

Date of meeting: 09 July 2019  
Title of Report: Designation of City Centre Conservation Area  
Lead Member: Councillor Tudor Evans OBE (Leader)  
Lead Strategic Director: Anthony Payne (Strategic Director for Place)  
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Your Reference: [Click here to enter text.](#)  
Key Decision: No  
Confidentiality: Part I - Official

### **Purpose of Report**

The report proposes to designate part of Plymouth City Centre as a Conservation Area pursuant to Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The area of the City Centre proposed for Conservation Area designation is centred around Royal Parade and Civic Square and comprises the area bounded by: New George Street to the north; Raleigh Street, Derry's Cross, Athenaeum Lane to the west; Notte Street to the South; and Old Town Street, St Andrews Cross and abutting the western boundary of the Barbican Conservation Area to the east. The area is shown on attached Map I.

The purpose of the proposed designation is to preserve or enhance the special character or appearance of the area.

### **Recommendations and Reasons**

It is recommended that Cabinet:

1. Designate part of Plymouth City Centre as a Conservation Area pursuant to the Planning (Listed Buildings and Conservation Areas) Act 1990 section 69 as shown on Map I within the report.

Reason: To recognise the special architectural and historic interest of the area and to preserve or enhance its character or appearance.

2. To authorise Officers to carry out the notification procedures prescribed in section 70 of the Act.

Reason: To ensure the decision to designate a conservation area meets the statutory notification requirements.

3. To instruct officers to carry out a Conservation Area Appraisal and Management Plan for the City Centre Conservation Area.
4. Reason: To meet the requirements prescribed in section 71 of the Act and in the NPPF to prepare a Conservation Area Appraisal and Management Plan and to ensure that stakeholders have the opportunity to comment on the detailed management and monitoring arrangements for the conservation area.

### **Alternative options considered and rejected**

**Not to designate:** this was rejected as an option because it would not afford the buildings and spaces identified in this area as of heritage significance the protection they would get if designated a conservation area.

**Designate but change the boundary:** this was rejected as an option because the Conservation Area Designation Assessment report and referenced evidence base detail the process undertaken to define the proposed boundary, including a full options assessment that considered the advantages and disadvantages of alternative boundaries. A number of respondents to the proposed designation have also suggested alternative boundaries and response to these is included in the summary report of comments received.

The boundary proposed is identified as it protects the best buildings and spaces in the City Centre while ensuring that the area is of a manageable scale such that any funds and resources can be targeted to best effect. In addition, the merits of including any other parts of the city centre in the conservation area can be considered as part of any future review if that is considered justified.

### **Relevance to the Corporate Plan and/or the Plymouth Plan**

#### **Corporate Plan:**

The protection, enhancement and celebration of the City's unique history and assets of heritage significance forms a core part of the Plymouth Plan (March 2019) and Plymouth and South West Devon Joint Local Plan (March 2019) and is embedded through:

#### **Plymouth Plan**

1. The philosophy that underpins the plan – (1) Roots: The city's environment and the heritage is cared for and celebrated; and (3) Power: Local stewardship of heritage assets.
2. The Vision – A Healthy City - residents show great pride in the city's...built heritage, leading and supporting many initiatives to promote the city's history and its historic built...environment.
3. Strategic Objective SO 3: Delivering the international city: (3) Promoting Plymouth as an internationally competitive tourist destination...providing an accessible visitor experience which

capitalises on the city's ...built heritage assets, and delivers a long standing economic legacy for the city; and (4) establishing Plymouth as a distinctive, vibrant, cultural city known on the international stage for its rich heritage...having an equally strong appeal for residents, students, visitors and investors.

4. Policy INT1- Implementing Britain's Ocean City - (2) seeking the highest quality of architecture on key and prominent city centre...sites, which reflects and enhances Plymouth's unique ... heritage offer.
5. Policy INT3 – Positioning Plymouth as a major UK designation – (4) maintaining and delivering a vibrant mix of attractions and destinations to support the visitor economy, including in the...heritage sectors.

## **Plymouth and South West Devon Joint Local Plan**

6. Policy SPT11: Strategic approach to the historic environment – the Local Planning Authorities will pursue a proactive and solution-orientated approach for the conservation and, where appropriate, enhancement of the historic environment, ensuring that it is promoted as a key element of local character and distinctiveness, forms a strategic context for regeneration and development, and is conserved or enhanced as part of the area's cultural offer, including in relation to:...conservation areas...[and] Non-designated heritage assets... In particular they will support proposals for heritage-led regeneration and working with developers and investors to encourage them to see historic and culturally led regeneration as the first choice method to achieve a quality legacy. In this respect, development should make a positive contribution to local character and the enhancement of local distinctiveness.
7. Policy PLY6 Improving Plymouths City Centre (1): Respects and celebrates the centre's mid-twentieth century built heritage, including the Beaux Arts grid of the 1943 Abercrombie Plan and the highest and good quality non-designated assets identified in the City Centre Masterplan (2) Recognises the importance of reinforcing the primacy of Armada Way as the principal thoroughfare from the station to the Hoe...[and] to respect the Abercrombie Plan's form and historic context.

## **Implications for the Medium Term Financial Plan and Resource Implications:**

There are no major capital implications for Plymouth City Council as a result of this proposal.

The designation will impose greater controls on development in the area, which may result in a small increase in the cost of works to Council owned/ maintained land and property and trees and greater control over advertisements.

The designation will commit Plymouth City Council to preparing a Conservation Area Appraisal and Management Plan, which will require officer time to prepare, consult and implement.

The designation may result in a minimal increase in planning fees arising from processing of applications for planning permission or for pre-application enquiries, which may initially be greater – and therefore resulting in some additional workload – following designation. The designation would provide access to new funding streams including the High Street Heritage Action Zone Fund, which if successful at Expression of Interest stage, could provide up to £2 Million match funding for future capital works. The designation would also open up access to various Historic England grant programmes, which could be targeted to a variety of building and public realm improvement initiatives.

**Carbon Footprint (Environmental) Implications:**

There may be a misconception that designation as a Conservation Area will prevent buildings and spaces from contributing to climate change mitigation. Historic England recognises the importance of climate change mitigation and believes that energy efficiency and sustainable technology are compatible with the conservation of our heritage. A carefully balanced approach will need to be taken when considering proposals for climate change mitigation in the Conservation Area. Additional consents and/or a higher design specification maybe required. Historic England offers guidance on the installation of renewable energy generation and the historic environment, and also on energy efficiency and historic buildings.

**Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:**

\* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

The designation alone will not have other implications. However, any works to land or buildings proposed as a result of the designation would need to be assessed on a project by project basis.

**Appendices**

\*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing Report							
B	Equalities Impact Assessment							
C	Map 1 – Boundary							
D	Map 2 – Buildings of significance							
E	Map 3 – Spaces of significance							
F	Designation Assessment							
G	Consultation Summary Report							

**Background papers:**

\*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>

**Sign off:**

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Originating Senior Leadership Team member: Paul Barnard											
Please confirm the Strategic Director(s) has agreed the report? Yes Date agreed: 02/07/2019											
Cabinet Member approval: Councillor Tudor Evans <i>approved by email</i> Date approved: 03/07/2019											

## **1. Background**

- 1.1 The designation of conservation areas is a tool for conserving and enhancing the special character or appearance of a particular area. The power to declare a conservation area is set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 1.2 Paragraph 184, of the National Planning Policy Framework highlights that heritage assets range from sites and buildings of local historic value to those of the highest international significance. It states: “These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”. In relation to conservation area designations, paragraph 186 states: “When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest”.
- 1.3 The area of the City Centre proposed for conservation area designation is centred around Royal Parade and Civic Square and comprises the area bounded by: New George Street to the north; Raleigh Street, Derry’s Cross, Athenaeum Lane to the west; Notte Street to the South; and Old Town Street, St Andrews Cross and abutting the western boundary of the Barbican Conservation Area to the east. The area is shown on attached Map 1.
- 1.4 The purpose of the proposed designation is to preserve or enhance the special character or appearance of the unique beaux-art buildings and layout of the area. This has been defined in the accompanying Designation Assessment Report prepared in accordance with Paragraphs 11 and 16 of the Historic England Advice Note 1 (2019): Conservation Area Appraisal, Designation and Management (2<sup>nd</sup> Ed.).
- 1.5 The designation assessment needs to be considered in conjunction with the summary of comments received to the proposed designation; Map 1 – Proposed Conservation Area Boundary; Map 2 – Proposed Conservation Area Boundary and Buildings of Significance; Map 3 – Proposed Conservation Area Boundary and Spaces of Significance; and the Equality Impact Assessment.
- 1.6 Upon designation, the City Council will carry out the appropriate notifications in accordance with section 70 of the Act. Subsequently the City Council will commit to prepare a Conservation Area Appraisal and Management Plan in accordance with section 71 of the Act, NPPF and Historic England Advice Note 1 and include full consultation with landowners, stakeholders and the public.

## **2. How the area meets the statutory definition**

- 2.1 A conservation area is an ‘area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance’ Planning (Listed Buildings and Conservation Areas) Act 1990 s.69[1](a). Any area proposed for designation must meet the definition of the Act. The National Planning Policy Framework adds that in designating conservation areas, local planning authorities are to ensure that an area has sufficient special architectural or historic interest not to devalue the concept of conservation (paragraph 186).
- 2.2 Historic England Advice Note 1 (2019) Paragraph 16 recommends that in formally assessing the special historic or architectural interest it may have and whether it is desirable to preserve or enhance its character or appearance it is helpful to consider these as separate criteria (as set out in paragraph 11). In assessing the area against these criteria, Plymouth City Council has drawn upon the evidence base shown in section 2 of the Designation Assessment report, most notably

the Portico Heritage (2019) and Heritage Audit (2014) reports. A full comprehensive analysis of the area will be included in a subsequent Conservation Area Appraisal. Having analysed this evidence the assessment is that the area merits designation as a conservation area.

**(a) Sufficient architectural or historic interest for the area to be considered ‘special’?**

- 2.3 Drawing primarily on the Heritage Audit and Portico Heritage reports, the special interest can be briefly defined as:
- 2.4 ***The specific period in history, the Plan, Professor Patrick Abercrombie & the completeness of the Plans implementation:*** Plymouth was one of the most heavily bombed and severely damaged City’s in the UK during World War Two. The re-building of Plymouth centre was envisaged by Abercrombie in 1943 before the War had ended and when enacted was amongst the first major city centre re-building programmes to get underway in the post-War period. The Beaux-Arts street plan reflects the planning, architectural and social vision of Abercrombie and is a relatively unadulterated example of post-war planning, by the most prominent figure in that field, and is of high heritage significance (p120). It is acknowledged that there are elements in which departures from the plan have diluted its significance (notably to the north), but that Royal Parade remains, along with the civic area, the most successful space in the city and worthy of protection (p124).
- 2.5 Royal Parade and the civic area represents much of the earliest construction and is successful in terms of quality of construction and how it relates to the plan with building landmarks (Dingles/ Pearl Assurance) to demarcate the junction of the two major axes of Abercrombie’s planned city (P124).
- 2.6 ***The buildings, architectural qualities and their architects:*** Abercrombie allowed individual architects the freedom to design the buildings but within a framework informed by his requirement for architectural consistency. This resulted in buildings designed by some of the leading architects of the time, including Thomas Tait of Sir John Burnet Tait and Partners, J Murray Easton, Curtis Green, Howard Robertson, Giles Gilbert Scott and Louis de Soissons, amongst others, as well as notable local architects, Walls & Pearn. The successful marrying of materials (particularly the use of Portland Stone) and the cohesion of applied art and architecture is very much of its time.
- 2.7 The Heritage Audit identifies the buildings on the southern side of Royal Parade as almost uniformly high heritage significance. The only heritage assets to fall into this category are the individually listed buildings or parks and gardens, which are not only architecturally/visually and historically significant in themselves, but also make a positive contribution to the character and appearance of the city centre in which they are situated. For the most part these are clustered within the proposed Conservation Area.
- 2.8 The buildings on the northern side of Royal Parade are all of medium to moderate significance. The heritage assets of medium significance are buildings that, while not meeting the criteria for listed building status, nevertheless are of distinct architectural importance and interest and/or are significant for the contribution they make to the setting of nearby listed buildings and towards creating a ‘sense of place’. High-quality spaces which are made up of such buildings are likely to fall within this category. The heritage assets of moderate significance are those that make a positive contribution to their setting.

**b) Whether this is experienced through its character or appearance?**

- 2.9 Drawing primarily on the Heritage Audit and Portico Heritage reports, the experience of character and appearance relates very strongly to the unique city centre layout and building alignments and arrangements.
- 2.10 In defining its character and appearance, the existing City Centre follows very closely the proposals and overall philosophy set out in the 1943 'Plan for Plymouth'. This is most evident in the arrangement of streets and land uses, which are based on what was envisaged, notably the axial arrangement of Armada Way, Royal Parade, and New George Street. Despite some changes, the Heritage Audit notes that 'the conjunction of Royal Parade and the southern portion of Armada Way around the civic area, represents the most complete realisation of Abercrombie's plan, meaning the space as a whole represents a heritage asset of high significance' (p46).
- 2.11 It is therefore the planned form of the area that strongly defines the character, with buildings in many cases designed to demarcate or highlight specific spaces of quality. Several buildings are consciously placed in prominent locations with specific views in mind, such as that along the length of Armada Way and Royal Parade, with buildings acting as landmarks to stunning vistas., Probably the most notably example of this is the Royal Bank of Scotland on St Andrews Cross. It is for this reason that the Heritage Audit applies the same assessment to the spaces as it does to the buildings.
- 2.12 Within the proposed conservation area the spaces defined by Royal Parade, Civic Square and Armada Way are assessed as being of high significance. St Andrews Cross, Old Town Street and New George Street East are of medium significance and Derry's Cross, New George Street West and Old George Street are of moderate significance. These spaces help define the unique character of the area.

**c) Whether it is desirable for that character or appearance to be preserved or enhanced, and what problems designation could help to solve.**

- 2.13 The heritage significance of Plymouth City Centre has been extensively documented over the last two decades with a number of these studies recommending some conservation area designation. In defining the boundary for a conservation area regard has been had to a number of options, including the wider Abercrombie plan area. The proposed conservation area represents the highest quality and most complete realisation of the Abercrombie Plan and the highest concentration of buildings and spaces of high, medium and moderate heritage significance in the city centre. On this basis it is considered that it is desirable to preserve and enhance the character or appearance of this smaller area, because to some extent the wider area has been compromised by later, less sympathetic, additions which do not merit designation. As with any conservation area designation developments need to be monitored and the boundaries periodically reviewed.
- 2.14 The problems that designation could help to resolve include:
- To recognise, protect or enhance the special architectural and historic interest of the area and its character or appearance.
  - Supporting the regeneration of the City Centre, protecting the sustainability and economic vitality of the area, ensuring that new buildings harmonise with or complement their neighbours in scale, style and use of materials, inspiring new development of imaginative and high quality design.
  - Promoting appreciation and understanding of the City Centre's best Twentieth Century heritage assets which are often overlooked.



- Remove ambiguity surrounding the heritage significance of the city centre.
- Help to codify the 'group value' of the area and play an important role in creating a cohesive sense of place and destination.
- Ensuring that proposals for much needed change/ adaptation and investment in buildings and spaces can take place while preserving or enhancing the character or appearance of the area.

### **3. What does the designation of a conservation area mean?**

- 3.1 The designation of a conservation area is not designed to stop development or change occurring to an area. Many new developments can, and indeed should, add positive enhancements to a conservation area in a complementary, as well as contemporary manner, which does not need to detract from the special architectural and historic significance of an area that led to its designation in the first place. The act of designation should therefore be seen as a positive regeneration tool, enabling related marketing and funding initiatives to be pursued, rather than a negative regulatory intervention.
- 3.2 As set out in Historic England Advice Note 1 (2019), paragraphs 7 and 8, conservation area designation introduces some additional controls over the way owners can alter or develop their properties. These controls include:
- The requirement in legislation and national planning policies to preserve and/or enhance, (the details of which are set out further in the National Planning Policy Framework and the Planning Practice Guidance).
  - Local planning policies which pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
  - Control over demolition of unlisted buildings.
  - Control over works to trees.
  - Limitations on the types of advertisements which can be displayed with deemed consent.
  - Restriction on the types of development which can be carried out without the need for planning permission (permitted development rights).
  - Support for the use of Article 4 directions to remove permitted development rights where avoidable damage is occurring.
  - Clarification of archaeological interest, thereby assisting the protection of those assets.
- 3.3 In relation to the determination of planning applications, a conservation area designation means that as Local Planning Authority, the City Council should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness. (NPPF paragraph 192 refers).
- 3.4 Given the challenges facing city centres, arising from global market forces which are changing the nature of future retailing, alongside the City Council's own regeneration aspirations for Plymouth city centre set out in the Plymouth and South West Devon Joint Local Plan, it is considered that a conservation area designation will provide a positive additional tool to support a range of planned initiatives that will enable its role to be reconfigured and reimaged in the coming years.

### **4. Equality Impact Assessment**

- 4.1 An Equality Impact Assessment has been prepared to assess the impact of this proposed designation. The Equality Impact Assessment shows that the designation should positively impact all people by promoting the City's unique history and protecting significant heritage assets. It is considered that adverse impacts could arise through the misconception that reasonable adaptations to buildings and spaces to cater for specific needs could not be carried out. To mitigate this impact communications will need to refer to Historic England's guidance '[Equality of Access Works to Listed Buildings and other Heritage Assets](#)'. There are many examples of where accessibility requirements and historic environment considerations have been successfully integrated and the policies of the adopted Plymouth and South West Devon Joint Local Plan allow such judgements to be made on any future proposals. This is therefore not seen as an undue constraint.

## **5. Public Comments**

- 5.1 The proposed designation has been published on the Council's web site and available for public comment for a period of two weeks between 17<sup>th</sup> June 2019 and 30<sup>th</sup> June 2019. The proposed designation has been widely publicised through the City Council's social media networks and covered in a front page article in the Plymouth Herald. The Council's consultation portal also posed three basic questions seeking feedback on the proposal:

- Do you support the proposed conservation area boundary?
- Do you have any further comments to make on the designation itself?
- Do you have any further comments to add to help inform the preparation of the Conservation Area Management Plan which we will be consulting upon in due course?

- 5.2 The responses are summarised in a separate report and have been considered in the preparation of this report. A total of 52 written comments were received on the portal and by email (comments on social media have not been counted but assessment of these is covered in the summary report). Of these, 59% supported the proposal, 20% objected and 21% did not specify support or objection. Of the objections, some challenged the protection of what they consider to be 'eyesore' or 'bleak' buildings and called for more widespread demolition and replacement, while others objected specifically to the proposed boundary. Others supported the designation but also called for changes to the boundary. A number of respondents called for the inclusion of the whole of Armada Way and some for inclusion of the whole of the Abercrombie Plan area. Other respondents supported the designation as proposed.

- 5.3 Having assessed and considered all the public comments made it is concluded that the proposed area shown on Map I and as described in the updated Designation Assessment should be designated a conservation area.

## **6. Conclusions and Recommendations**

- 6.1 It is considered that it is desirable to designate part of Plymouth City Centre as a Conservation Area pursuant to the Planning (Listed Buildings and Conservation Areas) Act 1990 section 69 because this meets the legislative requirements and criteria set out in guidance. The designation of the conservation area is consistent with the Corporate Plan, the Plymouth Plan and the Plymouth and South West Devon Joint Local Plan as set out in the report

- 6.2 Cabinet are also requested to authorise Officers to carry out the notification procedures prescribed in section 70 of the Act and to instruct officers to carry out a Conservation Area Appraisal and Management Plan for the City Centre Conservation Area.