

**ANGUS COUNCIL**

**INFRASTRUCTURE SERVICES COMMITTEE - 21 APRIL 2009**

**SUBJECT: BRECHIN CONSERVATION AREA MANAGEMENT PLAN**

**REPORT BY DIRECTOR OF INFRASTRUCTURE SERVICES**

**Abstract: This report presents the final draft Brechin Conservation Area Management Plan for Committee approval following a period of consultation.**

**1 RECOMMENDATION**

It is recommended that the Committee –

1. Following confirmation from the Scottish Government of acceptance of the Pre-screening Report, adopt the [Brechin Conservation Area Management Plan](#).

**2 BACKGROUND**

- 2.1 The Committee is referred to Article 18 of the minute of the Infrastructure Services Committee of 27 November 2007 in respect of the Brechin Conservation Area Management Plan (Draft) which records that the Committee agreed:

(l) to authorise the Head of Planning and Transport be remitted to carry out consultations with the Brechin community and other stakeholders on a Conservation Area Management Plan for the Brechin Conservation Area and to report back to this Committee once the consultation had been carried out.

**3 DISCUSSION**

- 3.1 The document was then issued for general consultation on 16 May 2008 for a six week period to:

- The Heritage Lottery Fund
- Historic Scotland
- City of Brechin and Area Partnership

- 3.2 It was also placed on the Angus Council website, at Brechin Library and Access Office and an advert placed in the local press. Following consultation a number of minor amendments were recommended and a summary of these are attached as Appendix 1. Where appropriate these comments have been taken on board and amendments made to the Consultative Draft.

**4 FINALISED DRAFT**

- 4.1 A copy of the Final Draft of the Brechin Conservation Area Management Plan is attached as Appendix 2 to this report. The Final Draft will become Supplementary Planning Guidance and will provide further guidance and assistance in the assessment of future development within the City of Brechin Conservation Area.

4.2 A Strategic Environmental Assessment (SEA) is a legal requirement under the Strategic Environmental Assessment (Scotland) Act 2005. SEA applies to all plans, programmes and strategies (PPS) and therefore a pre-screening exercise on the amended Finalised Draft was undertaken in March 2009. The Pre-screening exercise has not raised any significant effects on the environment. The Pre-screening Report has been sent to the Scottish Government SEA Gateway and we are currently awaiting confirmation of its acceptance however it is not anticipated that any significant issues will be raised.

4.3 Once adopted the Management Plan will be reviewed periodically and updated as necessary. The Management Plan will be available electronically and a small number of hard copies will be produced. The document will also be made available on the Angus Council website.

## **5 FINANCIAL IMPLICATIONS**

5.1 If adopted a small number of the Brechin Conservation Area Management Plan will be produced in hard copy for those organisations consulted and a number of other groups. The cost of this is expected to be approximately £500 - £1,000 which is in line with the previous report. This sum will be met from the Head of Planning & Transport's Conservation Grants Revenue Budget in 2009/10.

## **6 HUMAN RIGHTS IMPLICATIONS**

6.1 The recommendation in this report for the adoption of the Brechin Conservation Area Management Plan has potential implications for property owners and occupiers in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). As per the previous report was referred that in justifying the recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights is justified. Any actual or alleged infringement of owner's rights to peaceful enjoyment of their property and/or interference with their privacy/home/family life arising from the Conservation Area Management Plan is in accordance with the Council's duties under the Planning Acts to protect Conservation Areas and is justified and necessary in the public interest on the basis that any such actual or alleged infringement is not significant or material as balanced against the need to protect Conservation Areas in the wider public interest.

## **7 EQUALITIES IMPLICATIONS**

7.1 The issues dealt with in this report have been the subject of consideration from an equalities perspective (as required by legislation). An equalities impact assessment is not required.

## **8 SINGLE OUTCOME AGREEMENT**

8.1 This report contributes to the following local outcome contained within the Single Outcome Agreement for Angus.

12. We value and enjoy our built and natural environment and protect it and enhance it for future generations

- The importance and benefits to society of the environment is recognised.

**9 CONSULTATION**

- 9.1 The Chief Executive, Director of Corporate Services, Head of Finance and Head of Law & Administration have been consulted in the preparation of this report.

**10 CONCLUSION**

- 10.1 The Brechin Conservation Area Management Plan has completed the necessary consultation period and any recommendations incorporated, as necessary, into the Final Draft. This Brechin Conservation Area Management Plan will provide stakeholders with information to assist with managing the development process and will impart information on the built heritage of Angus to the wider public.

ERIC S LOWSON  
DIRECTOR OF INFRASTRUCTURE SERVICES

**NOTE**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

P&T/KM/IAL  
24 March 2009

## APPENDIX 1

**BRECHIN CONSERVATION AREA MANAGEMENT PLAN****CONSULTATION RESPONSES**

The following are comments received by one consultee.

The Conservation Area Management Plan will be an essential tool for its ongoing management, but to be effective it needs to be edited and updated from time to time. While the text is already very useful we think it could be made more so by incorporation within it of:

- The best parts of the “Conservation Plan” that was produced as part of the THI Stage 1 process. For example the area-by-area plotting derived from the Burgh Survey, and the overlay of historic maps, would make it a particularly good source of reference.
- More on how it will inform or support achievement of the stated objective of promoting a culture of maintenance and its integration into other local authority functions. (1.15)

We offer some specific points on the arrangement and content, numbered as in the draft:

1.6 delete “despite their history”. Consider saying “prohibiting change”, and not prohibitive which usually means too expensive.

1.7 delete “within their control”

1.10 There is an opportunity to refer here or elsewhere to the St Ninian’s Square Conservation Area as the other conservation area in Brechin. It has a similar degree of protection and materials although its character is different in some respects, covering a more limited area. Otherwise a reader might think that CA did not exist.

1.14 delete “non-contextual”. Replace ‘new’ with ‘contemporary’.

1.15 delete “importance of” from first bullet point and comma from 4<sup>th</sup> point.

Typos to watch generally: Mechanics’ Institute, 2.11 tolbooth, 2.30 panelling.

2.1 Split the third sentence into two and don’t say “unremarkable”.

2.2 Delete the ‘and’ in the first sentence.

2.14 Much of the content (the latter part particularly) of ‘Historical Pattern of Landuse and Settlement Development’ extends beyond the immediate scope of that sub-title. Some of it is repeated in the ‘Character and Appearance’ section, where it fits more comfortably. Whilst the framework of the document is sensible and comprehensive, here the content is confused by some repetition and would benefit from a more logical progression. We recommend a review of the document, removing repetitive passages and ensuring that information is in the most appropriate sections. Reformatting of the headings and subheadings, and the paragraph numbering would help to make the structure and progression of the document clearer and more useable.

We think that the 'Conservation Strategy' section towards the end could usefully summarise the policies drawn out in the 'Character and Appearance' section. We suggest starting a new section where the text is moving on into policies. There is something to be said for highlighting in bold the concluding sentences from each of the subsequent paragraphs and listing them as policies to be followed in managing the conservation area. You could add to these the traffic and archaeology policies at 3.59 and 3.66. The policies could reappear under 6, "Conservation Strategy", for ready reference.

2.23 The building types and phases of development are clearly set out in the Conservation Area Appraisal (Conservation Plan) so there is no need to say "should be".

2.29 Please omit 'it is recommended'. We recommend that last part of sentence should read '...so all interiors will be inspected where there are proposals to alter the interior of buildings that are statutorily listed'.

2.30 As the last two sentences may encompass unlisted buildings as well as listed buildings, what is the Council's strategy for ensuring that interiors of quality are identified? The Conservation Plan's "Recommendations for Future Management of Archaeology of Brechin" could be incorporated here, for example.

2.35 Omit 'seem to' in fourth sentence.

2.36 This paragraph is repeated at 3.14. Use it only once.

3.01 Say aspects, not forms?

3.04 These good points on key views could usefully be mapped.

3.16 Recommend reformatting heading to make clear that this is an introductory paragraph heading the scheduled monuments and key listed buildings sections. Substitute 'significance' for 'significant'.

3.27 Suggest 'retention should be encouraged' rather than 'replacement should be discouraged'.

3.29 We suggest "retention of those that contribute positively to the character of the CA", not "of the status quo". Delete section 64 (1) of the Act etc.

3.30 Excellent. Consider labelling illustrations 3.9 and splitting walls and roofs by subheadings at 3.37.

3.36 This style of masonry facing is known as 'opus incertum'.

3.46 We advise against "naming and shaming" specific shops. It is better to praise the good examples.

3.52 Move education away from threats and into 5.18, or say as the first sentence, "raising awareness is a way to combat many of these threats".

Move 3.59 and 3.62-3.64 here and make the overall title "Threats and Opportunities"?

3.53 - 3.58 and 3.60 form the "Summary of Character": we agree to this but suggest combining or cross-referring with 3.15 "Essential Character" and avoiding mixing this sound assessment with:

3.59 on traffic measures. They could move to 3.52. Proposals to fix street lighting to listed buildings or key conservation area buildings will require careful consideration to ensure that there would not be a negative impact on the character of the building.

3.61 wall finishes are well discussed at 3.30-3.36 so cut or change the first sentence.

3.62-3.64 put the development opportunities elsewhere, e.g. 3.52.

3.65 and 3.66: these archaeological policies are sound -provided there is scope for consultation with the Council's archaeological advisory service- and should be grouped with other policies drawn from 2.14-2.36.

4. Refer here to the Baseline Survey produced for stage 1 of the THI. You may wish to reproduce from it maps 1.4-1.5 etc., showing the extent of vacancy at ground and upper floors, or say that they and the street-by-street photographic inventory will be the point of reference for monitoring change.

5.12 We note the proposal to obtain an Article 4 Direction, classes 1, 7 and 8. Has the 2007 consultation now ended and is it proposed to submit the Direction for approval to Scottish Ministers?

5.18 A THI would benefit from engagement with local people as well as vice versa. We suggest this section should be updated and expanded to refer to the various stakeholder groups (of which we know there are several). You may choose to incorporate short statements about the contributions in kind they might make, and give an indication of the strategy to fill gaps or meet specific needs in interpretation, education and training.

6. While we can endorse the commitment of Angus Council and the dedication of its staff, the statement here does not amount to a conservation strategy for Brechin Conservation Area. We suggest you consider putting here the policies at 2.14 in list or bullet form and a summary of the strategy.

7.6 Is the CAMP adopted as Supplementary Planning Guidance to the Development Plan?

7.8 Consider annual reviews with stakeholders of the CAMP, not every 5 years?