Cumnor a conservation area.
- 1.2 The contact officer for this report is Grant Audley Miller, Section Head (Environmental Planning & Conservation), telephone (01235 540343). Email address: **grant.audley-miller@whitehorsedc.co.uk**

2.0 Recommendations

- (a) *That a conservation area be not designated on the lower slopes of Cumnor Hill and Third Acre Rise for the reasons set out in paragraphs 5.5-5.7.*
- (b) *That instead, efforts be concentrated on the proposed design guide supplementary planning document as the appropriate means of protecting areas of low density housing in the Vale such as Cumnor Hill.*
- (c) *That the Executive be asked to look into the possibility of the production of some earlier document to provide guidance across the whole of the District for similar areas prior to the production of the Local Development Framework.*

3.0 Relationship with the Council's Vision, Strategies and Policies

- 3.1 This report supports the Council's Vision Statement objectives A&F.

4.0 Cumnor Parish Council's Proposal

- 4.1 Cumnor Parish Council have applied to the District Council to designate the lower slopes of Cumnor Hill and Third Acre Rise a conservation area. The Parish are concerned 'that the area's qualities are not sufficiently recognised by the Planning Authority, and that the character of the area will be lost over the next few years unless immediate action is taken'.
- 4.2 The proposal is supported by a comprehensive statement (attached at Appendix 1), describing the spacious and sylvan character of this part of Cumnor Hill. It describes in considerable detail how the age, style and relative merits of the buildings and the topography and open spaces contribute to the character of the area.
- 4.3 A survey of residents, confined to those living in the proposed area, was carried out on behalf of the Parish Council in February 2007. Out of almost 70 properties in the proposed area, 44 survey forms were returned, 42 in support of the designation and 2 objecting.

5.0 Conservation Area Designation

- 5.1 Guidance contained in PPS1 sets out the Government's commitment to protecting and enhancing the quality of the natural and historic environment and stresses that planning authorities should seek to enhance the environment as part of development proposals.
- 5.2 The Governments' detailed advice on conservation areas is set out in PPG 15 Planning and the Historic Environment. This clearly confirms that Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to designate conservation areas in any 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. In particular it notes that 'in considering further designations authorities should bear in mind that it is important that conservation areas are seen to justify their status and that the concept is not devalued by the designation of areas lacking any special interest'.
- 5.3 English Heritage's publication "Guidance on Conservation Area Appraisals" stresses that 'for the designation of conservation areas to be effective, however, it is important that rational and consistent judgements are made in determining their special qualities and local distinctiveness, as well as their value to the local community. Such judgements should be based on a thorough understanding of the area in its wider context, reached through a detailed appraisal of its character'.
- 5.4 The central issue to be considered therefore, is, whether the lower slopes Cumnor Hill and Third Acre Rise as proposed by Cumnor Parish Council have a character of special architectural or historic interest.
- 5.5 Officers, including the Conservation Area Appraisals Project Officer who is undertaking appraisals of the existing conservation areas, have undertaken a review of the area put forward by Cumnor Parish Council, based on English Heritage's guidance. On the basis of the review officers consider that although the proposed area has a mature and spacious character it does not have special architectural or historic interest – the essential requirement for designating conservation areas. Unlike other conservation areas designated in the Vale, the suggested area at Cumnor Hill is not based around clearly defined groups of listed buildings or other acknowledged features of architectural or historic interest such as ancient monuments and historic parks and gardens. Furthermore, it is not considered that the proposed area or any of the surrounding streets have features or characteristics that give them interest that is special when compared to suburbs of similar age and style in and around Oxford and the main settlements of the Vale. To designate it as a conservation area would be likely to lead to pressure for this council to consider designating conservation areas in other similar low density suburbs in the Vale which in your officers opinion would be contrary to government advice in PPG 15 that the concept of conservation areas is not devalued by the designation of areas lacking any special interest.
- 5.6 In addition, the boundary of the proposed area appears to have been arbitrarily drawn. In the opinion of officers it would be difficult to justify this boundary as other parts of Cumnor Hill and parts of roads such as Arnolds Way, Hurst Rise Road, Stanville Road, Cumnor Rise Road have characters of comparable quality to the area put forward by the Parish Council.
- 5.7 English Heritage have produced advice entitled "Suburbs and the Historic Environment" which recognises that many suburbs are undergoing significant change and sets out how local authorities can best respond to the challenges they face. It

makes it clear that although most suburbs are not designated conservation areas, Supplementary Planning Documents (SPDs) have an important role to play in controlling some of the trends affecting them. Members should be aware that in the brief that has been prepared for consultants to tender for the production of the 'Design Guide for the Vale' it is a requirement to provide detailed guidance on design issues in areas of low density housing such as Cumnor Hill and Oxford Road, Abingdon. This design guide will become an SPD and in accordance with the Local Development Scheme the draft will be going out for consultation in June-July 2008 with adoption programmed for December 2008.

- 5.8 The Development Control Committee considered this matter at its meeting on 5 November 2007 and resolved to ask the Executive to look into the possibility of some earlier guidance being produced for similar areas across the Vale, before the production of the Local Development Framework (see the draft minutes of the Development Control Committee set out in appendix B).
- 5.9 In considering this recommendation the Executive needs to be aware of a number of key points. To prepare guidance of the type suggested at the Development Control Committee would require extensive analytical work to assess the character of similar, but not identical areas across the Vale and produce guidance properly reflecting and taking account of the detailed characteristics of these areas. In the light of the current commitments of the Local Development Scheme to produce the Preferred Options Report, carry out public participation for the Core Strategy and progress the Vale Design Guide SPD with consultants there are insufficient resources to undertake such an exercise. Secondly it is vital if such a document were to be used as a material consideration in the determination of planning applications public consultation would need to be carried out and taken into account in preparing the final draft. This would impose constraints on how quickly it could be produced and would mean that realistically it would not be produced much in advance of the Vale design guide SPD. But even if the resources were available to produce such a document and carry out consultation the end result would be an informal planning document that would carry some, but only limited weight on appeal.
- 5.10 In dismissing an appeal at Arnolds Way an inspector took into account the character of the most established housing in the area. This is just one example of recent appeal decisions where planning inspectors have taken account of the character of the area and supported the local plan housing and design policies that seek to ensure new development does not harm the character, appearance and local distinctiveness of an area. This support will enable the Council to apply these policies with more rigour.

6.0 Conclusion

- 6.1 It is agreed that Cumnor Hill has a mature and spacious character but it is difficult to justify it having a character which is of special architectural or historic interest. The Vale design guide, as SPD is considered the more appropriate method for helping to control and guide development on Cumnor Hill and other suburbs in the Vale.

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