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## **DRAFT SUPPLEMENTARY PLANNING GUIDANCE: NEWSTEAD CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN**

**Report by Director, Infrastructure & Environment**

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### **PLANNING AND BUILDING STANDARDS COMMITTEE**

**6 MARCH 2023**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report proposes approval for public consultation of the Draft Newstead Conservation Area Appraisal and Management Plan Supplementary Planning Guidance.**
- 1.2 A Conservation Area Appraisal and Management Plan (CAA & MP) aims to identify the special architectural and historic interest of a conservation area and provide guidance on its management. CAA & MPs are intended to provide clarity in the planning process, provide robust decision-making under adopted planning policy, inform local communities, promote the heritage of the area, and assist funding applications. They fulfil the Council's statutory duty to review its area for conservation area designation and formulate proposals for their preservation and enhancement.
- 1.3 The Newstead CAA & MP is the first of a programme for review of all 43 conservation areas in the Scottish Borders. The review will result in a CAA & MP being produced for each conservation area.
- 1.4 It is proposed that the Draft Newstead Conservation Area Appraisal and Management Plan Supplementary Planning Guidance (Appendix A) is subject to public consultation for a period of 12 weeks. Responses received as part of the public consultation will be used to inform a finalised CAA & MP. A summary of responses to the public consultation and the finalised CAA & MP will be brought back to Planning and Building Standards Committee for adoption.

#### **2 RECOMMENDATIONS**

- 2.1 I recommend that the Committee approves the draft Newstead Conservation Area Appraisal and Management Plan Supplementary Planning Guidance for public consultation.**

### **3 BACKGROUND**

#### **LEGISLATION AND PLANNING POLICY BACKGROUND**

- 3.1 A conservation area is defined in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as “an area of special architectural or historic interest, the character of which is desirable to preserve or enhance”. There are currently 43 conservation areas in the Scottish Borders.
- 3.2 A Conservation Area Appraisal and Management Plan (CAA & MP) is split into two sections, the Conservation Area Appraisal and the Management Plan:
- The Conservation Area Appraisal sets out the history of the area and identifies its special architectural and historic interest, including elements such as layout, views, landscape, trees, buildings, structures and spaces.
  - The Management Plan provides guidance on how change can happen in a way that preserves and enhances that special character. This includes development guidelines and enhancement opportunities.
- 3.3 Production of CAA & MPs meets the council’s statutory duty to “formulate and publish, from time to time, proposals for the preservation and enhancement of any parts of their district which are conservation areas” (Planning (Listed Buildings and Conservation Areas) (Scotland) 1997, sections 63). EP9 of the adopted Scottish Borders Council Local Development Plan (2016) and proposed Local Development Plan also indicate that Supplementary Planning Guidance will be produced to facilitate the management of the historic environment, including conservation areas (para 1.5).
- 3.4 Scottish Government’s Planning Advice Note 71: Conservation Area Management (December 2004) sets out that designation of a conservation area is a valuable tool in the protection of important areas, but it should not be assumed that designation alone will secure protection and enhancement. Review of existing areas is required and provides an opportunity to assess the justification for designation, consider the validation of boundaries, identify opportunities for enhancement and set management priorities.
- 3.5 CAA & MPs are intended to provide clarity and transparency in the planning process, and robust decision-making under adopted Local Development Policy EP9. They also help inform local communities, promote the heritage of the area, and support potential future funding applications.

#### **CONSERVATION AREA REVIEW PROGRAMME**

- 3.6 The draft Newstead Conservation Area Appraisal and Management Plan proposed for approval for public consultation marks the first in a programme of review for all 43 conservation areas in the Scottish Borders. As part of the review, a Conservation Area Appraisal and Management Plan will be produced for each area. These will come forward for approval by Planning and Building Standards Committee at later dates.

- 3.7 The order in which they will come forward will be prioritised based on a number of factors, including the Borderlands Place Programme, Conservation Area Regeneration Schemes, any other relevant strategic projects, level of development pressure, work already undertaken, condition and buildings at risk. The four Borderland Towns will be the next areas to be brought forward.

### **NEWSTEAD CONSERVATION AREA & PUBLIC CONSULTATION**

- 3.8 Newstead Conservation Area was designated on 31 October 1985 and covers the historic village of Newstead. A Character Statement was adopted in 2012 and provides a short summary of the area's history and character. There is no current adopted CAA & MP for the area.
- 3.9 It is proposed that the Draft Newstead Conservation Area Appraisal and Management Plan Supplementary Planning Guidance (Appendix A) is subject to public consultation for a period of 12 weeks. Responses received as part of the public consultation will be used to inform a finalised CAA & MP. A summary of responses to the public consultation and the finalised CAA & MP will be brought back to Planning and Building Standards Committee for adoption.

## **4 IMPLICATIONS**

### **4.1 Financial**

Minimal costs from staff time, printing public consultation materials and holding a public meeting will result from the recommendations of this report, which will be covered by existing department budgets.

### **4.2 Risk and Mitigations**

The CAA & MP fulfils the Council's statutory duty to publish proposals for the preservation and enhancement of the conservation area. It is intended to provide useful guidance to owners, developers, planners and Scottish Borders Council to improve decision-making, ensuring that the special architectural and historic interest of Newstead conservation area is properly considered when changes are made, and to help preserve and enhance the area for current and future communities and visitors. The CAA & MP is an important planning document, designed to improve clarity, reduce uncertainty and ensure robust decision-making. This is intended to ensure delays to the planning process are reduced.

### **4.3 Integrated Impact Assessment**

An Integrated Impact Assessment Scoping has been undertaken and the associated template published on the council's website. The Newstead Conservation Area Appraisal and Management Plan Supplementary Planning Guidance is not a strategic document. It provides additional guidance to support decision-making under adopted Local Development Plan Policy EP9, which has been through its own assessment and adoption processes. It seeks to preserve and enhance the special architectural and historic interest of the existing built environment in Newstead through the planning process. No adverse equality implications have been identified.

#### **4.4 Sustainable Development Goals**

The CAA & MP contributes to the UN Sustainable Development Goal to 'Make cities and human settlements inclusive, safe, resilient and sustainable' through protection of cultural heritage. The document provides guidance on how to preserve and enhance the character of the conservation area, including its rural setting. In seeking to provide a strong sense of place and quality environment, the CA & AMP promotes mental health and wellbeing for all. It also provides advice on how to improve energy efficiency, install renewable energy technology and adapt to climate change in a manner that preserves and enhances the character and appearance of the conservation area. The document similarly also advises on how biodiversity can be protected and enhanced within the conservation area and its setting. The CAA & MP is intended to provide clarity in planning decision-making through increasing public access to information.

#### **4.5 Climate Change**

The CAA & MP seeks to preserve and enhance the special architectural and historic interest of Newstead Conservation Area and its setting. In so doing, it seeks to conserve buildings which contribute to the character of the area. This helps reduce waste and retain the embodied carbon of existing buildings. Through seeking to protect the area's unique character and sense of place, and highlighting the path network, it promotes opportunities for heritage tourism, recreation, and mental health and wellbeing. It includes guidance on how to protect and enhance biodiversity, improve energy efficiency, install renewable energy, adapt to climate change and install EV charging points in a way that meets the statutory duty toward preserving and enhancing the special architectural and historic interest of the conservation area.

#### **4.6 Rural Proofing**

The CAA & MP provides supplementary guidance to adopted Local Development Plan Policy EP9, and therefore this section is not applicable (this section should only be completed if this is a new or amended policy or strategy).

#### **4.7 Data Protection Impact Statement**

It is anticipated that the proposals in this report will have a minimal impact on data subjects and the Data Protection Officer has confirmed that a Data Protection Impact Assessment is not required.

#### **4.8 Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made.

### **5 CONSULTATION**

- 5.1 The Director (Finance & Corporate Governance), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Director (People Performance & Change), the Clerk to the Council and Corporate Communications have been consulted on the report.

**Approved by**

**Ian Aikman**

**Chief Planning Officer**

**Author(s)**

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**Background Papers:**

Appendix A - Draft Newstead Conservation Area Appraisal and Management Plan

**Previous Minute Reference:** n/a

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Ian Aikman can also give information on other language translations as well as providing additional copies.

Contact us at Ian Aikman – [Iaikman2@scotborders.gov.uk](mailto:Iaikman2@scotborders.gov.uk)