

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>4 December 2018</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Subject:	<b>New Lanark and Falls of Clyde Conservation Area Appraisal</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ Update Committee on the preparation of the Conservation Area Appraisal for New Lanark and the Falls of Clyde and seek approval for its publication and adoption as non-statutory planning guidance.

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) Approve the Conservation Area Appraisal for New Lanark and Falls of Clyde (subject to the Head of Planning and Economic Development being authorised to modify the document to take account of minor drafting changes and technical matters) and adopt it as non-statutory planning guidance.

## 3. Background

3.1. A Conservation Area Appraisal is a document which identifies the key elements of a conservation area, guides the Development Management Process and identifies opportunities for its improvement and enhancement. A Conservation Area Appraisal (CAA) for New Lanark and Falls of Clyde was previously prepared and consulted upon in 2011. As a result of the public consultation exercise, no objections to the draft document were received and a number of issues that were raised resulted in revisions to it. Subsequently, the Planning Committee, on 23 August 2011, agreed to approve the CAA and adopt it as supplementary guidance. However, for the reasons set out below, the appraisal was not published in 2011 and, given the passage of time, it is appropriate to report the CAA back to Committee prior to publication.

## 4. Current Proposal

4.1 The CAA, approved by Committee in 2011, comprised five sections.

- Part 1 provides a summary of the legislative background to conservation areas and the purpose of carrying out a Conservation Area Appraisal
- Part 2 outlines the historical development of New Lanark from the medieval period to the 20<sup>th</sup> century
- Part 3 provides an assessment of the significance of the key characteristics of historical and cultural value
- Part 4 contains an analysis of key townscape characteristics including topography, setting, views and vistas, building materials and architectural character

- Part 5 outlines the Council's existing policies and proposals for preservation and enhancement, including a new Article 4 Direction.

One of the proposals in part 5 of the document identified an opportunity to protect the New Lanark and Falls of Clyde Conservation Area from proliferation of minor alterations to buildings, which cumulatively can lead to the erosion of the character of the area, by restricting permitted development rights which existed at that time. The legislative vehicle to restrict permitted development rights is an Article 4 Direction under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. The CAA approved at the time included a list of classes of development that an Article 4 direction could control.

- 4.2 In 2011, the Scottish Government reviewed and altered many of the householder permitted development rights which had the effect of proposals for minor alterations and extensions to houses in conservation areas requiring planning permission. Since then, there have been further changes across a range of classes and new classes to reflect new micro-renewable technologies have been added. Consequently, the classes of development previously identified in the CAA to be restricted have been removed or altered and new classes have been introduced. As a result, the publication of the CAA has been delayed.
- 4.2 Despite the passage of time, the contents of the CAA approved in 2011 and, in particular, the proposals for preservation and enhancement, remain relevant and fit for purpose. The use of an Article 4 Direction to control development is still considered to be appropriate within a suite of intentions for protection and enhancement. As such, it is proposed the CAA, as previously approved, is published subject to some minor changes to reflect the current position on permitted development rights and the continuing need for an Article 4 Direction. The outcome of any public consultation on an Article 4 Direction would be reported to Committee, prior to any submission to the Scottish Government for their approval. A copy of the document which members are being asked to approve is available in the respective members' areas.

## **5 The Next Steps**

- 5.1 Following Committee approval, the New Lanark and Falls of Clyde Conservation Area Appraisal will be made available on the Council's website and be adopted as non-statutory planning guidance and a material consideration in the determination of applications affecting New Lanark and Falls of Clyde Conservation Area. In addition, it will be used to assist in:-
- the preparation and assessment of development applications
  - planning briefs and other area based proposals
  - promoting the special qualities and distinctiveness of New Lanark and Falls of Clyde built environment
  - setting out the parameters and implications of an Article 4 Direction

## **5. Employee Implications**

- 5.1. There are no employee implications. Any work undertaken in connection with the Appraisal can be met from existing resources.

## **6. Financial Implications**

- 6.1. There are no budgetary implications at this stage. Any publishing costs can be met from existing revenue budgets

## **7. Other Implications**

- 7.1. There are no implications for risk or sustainability in terms of the information contained in this report.

## **8. Equality Impact Arrangements and Consultation Arrangements**

- 8.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore, no impact assessment is required. The CAA has been the subject of public consultation.

**Michael McGlynn**

**Executive Director (Community and Enterprise Resources)**

Date: 14 November 2018

### **Link(s) to Council Values/Ambitions/Objectives**

- Supporting the local economy by providing the right conditions for inclusive growth
- Work with communities and partners to promote high quality, thriving and sustainable communities

### **Previous References**

Report to Planning Committee, 23 August 2011, New Lanark and Falls of Clyde Conservation Area Character Appraisal

### **List of Background Papers**

- New Lanark and Falls of Clyde Conservation Area Appraisal

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact: -

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