

Conservation Areas Event

29th September 2022 | Engine Shed, Stirling

Content:

1. *National Planning Policy and Conservation Areas – Update on NPF4 and ongoing planning reforms*
Alasdair McKenzie, Deputy Head of Planning, Consents and Advice Service, Historic Environment Scotland
2. *Updating Designation Policy and Selection Guidance for Conservation Areas*
Dawn McDowell, Deputy Head of Designations, Historic Environment Scotland
3. *Challenges of Fraserburgh 2021*
Cheryl Roberts, Fraserburgh 2021 Project Co-ordinator, Aberdeenshire Council
4. *Conservation Areas - Some current issues* (transcript attached separately)
Martin Robertson – National Chair, Architectural Heritage Society of Scotland
5. *Conservation Area Conundrums: challenges and opportunities for repair, maintenance and enhancement*
Sonya Linskaill, Conservation Architect
6. *Conservation Areas: pitfalls, placemaking and emerging good practice*
Steven Orr, Director of Historic Environment, LUC
7. *Panel Discussion Questions*

National Planning Policy and Conservation Areas – Update on NPF4 and ongoing planning reforms

Alasdair McKenzie

Deputy Head of Planning, Consents and Advice



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
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ALBA

CONSERVATION AREAS

- THE LEGAL FRAMEWORK
- THE POLICY CONTEXT
- PLANNING REFORMS

CONSERVATION AREAS – KEY FACTS

Conservation areas are crucial to the care and protection of our environment.

There are about 670 conservation areas in Scotland.

Many were designated in the early 1970s – but some have been added/amended in recent times.

WHAT ARE THEY?

They cover historic land, battlefields, public parks, designed landscapes or railways but most contain groups of buildings extending over areas of a village, town or city.

Development should preserve or enhance their varied character.

WHERE ARE THEY?

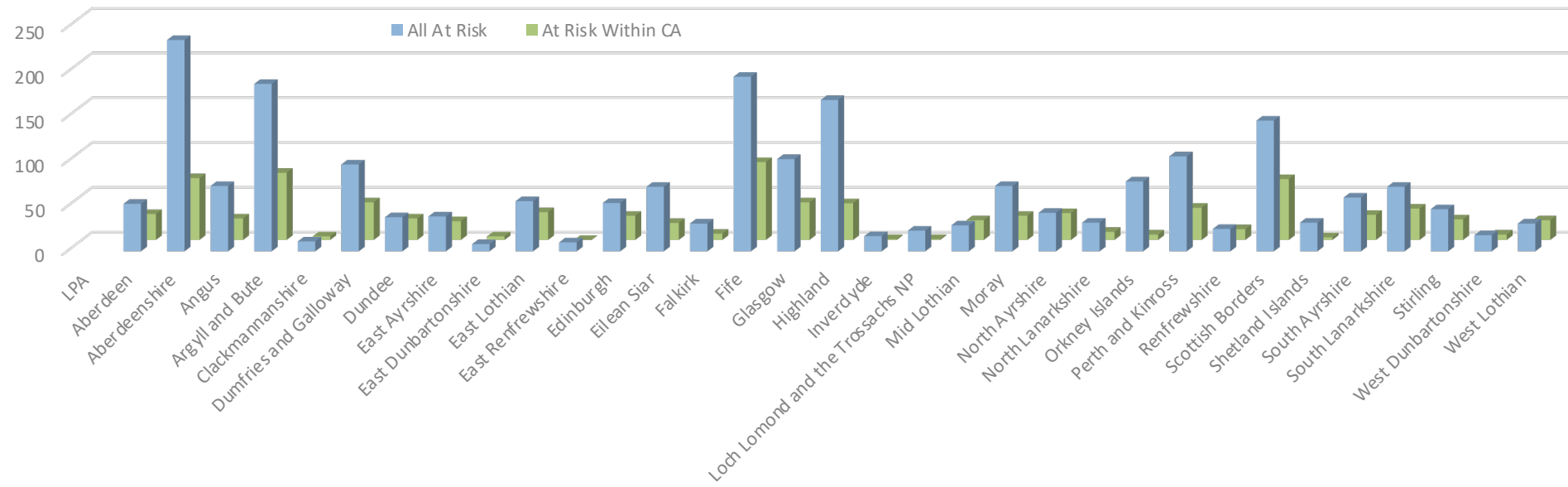
There are c. 625 town centres and other retail centres across Scotland. Of these 625 locations, 206 are either partly or wholly within Conservation Areas. That is **33%**.



The uniqueness of each town centre needs to be recognised - like in Melrose

WHERE ARE THEY?

There are at least 875 Buildings at Risk within Conservation Areas. Of these 875 buildings, 553 are within Conservation Areas that have either a Conservation Area Appraisal or Management Plan.



WHERE ARE THEY?

There are 3597 sites identified as Vacant and Derelict Land across Scotland. Of these 3597, 217 are within conservation areas. That is **6%**
(Data: Improvement Service)



HOW ARE THEY DESIGNATED?

The planning authority is required to determine which parts of its area are of special architectural or historic interest. It may designate these as conservation areas.

Public consultation on any proposal to designate conservation areas or to change their boundaries.

Often undertaken via Local Development Plan process.

HOW ARE THEY DESIGNATED?

61 Designation of conservation areas.

(1) Every planning authority shall—

(a) from time to time determine which parts of their district are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and

(b) designate such areas as conservation areas.

(2) Historic Environment Scotland may from time to time, after consultation with a planning authority, determine that any part of the authority's district which is not for the time being designated as 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; and, if Historic Environment Scotland so determines, it may designate that part as a conservation area.

CONSERVATION AREAS – THE LAW

Conservation areas "are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance".

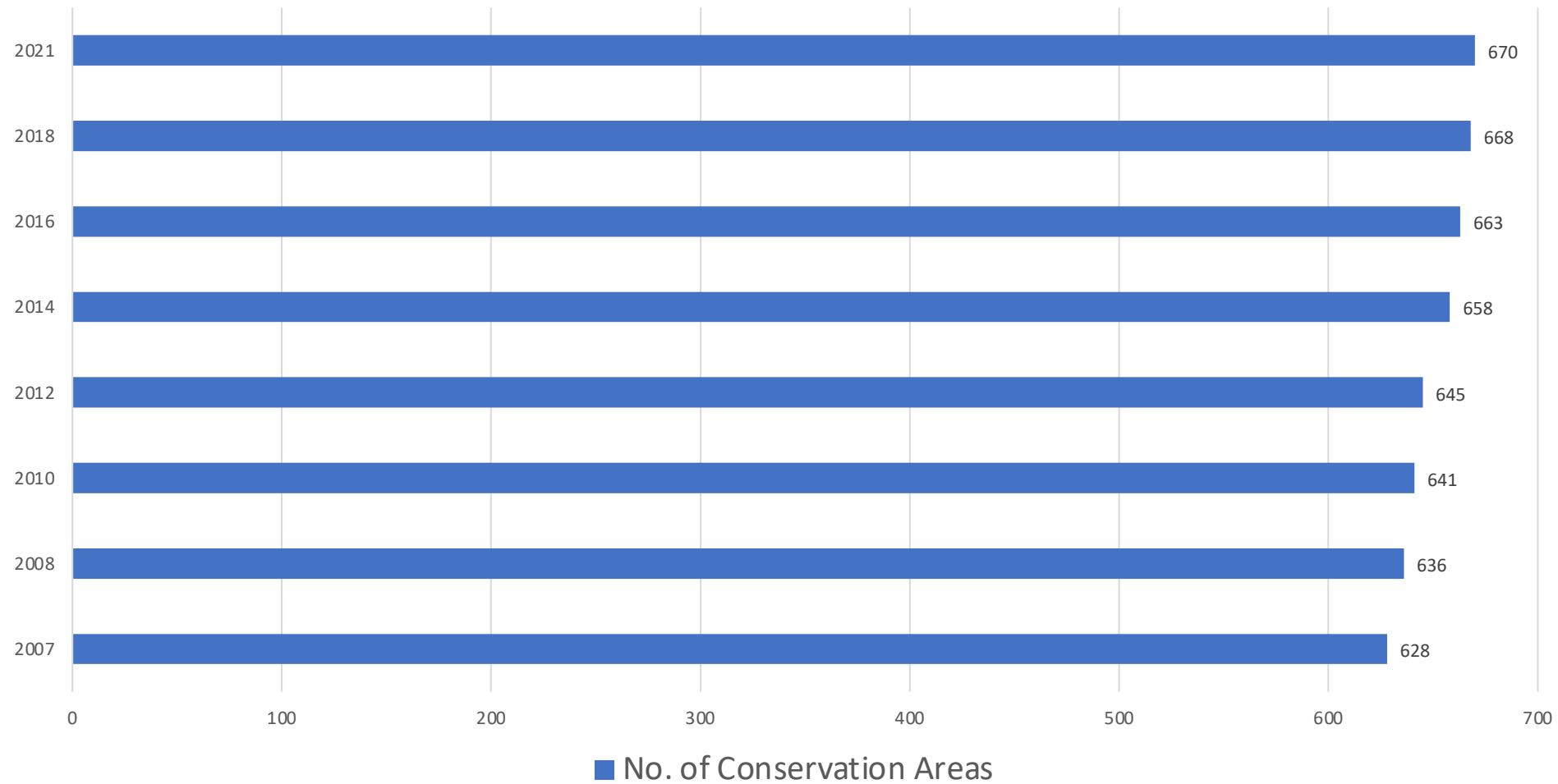
S.61 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

Conservation areas aim to:

- preserve and enhance neighbourhoods of special architectural or historic interest.
- protect trees and other features such as designed gardens.

Permission for minor works may be needed in a conservation area – some permitted development is restricted.

HOW MANY ARE THERE?



HOW ARE THEY MANAGED?

Proposals for preservation and enhancement of conservation areas.

(1) It shall be the duty of a planning authority to formulate and publish, from time to time, proposals for the preservation and enhancement of any parts of their district which are conservation areas.

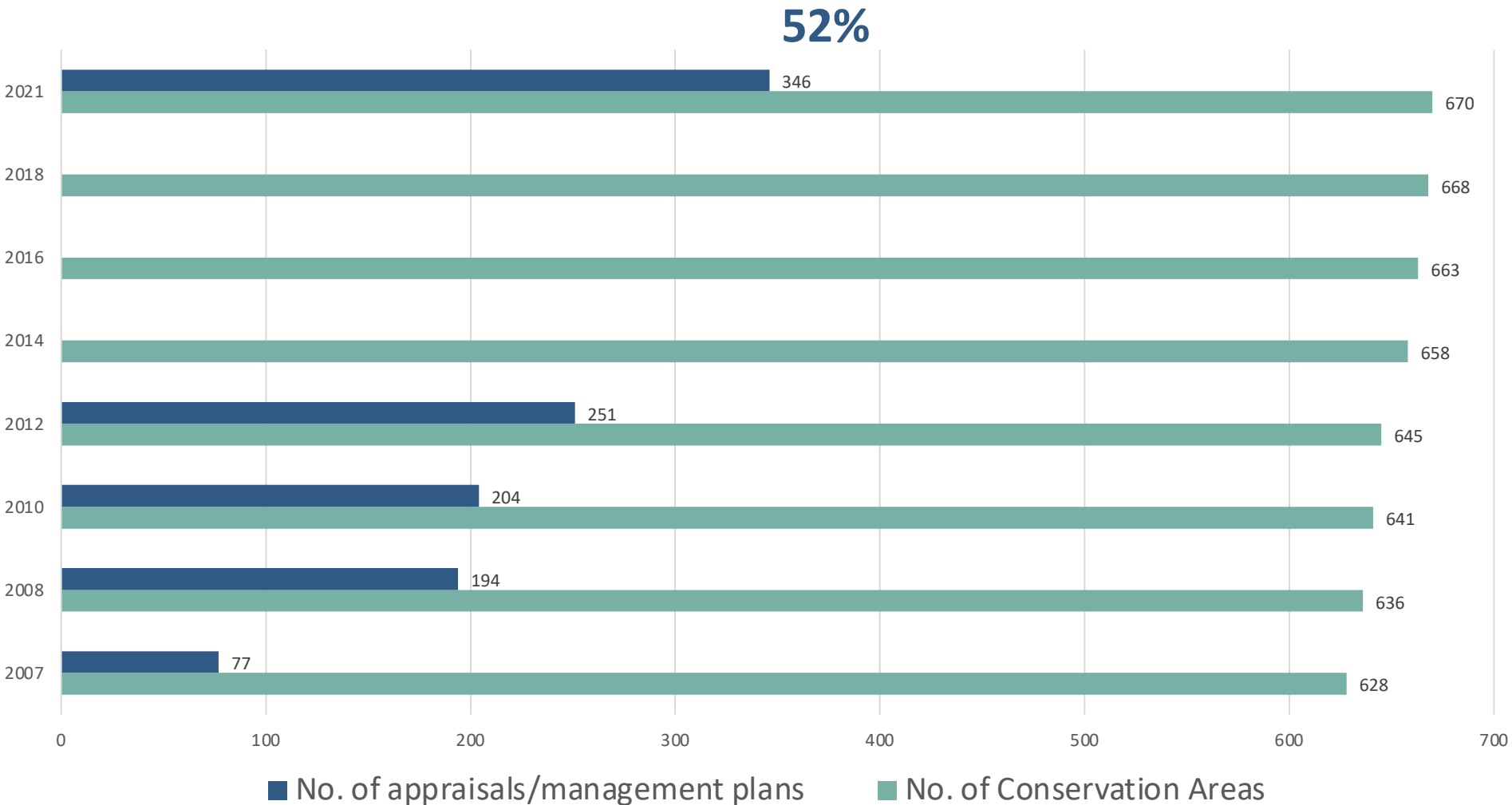
(2) Proposals under this section shall be submitted for consideration to a public meeting in the area to which they relate.

(3) The planning authority shall have regard to any views concerning the proposals expressed by persons attending the meeting

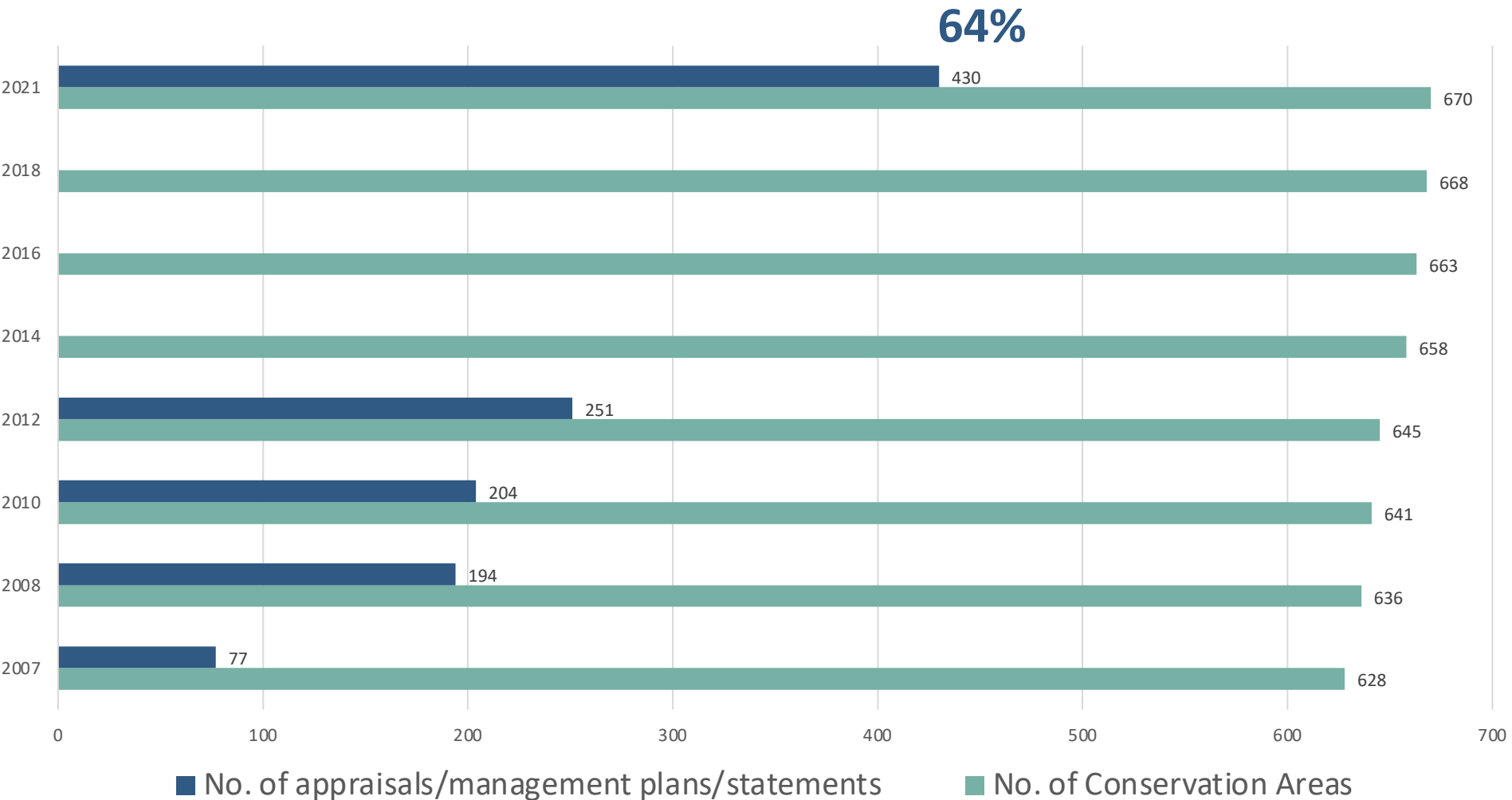
HOW ARE THEY MANAGED?

- **CA Character Appraisals:** identify the essential character of conservation areas. They guide planning decisions and, where opportunities arise, identify enhancement proposals. They are a material consideration when considering applications for development.
- **CA Management Plans:** provide guidance for repair and restoration of existing buildings as well as for new development within the Conservation Areas.
- **CA Statements:** provide information about the significance/value of the area

HOW MANY HAVE A PLAN?



HOW MANY HAVE A PLAN?



HOW ARE THEY MANAGED?

- Conservation Appraisals and Management Plans
- Conservation statements / place briefs / masterplans
- SPP/NPF4/Local Development Plans
- Conservation Area Consent (only needed to demolish an unlisted building)
- Planning permission for works that would otherwise be permitted development
- Permitted Development – prior notification/prior approval
- Enforcement

MANAGING CHANGE – NATIONAL POLICY

Scottish Planning Policy

Local planning authorities should designate and review existing and potential conservation areas and identify existing and proposed Article 4 Directions. This should be supported by Conservation Area Appraisals and Management Plans

Proposals for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance. Where the demolition of an unlisted building is proposed through Conservation Area Consent, consideration should be given to the contribution the building makes to the character and appearance of the conservation area. Where a building makes a positive contribution the presumption should be to retain it.

Proposed works to trees in conservation areas require prior notice to the planning authority and statutory Tree Preservation Orders can increase the protection given to such trees. Conservation Area Appraisals should inform development management decisions.

MANAGING CHANGE – NATIONAL POLICY

National Planning Framework 4 – draft

e) **Development proposals should preserve or enhance the character and appearance of conservation areas and their settings by means of use, scale and massing, context, high quality design, suitable materials, careful layout and siting.** Proposals should have regard to the character of the area as identified in the relevant Conservation Area Character Appraisal/Management Plan (if available) and should respect the density, built form and layout and the architectural and historic character of the area.

f) **The demolition of buildings in a conservation area which make a positive contribution to its character should not be supported.** Before demolition is considered, reasonable efforts should be made to retain, repair and reuse the building. In some cases, demolition may be considered acceptable, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its reuse extremely difficult. In instances where demolition is to be followed by re-development within a conservation area, the consent to demolish should only be considered when there is an acceptable design and materials for the new building.

g) **Development proposals should ensure that existing natural and built features which contribute to the character of the conservation area and/or its setting are retained** especially structures, boundary walls, railings, trees and hedges.

MANAGING CHANGE – NATIONAL POLICY

SPP to NPF4 transition

- No policy change – key tests remains the same
 1. development should preserve or enhance
 2. neutral = preserve
 3. demolition of building that contributes to character should not be supported
 4. reasonable effort to retain, repair and reuse
 5. natural features should be protected
 6. setting should also be protected

MANAGING CHANGE – NATIONAL POLICY

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- Local Authorities can provide specific policies for the management of individual Conservation Areas (many already do)

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- CA management plans can be used as supplementary planning guidance (many already do this)

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- Extra detail – NPF4 will form part of the development plan
- Local Authorities can provide specific policies for the management of individual Conservation Areas (many already do)
- CA management plans can be used as supplementary planning guidance (many already do this)
- The planning policy landscape is shifting

MANAGING CHANGE – NATIONAL POLICY HIERARCHY

Now

Scottish
Planning
Policy (SPP)

HEPS

Local Development
Plan

Supplementary
Guidance (SG)

Supplementary
Planning
Guidance (SPG)

Managing
Change
Guidance

Planning Advice
Note 71

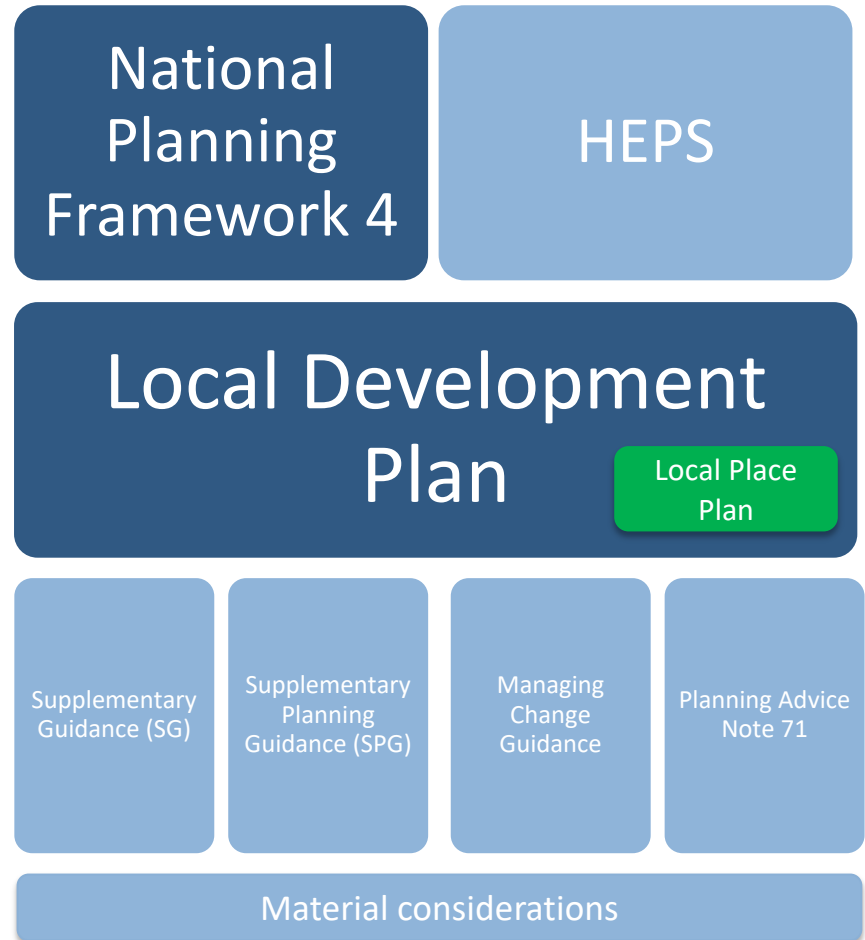
Material considerations

MANAGING CHANGE – NATIONAL POLICY HIERARCHY

Now



End 2022?



MANAGING CHANGE – NATIONAL GUIDANCE

National guidance &
planning advice

PAN 71 (2004)



MANAGING CHANGE – NATIONAL GUIDANCE

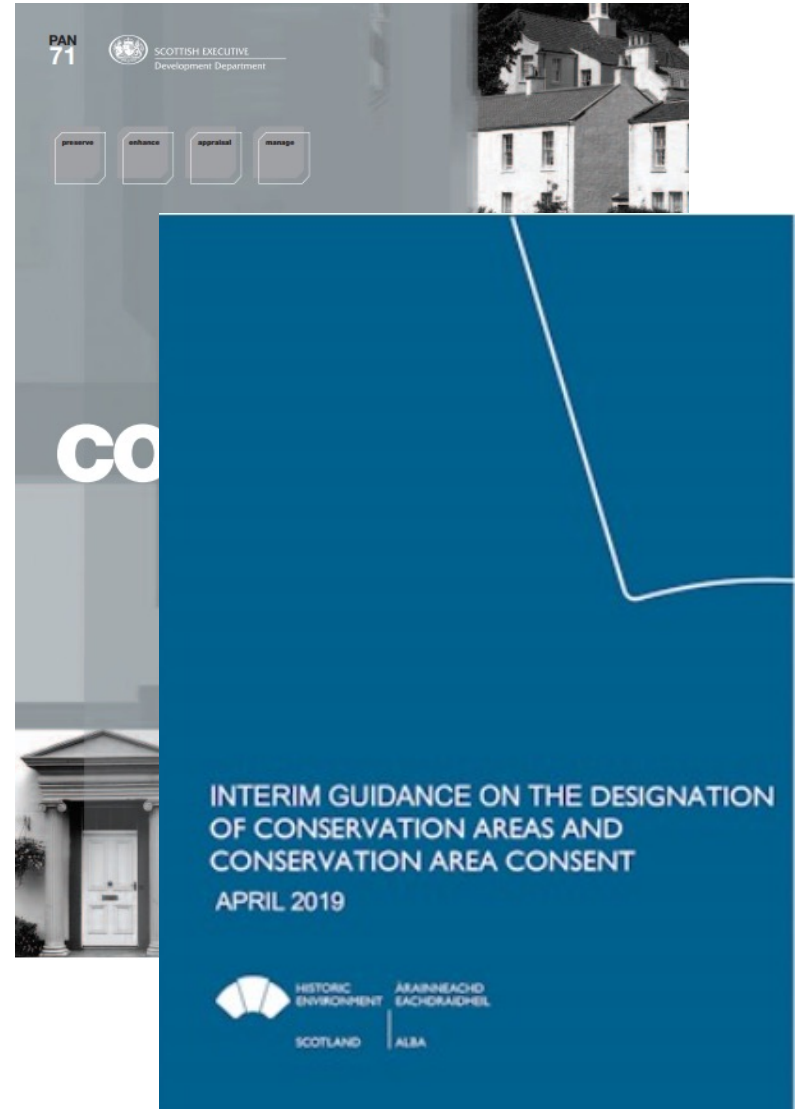
National guidance & planning advice

PAN 71 (2004)

HES guidance (2019)

HES is consulted on:

- The demolition, or substantial demolition of unlisted buildings within conservation areas (CAC)
- Consulted at the beginning of the process and our advice assists the local authority in making a decision.



CONSERVATION AREA CONSENT

CONSERVATION AREA CONSENT

Policy aims to retain unlisted buildings that contribute positively to the character or appearance of the conservation area.

- Positive attempt should be made to keep buildings that make a contribution before demolition is seriously considered.

Demolition may be thought appropriate if;

- The building is of little townscape value
- Structural condition means reuse will be costly
- Its form and location make reuse very difficult

Demolition should not be granted until there are acceptable plans for the replacement building.



HISTORIC ENVIRONMENT POLICY FOR SCOTLAND



HISTORIC
ENVIRONMENT
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WHAT ARE THE CHALLENGES AND OPPORTUNITIES FOR THE HISTORIC ENVIRONMENT?

There are a number of challenges and opportunities that affect how we understand, manage and care for the historic environment.

Decision-making has to be sufficiently flexible and adaptable to deal with wide-ranging and ongoing changes in society and the environment.

Good decisions will aim to achieve the best possible outcome for the historic environment and maximise its benefits.

CHALLENGES AND OPPORTUNITIES

LAND MANAGEMENT

Land management affects much of the historic environment. Changes to agricultural and land use policies and practice can have a significant impact.

CLIMATE CHANGE

Climate change and the effort required to mitigate and adapt to its effects have a significant impact on the historic environment. We are still working as a society to understand this impact.

SOCIETAL CHANGE

Our communities and lifestyles are changing; our population is ageing and shifting. This can have an impact on the historic environment, changing how we interact with it and value it.

INTANGIBLE CULTURAL HERITAGE

Established ways of managing the historic environment are often based around physical structures such as buildings and monuments - but the historic environment is made up of both intangible and tangible cultural elements.

A HOLISTIC APPROACH TO THE ENVIRONMENT

All of our landscapes - rural and urban - are part of the historic environment. Established ways of managing them don't always recognise that natural and cultural benefits and outcomes are often interdependent.

ECONOMIC CHANGE

Changes to the economy, whether positive or negative, have an impact on the historic environment and how it is looked after and managed. The historic environment contributes to our economy and can be a source of sustainable growth.

COMMUNITY PARTICIPATION AND EMPOWERMENT

Decisions about the historic environment have an impact on people and communities. Empowering communities and broadening participation improves outcomes for people and for the historic environment.

REGULATORY CHANGE

Changes to a wide range of laws and regulations can affect the management of the historic environment. It can be hard to predict and fully understand the impact of these changes.

SKILLS AND CAPACITY

Good management relies on decision-makers having access to the right skills, expertise and capacity to look after the historic environment and make informed decisions.

SUSTAINABLE TOURISM

Tourism brings huge benefits to the wider economy and can provide financial resources for looking after historic sites and buildings. High visitor numbers can also affect the sites themselves, sometimes creating management challenges.

FUNDING

Some historic places and sites will rely on external funding. There are difficult choices to be made about where to spend available money, and opportunities to think creatively about approaches to funding.

ROLES AND RESPONSIBILITIES

Taking care of the historic environment is a shared responsibility. Sometimes the interests of different groups and individuals overlap, and this can cause confusion and tension about roles and responsibilities.

DIVERSITY EQUALITY AND ACCESS

Established ways of recognising and managing the historic environment haven't always reflected our whole society. It is important to talk about the past in a way that celebrates its diversity. The historic environment should be accessible and inclusive, providing a source of inspiration, enjoyment and learning for all.

CREATING AND MAINTAINING PLACES

The changing places where we live, work and play, and the ways we understand and relate to them, are among the wide range of factors that affect our wellbeing. The historic environment plays a key part in making 'good places'.

Buildings at Risk

Register *for* Scotland

[Suggest a Building](#)[Restoration Funding](#)[Publications](#)[Latest News](#)[FAQ](#)[Links](#)[Toolkit](#)[Advanced Search](#)

Featured Building



Infant School (Former), Sanderson's Wynd, Tranent

Success Stories

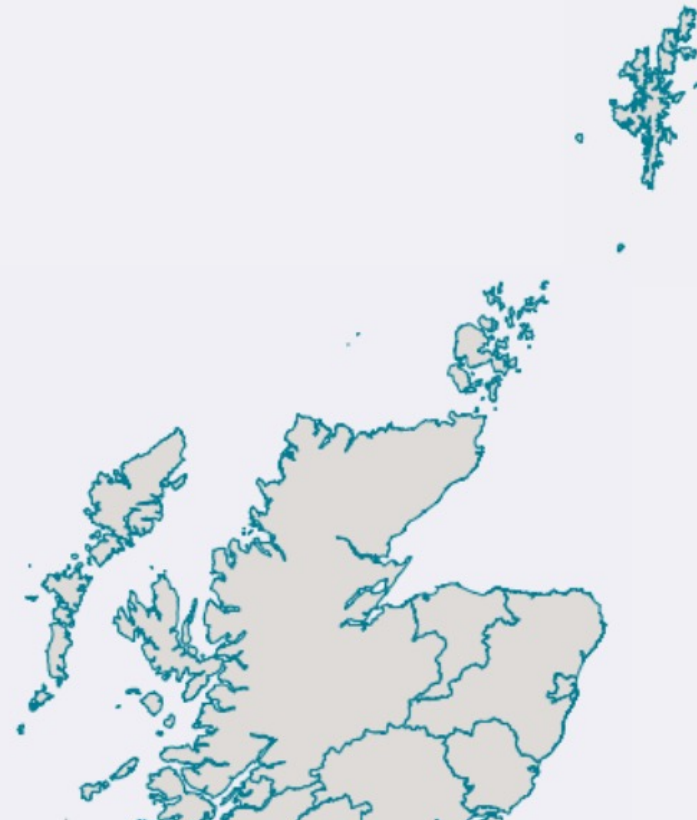


Calman Cancer Support Centre

Glasgow Building Preservation Trust has brought back into use a former Arts and Crafts chapel at Royal Gartnavel Hospital as a flagship centre for charity Cancer Support

Planning Authority Search

Pick a planning authority area from the map or list to search the register



CLIMATE CHANGE

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FUNDING

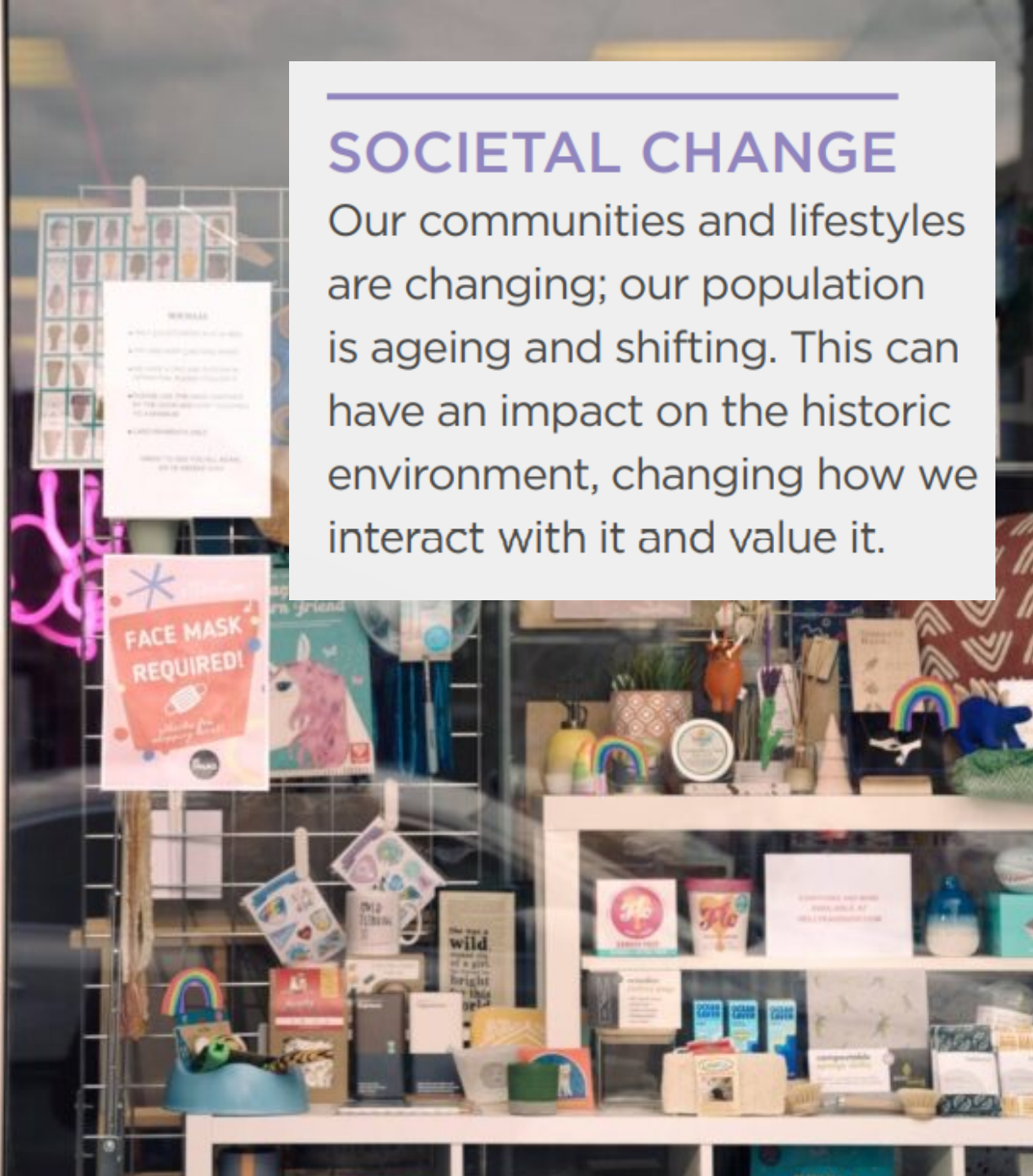
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SOCIETAL CHANGE

Our communities and lifestyles are changing; our population is ageing and shifting. This can have an impact on the historic environment, changing how we interact with it and value it.



Cash fears as third of Scottish banks lost

🕒 26 March 2019 | 💬 Comments



Banks across Scotland, including in Beauly, Stonehaven and Dalbeattie have closed

Dramatic drop in church attendance in Scotland

🕒 16 April 2017



GETTY IMAGES

Around 7.2% of people in Scotland are regular churchgoers

HEP1

Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.

HEP2

Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

HEP3

Plans, programmes, policies and strategies, and the allocation of resources, should be approached in a way that protects and promotes the historic environment.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

HEP4

Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

HEP5

Decisions affecting the historic environment should contribute to the sustainable development of communities and places.

HEP6

Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand.

MANAGING CHANGE – NPF4 OUTCOMES

sustainable places
liveable places
productive places
distinctive places



MANAGING CHANGE – NPF4 OUTCOMES

Spatial principles

(a) compact growth

(b) local living

(c) balanced
development

(d) conserving and
recycling assets

(e) urban and rural
synergy

(f) just transition



MANAGING CHANGE – NPF4 OUTCOMES

Spatial principles

(a) compact growth

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(e) urban and rural
synergy

(f) just transition

(d) Conserving and recycling assets.

Scotland has many strengths and each place should be planned in a way that works with its **distinctive character and identity**.

We will **protect and enhance the assets of each of our places, leaving a positive legacy for future generations.**

Our focus is on making productive use of existing buildings, places, infrastructure and services, locking in embedded carbon and minimising waste, and supporting Scotland's transition to a circular economy.

This includes nationally significant sites for investment which are well served by existing infrastructure and sustainable travel modes, and excellent propositions for redevelopment across urban and rural Scotland and the islands.

MANAGING CHANGE – PLANNING REFORMS

HAPPENING NOW

- »» Review of Permitted Development Rights
- »» Local Place Plans

MANAGING CHANGE – PLANNING REFORMS

REVIEW OF PERMITTED DEVELOPMENT RIGHTS

- Telecommunications
- Active travel
- Changes of use in city, town and local centre
- EV charging



MANAGING CHANGE – PLANNING REFORMS

LOCAL PLACE PLANS

- new right for communities to produce their own plans
- contain proposals for the development and use of land
- can identify land and buildings of particular significance to local communities



<https://nickwrightplanning.co.uk>

MANAGING CHANGE – PLANNING REFORMS

LOCAL PLACE PLANS

- Prepared by a Community Body
- If registered, it must be kept on a register and mapped
- Planning authority will have regard to these in preparing LDP



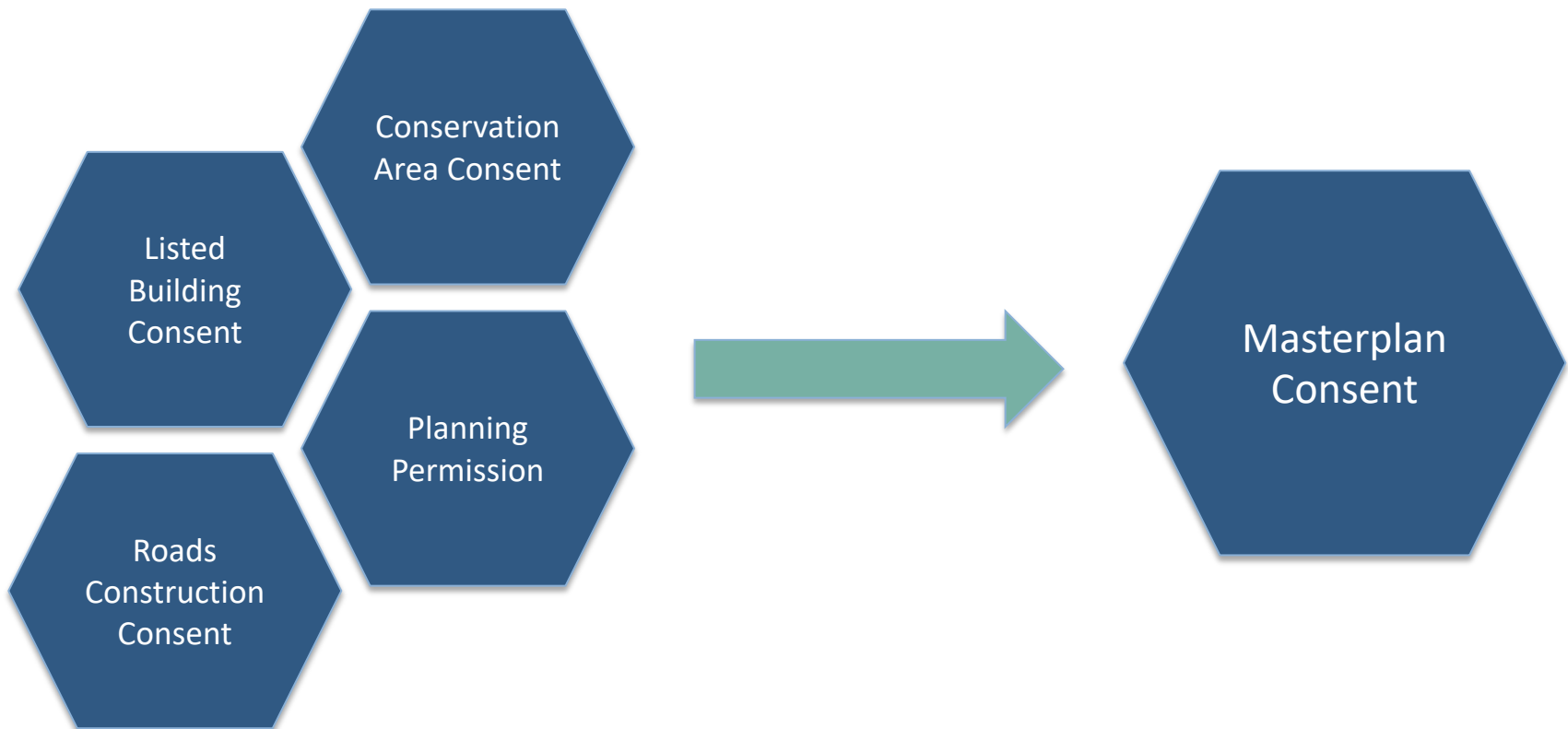
MANAGING CHANGE – PLANNING REFORMS

COMING SOON

- »» Masterplan Consent Areas
- »» Local Development Plan Evidence Reports & changes to supplementary guidance

MANAGING CHANGE – PLANNING REFORMS

MASTERPLAN CONSENT AREAS



MANAGING CHANGE – PLANNING REFORMS

EVIDENCE REPORTS

- Strategies and action plans relating to the historic environment
- Empty buildings at risk
- Reports informed by CA appraisals & management plans
- CARS schemes/ conservation projects

Distinctive Places

- Town Centre Audits & Strategies
- Strategies and action plans relating to the historic environment and assets
- Population stats and projections
- Vacant & derelict land
- Empty buildings at risk
- Rural types, population distribution and demographic profile
- Local Biodiversity Action Plan
- Data on peat and carbon rich soils
- Forestry & Woodland Strategy, Native Woodland Survey of Scotland and Ancient woodland Inventory, Tree Preservation Orders
- Review of areas designated for their local landscape value and nature conservation interests
- Coastal evidence and information

CONSERVATION AREAS

- THE LEGAL FRAMEWORK
- THE POLICY CONTEXT
- PLANNING REFORMS

CONSERVATION AREAS

- THE LEGAL FRAMEWORK
- THE POLICY CONTEXT
- PLANNING REFORMS
- DESIGNATION POLICY AND SELECTION GUIDANCE FOR CONSERVATION AREAS...

DESIGNATING CONSERVATION AREAS

UPDATING NATIONAL POLICY

29 SEPTEMBER 2022

Dawn McDowell
Deputy Head of Designations



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Conservation Areas Designation Policy

- Background to CA designation policy & selection guidance
- How we updated national designations policy and guidance (2019)
- The relationship of national designation and CAs
- Later 20th century townscape and modern heritage
- Decision makers and community participation

PRIMARY LEGISLATION



Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

1997 CHAPTER 9

An Act to consolidate certain enactments relating to special controls in respect of buildings and areas of special architectural or historic interest with amendments to give effect to recommendations of the Scottish Law Commission. [27th February 1997]

Section 61 of the 1997 Act

To be designated as a conservation area it must meet the criteria of special architectural or historic interest the character or appearance of which is desirable to preserve or enhance.

Section 63 of the 1997 Act

[...] special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

2019 Interim Guidance

INTERIM GUIDANCE ON THE DESIGNATION
OF CONSERVATION AREAS AND
CONSERVATION AREA CONSENT

APRIL 2019



HISTORIC
ENVIRONMENT

SCOTLAND

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ANNEX 3:

CRITERIA FOR THE DESIGNATION OF A CONSERVATION AREA

1. It is the character or historic interest of an area created by individual buildings and open spaces and their relationship one with the other which the legislation covering conservation areas seeks to preserve.
2. The statutory definition is 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance' and conservation areas will inevitably be of many different kinds.
3. The principles of selection for designation as a conservation area are broadly as follows:
 - a. areas of significant architectural or historic interest in terms of specific listed buildings and/or ancient monuments;
 - b. areas of significant architectural or historic interest in terms of building groupings, which may or may not include listed buildings and/or ancient monuments, and open spaces which they abut;
 - c. areas with features of architectural or historic interest such as street pattern, planned towns and villages and historic gardens and designed landscapes;
 - d. other areas of distinctive architectural or historic character.
4. In designating a conservation area, thought should also be given to the reasons why it is felt that it should be protected. These may include:
 - a. its special architectural and historic importance;
 - b. its distinct character;
 - c. its value as a good example of local or regional style;
 - d. its value within the wider context of the village or town;
 - e. its present condition and the scope for significant improvement and enhancement.

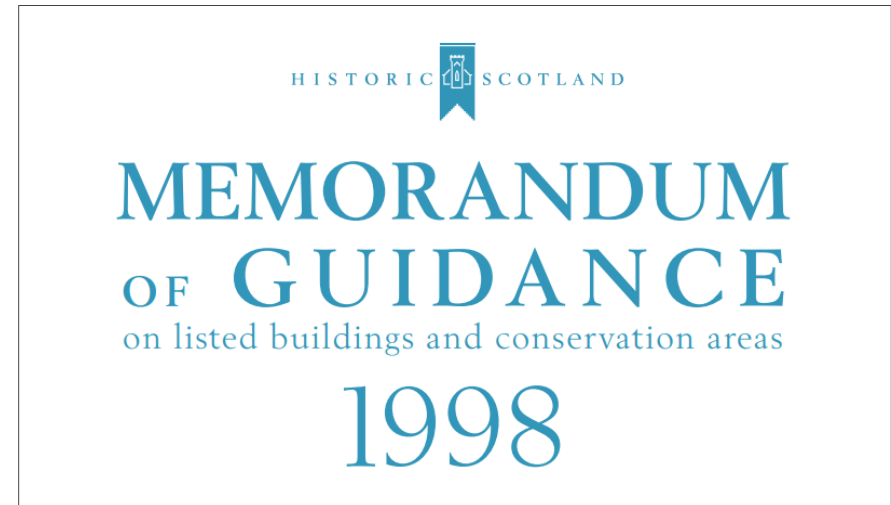
HISTORIC ENVIRONMENT SCOTLAND POLICY STATEMENT JUNE 2016



Scottish Historic Environment Policy (SHEP), Historic Scotland, 2009 & 2011



Memorandum of Guidance, Historic Scotland, 1998



Planning Advice Note (PAN) 71 (2004)

PAN 71

SCOTTISH EXECUTIVE
Development Department

preserve enhance appraisal manage

Planning Advice Note

conservation

Area Management

Designation alone will not secure the protection and enhancement of **conservation areas**. Active management is vital to ensure that change can be accommodated for the better.



effective

Effective management of the public realm is not just an issue of funding, it is equally about the skills deployed, the way in which regulations are used and the way in which the design process is managed.

1: Curbs
2: Stages
3: Eye-lines



Selection principles

- 1) areas of significant architectural or historic interest in terms of specific listed buildings and/or scheduled monuments;
- 2) areas of significant architectural or historic interest in terms of building groupings, which may or may not include listed buildings and/or scheduled monuments, and open spaces which they abut;
- 3) areas with features of architectural or historic interest such as street pattern, planned towns and villages and historic gardens and designed landscapes; and
- 4) other areas of distinctive architectural or historic character.

Characteristics and values

- 1) Special architectural or historic importance
- 2) Distinct character
- 3) Value as a good example of local or regional architectural style
- 4) Value within wider context of town or village
- 5) Present condition, and scope for significant enhancement

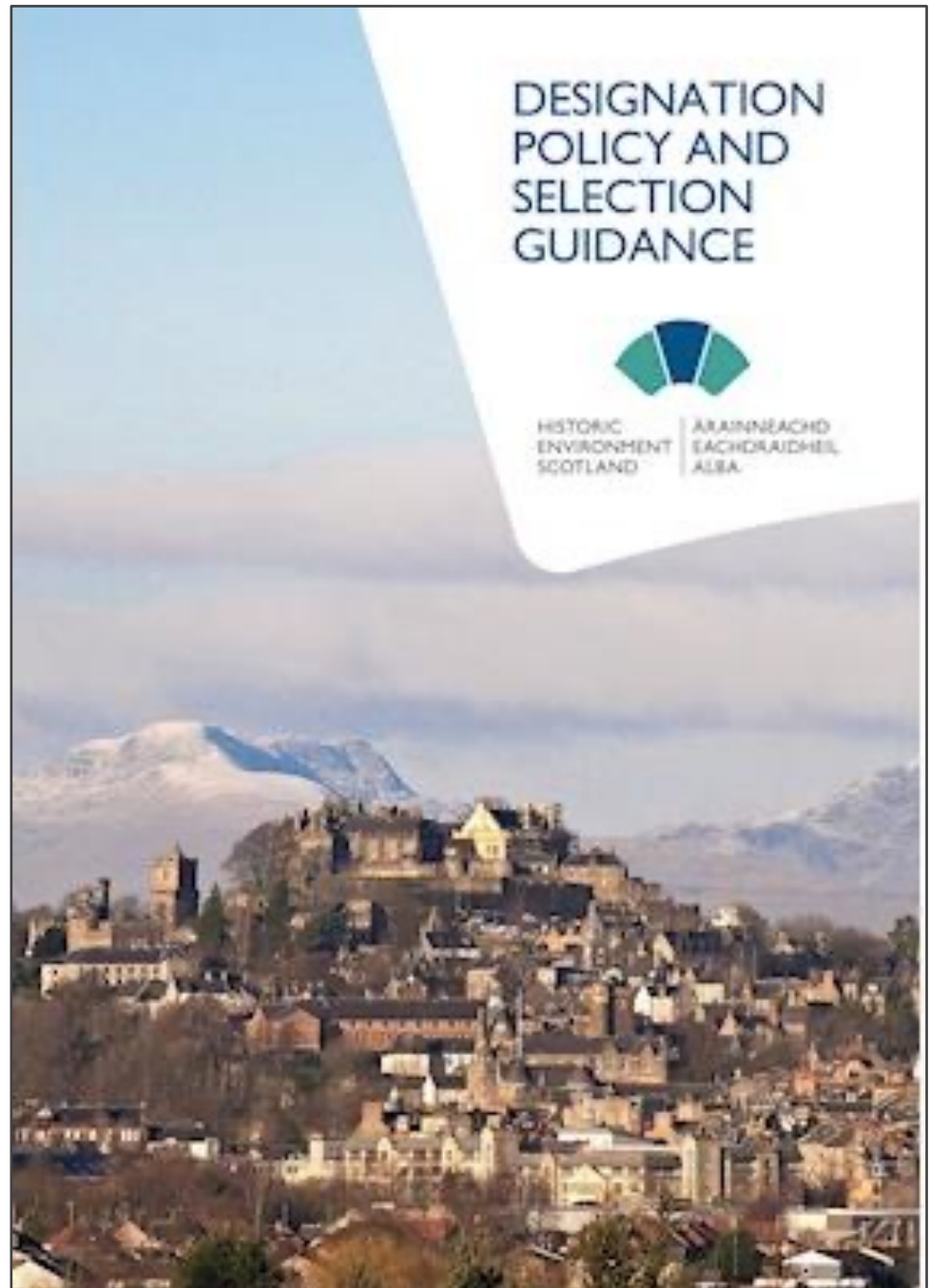
Designation Policy and Guidance

Explains the policy and principles of designation in clear language

Explains the process of designation

Contains selection guidance for each national designation

Makes clear the connection to Historic Environment Policy for Scotland



Dunecht Estate Village, Aberdeenshire, Conservation Area Designation Proposal



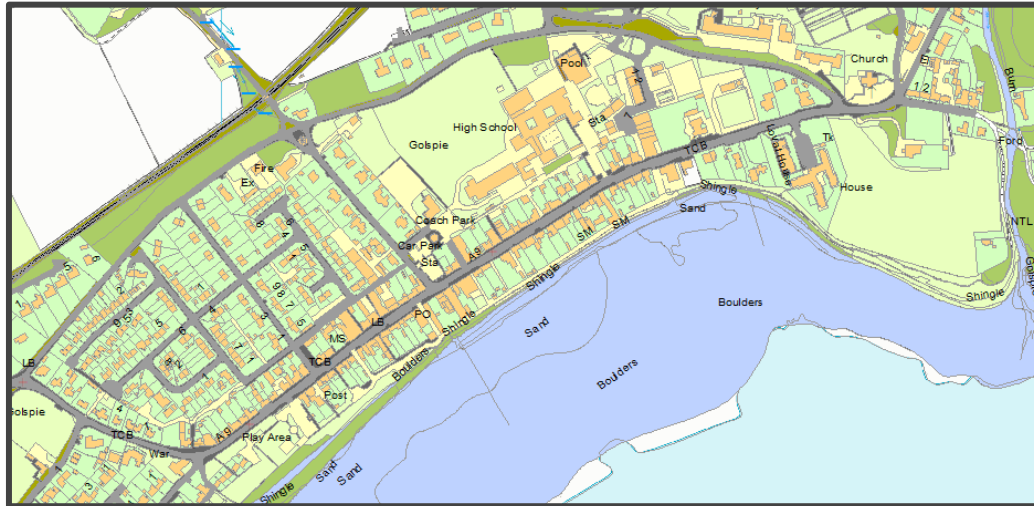
Dunecht Proposed Conservation Area Boundary

Scale - 1:2500

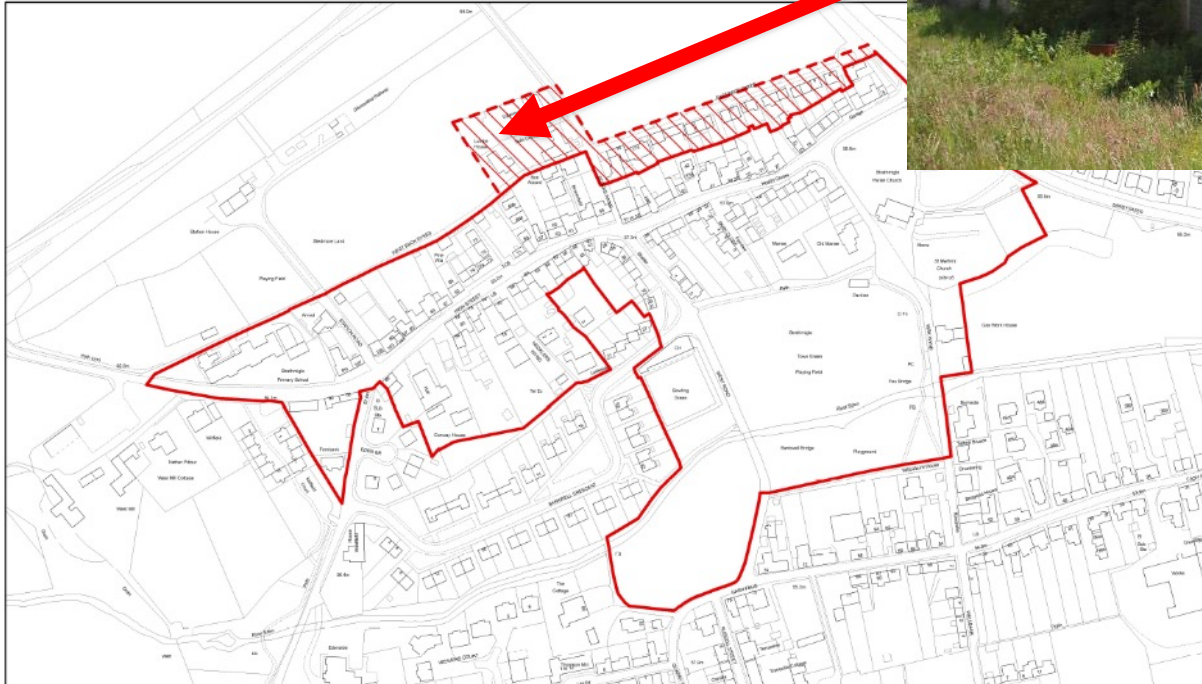
22nd May 2020





Delisting proposal, building listed category C in Golspie, Highland (not currently a CA)



Listing proposal for Daleview, Strathmiglo, Fife – CA extension proposed



Strathmiglo Conservation Area

-  Current Conservation Area Boundary
-  Proposed Conservation Area Extension



Scale 1:3,000



Economy, Planning &
Employability Services

Designed Landscapes of the Recent Past

Find out more about our project on Scotland's modern garden and designed landscape heritage



What does a modern Scottish garden or designed landscape look like?

Historic Environment Scotland (HES) is working on an exciting and ambitious project to identify, record, champion and celebrate Scotland's remarkable modern gardens and landscapes.

historicenvironment.scot/modernlandscapes

Clackmannann Urban Survey

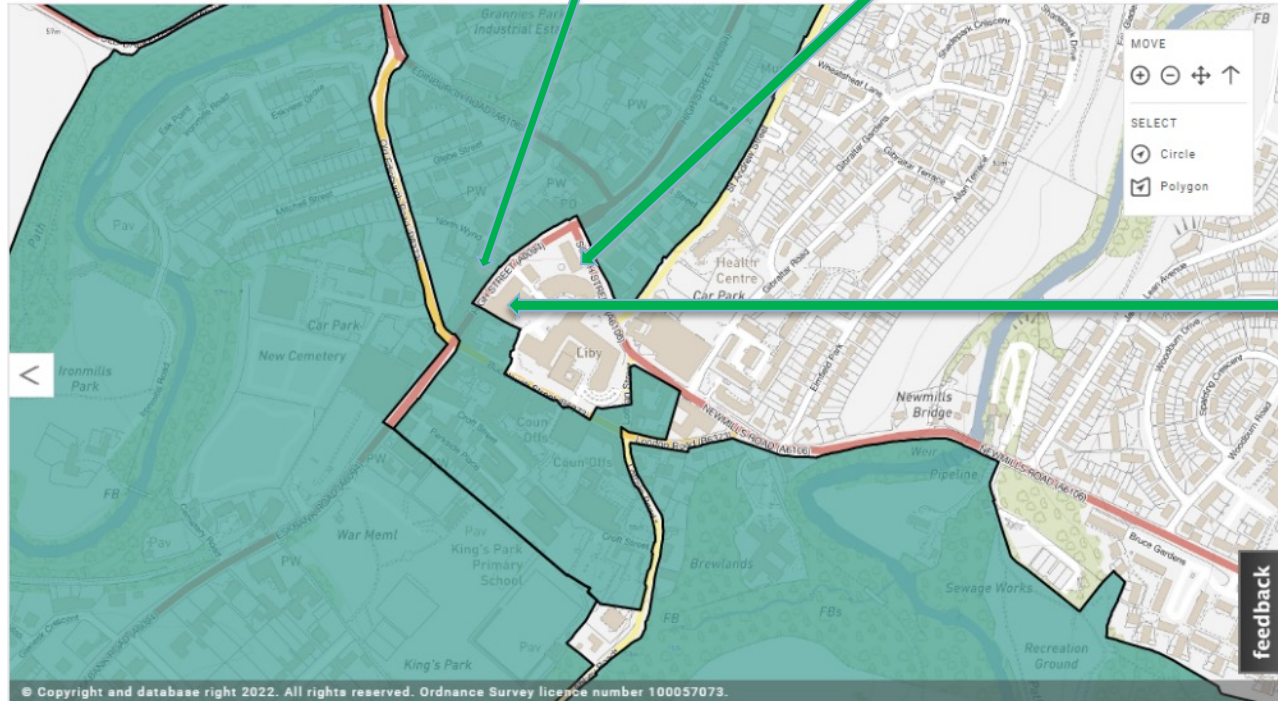
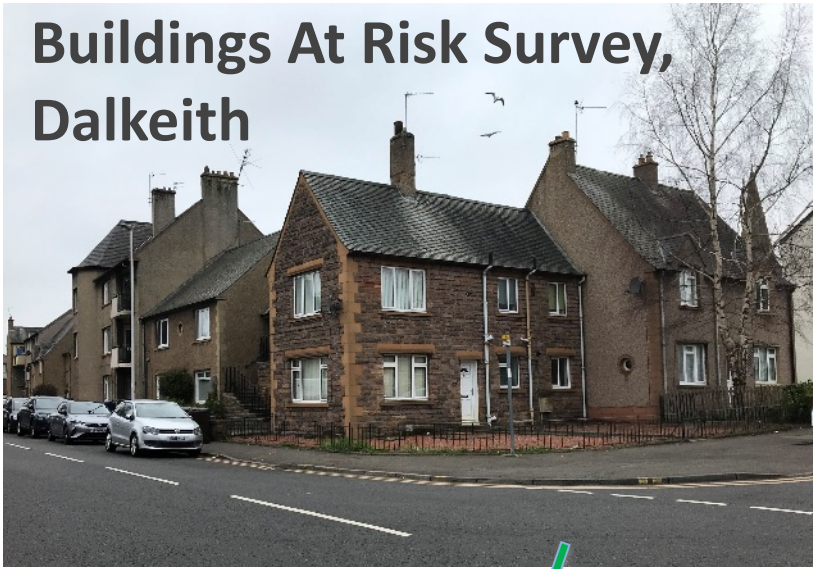


Map showing Areas of Townscape Character across Clackmannann (based on dating)

Historic Core Area of Townscape Character		C20 Mining Expansion Area of Townscape Character	
■	Historic Burgh Core	■	1930s/1940s
■	C19 developments (including original outlying mining villages)	■	1940s/1950s
■	Early C20	■	1960s
		■	1950s/60s redevelopment (W H Henry)
C20/C21 Commuter Expansion Area of Townscape Character			
■	1960s/1970s		
■	1980s/1990s		
■	C21		



Buildings At Risk Survey, Dalkeith



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HISTORIC ENVIRONMENT SCOTLAND

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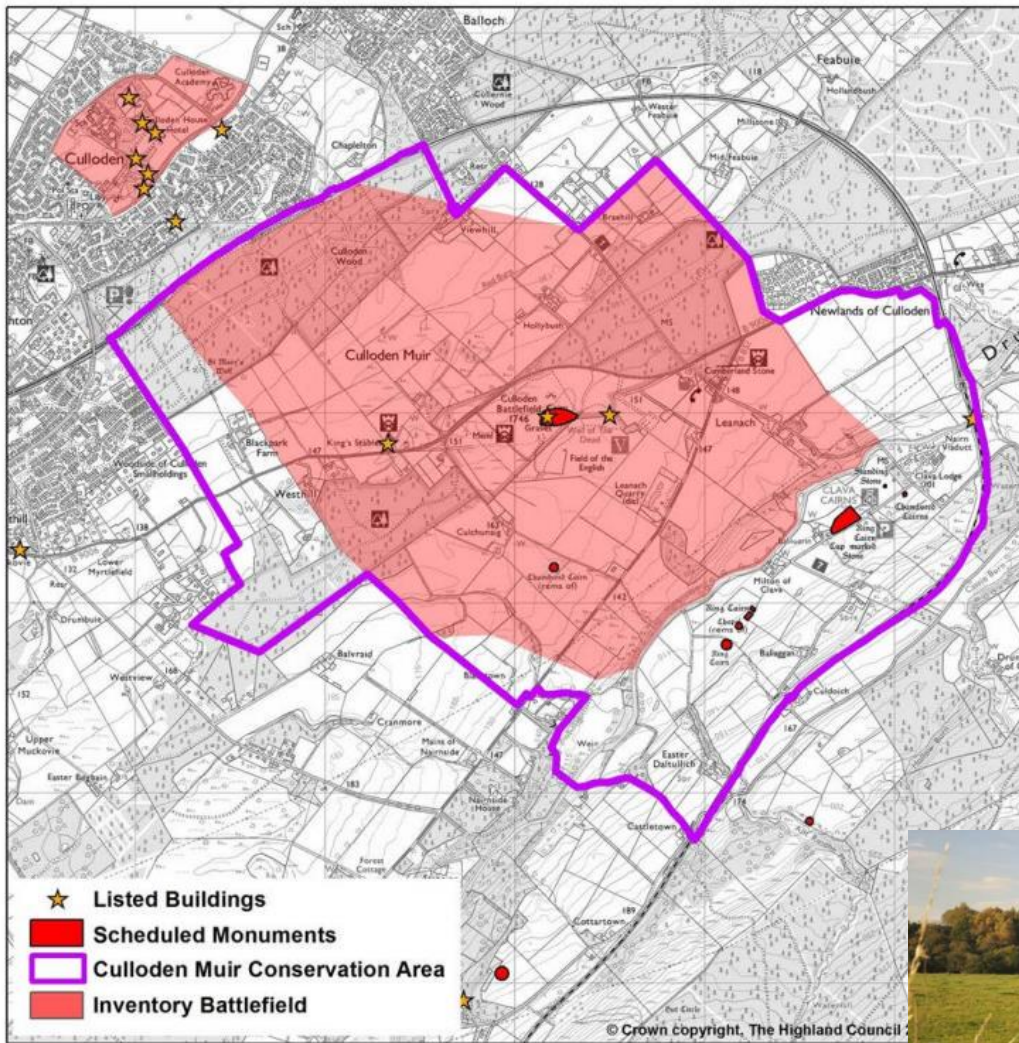


Scottish Historic Environment Records Forum

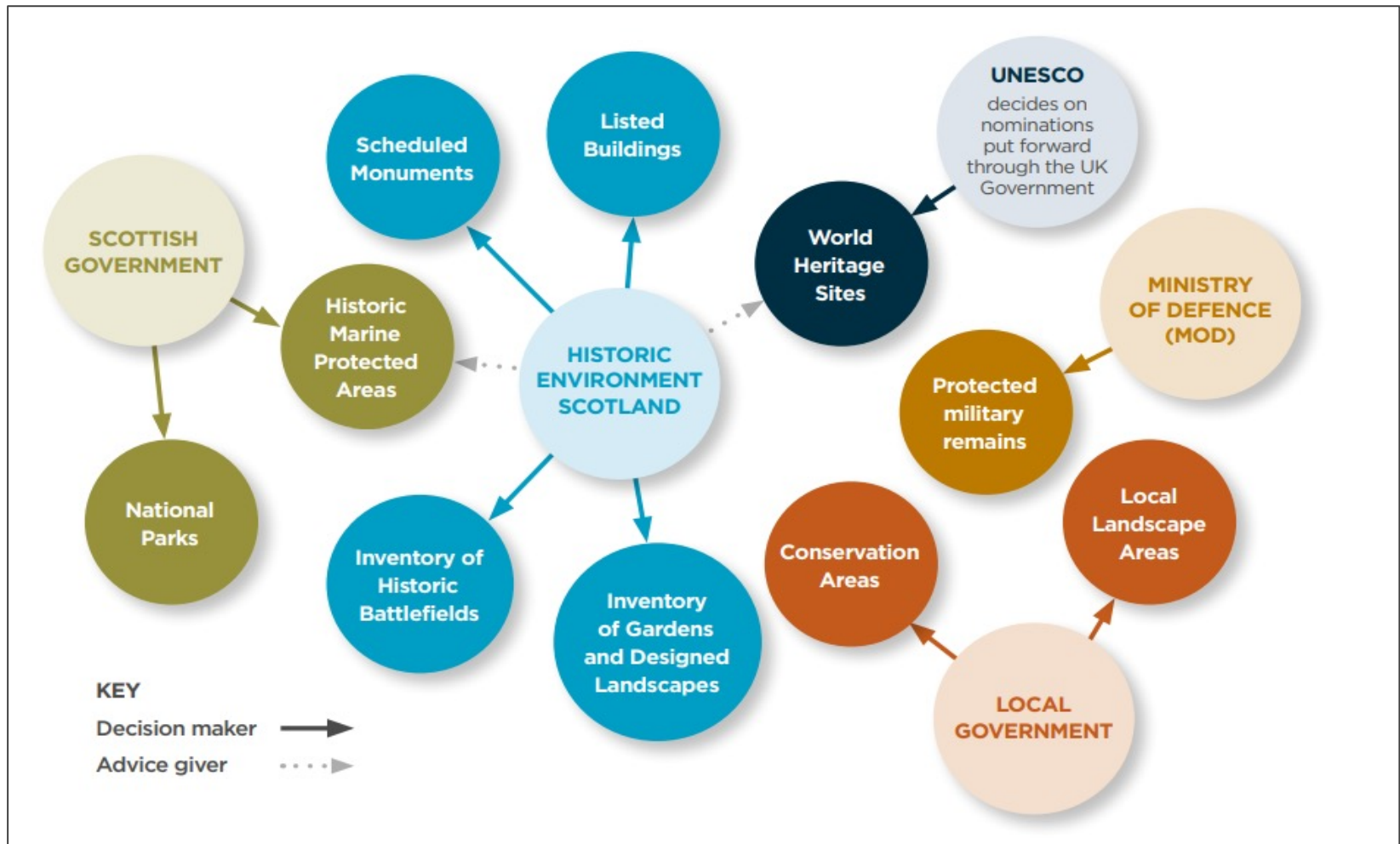
Later 20th century CA proposal Crookfur Cottage Homes, Newton Mearns, East Renfrewshire



Culloden Muir Conservation Area, Highland – boundary change



WHO IS RESPONSIBLE FOR DESIGNATION

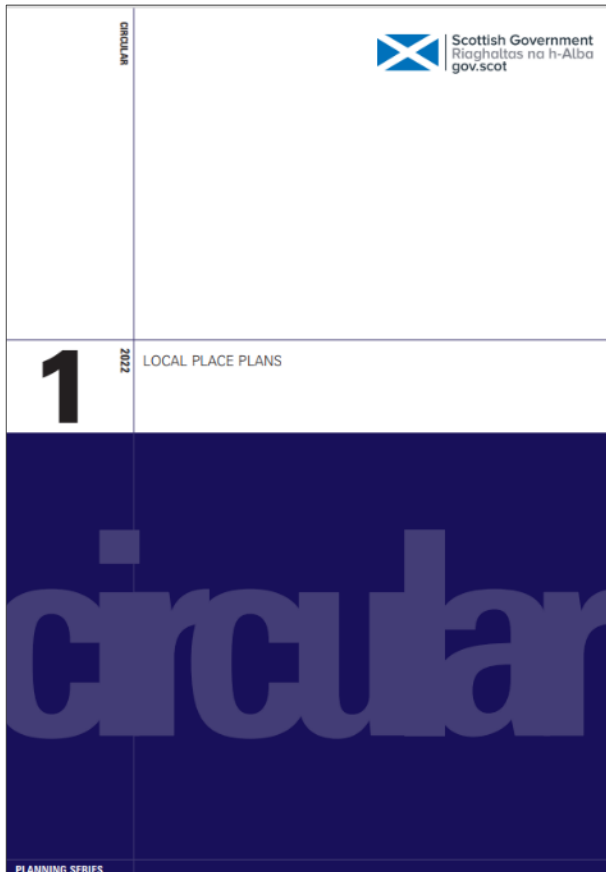


Community participation – Fraserburgh Heritage Regeneration



Local Place Plans

“The aim is to significantly enhance engagement in development planning, effectively empowering communities to play a proactive role in defining the future of their places.”



HEP6

“Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities.”



dawn.mcdowell@hes.scot

designations@hes.scot



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA



Challenges of Fraserburgh 2021

Cheryl Roberts

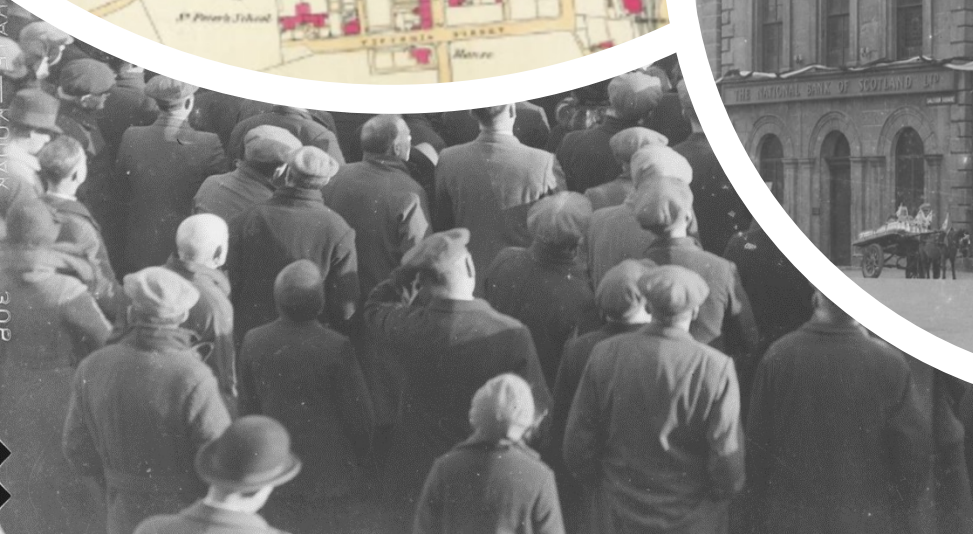
Fraserburgh 2021 Project Co-ordinator





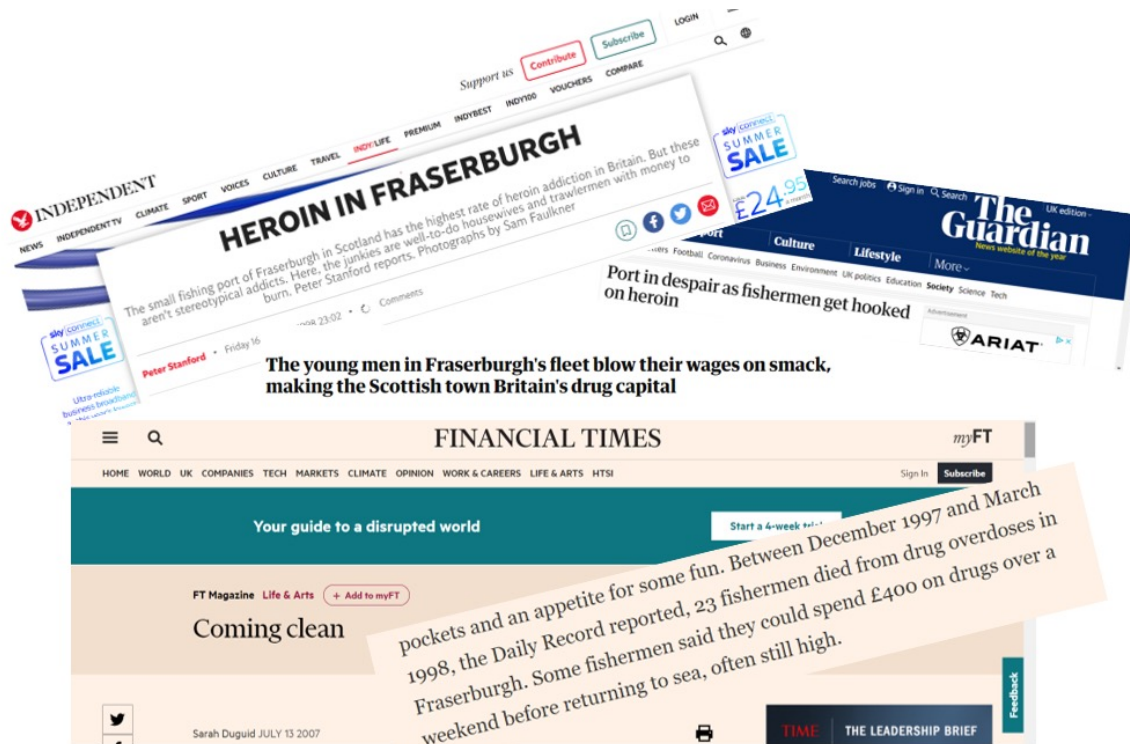
Fraserburgh

North East Scotland









British Journal of General Practice
bringing research to clinical practice

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The Back Pages

The Fraserburgh Situation

David Stevenson

British Journal of General Practice 2011; 61 (584): 236-237. DOI: <https://doi.org/10.3399/bjgp11X561483>



Fraserburgh

Developing Excellence in Our North Coast Communities
Report 2016/17



New regeneration strategy for Aberdeenshire

29 MAR 2016 | Reading time: 4 minutes

ARTICLE TAGS:

ABERDEENSHIRE COUNCIL

[Aberdeenshire Council](#) A new regeneration strategy aimed at creating strong and diverse towns and vibrant, growing communities has been approved by [Aberdeenshire Council](#).

Previously Aberdeenshire's Regeneration Strategy focused the council's whole regeneration budget of £400,000 on the Fraserburgh area.

A Four Towns Programme, aimed at improving and strengthening the town centres of Banff, Macduff, Fraserburgh and Peterhead was also being delivered.

‘From Strategy to Action:
Developing Excellence in our
North Coast Communities 2016’



FRASERBURGH

**PROPOSED TOWN CENTRE
CONSERVATION AREA APPRAISAL**

Aberdeenshire Council
Woodhill House
Westburn Road
Aberdeen
AB16 5GB

30th August 2014

What will
heritage
regeneration
look like in
Fraserburgh?

- A lack of opportunity for the younger people
- Poor accommodation provision for visitors
- Poor appearance and uninviting town centre environment







- 150+ businesses assisted
- 90+ New Jobs created within supported businesses
- 80+ start-up enterprises supported
- 300+ users of the Hub
- 2 Accelerators run
- 1000+ event attendees





John Trail
CARDS & BOOKS

27

John Trail
STATIONERY

INSTYLE

BARBER
SHOP



















What were
the challenges
in delivering
the project?

- Getting all levels of the Council to work together
- Keeping the community on board throughout
- Multiple ownership properties





How do we
protect the
investment?

- Enforcement
- Development Management
- Monitoring

Thank You



Conservation Area Conundrums

*Challenges and opportunities for repair, maintenance
and enhancement*

Sonya Linskaill RIAS RIBA



Common conservation area challenges:

1. **Loss of authenticity**
2. Vacancy and underuse
3. Inappropriate new development including unsympathetic alterations
4. Quality of the public realm
5. Green and open space management

Consider:

- Negative factors contributing to loss of authenticity
- Why have these challenges arisen?
- Difficulties in management of these challenges
- Opportunities for conservation areas

Loss of authenticity: negative factors

Three issues:

1. A lack of maintenance and repair
2. The unnecessary loss of historic fabric
3. The use of inappropriate materials in repair and replacement



Loss of authenticity: negative factors

1. A lack of maintenance and repair



Lack of gutter clearing



Stone erosion and chimney defects



Lack of regular repainting of dormer window joinery



Missing rainwater goods

Loss of authenticity: negative factors

2. Unnecessary loss of historic fabric

© The Wick Society - The Johnston Photographic Collection.



Building stripped of its architectural features has removed much of the building's original character.

© The Wick Society - The Johnston Photographic Collection.



In the 1930s



In 2000



Loss of original windows and inappropriate replacements



Stone copes removed

Loss of authenticity: negative factors

3. Use of inappropriate materials in repair and replacement



Cementitious mortar and plastic stone repair.



Inappropriate replacement windows



Inappropriate felt tiles used on dormers



Inappropriate slate specification

Why have these challenges arisen?

Limited legislative tools

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

Prevention of Deterioration and Damage:

Section 42 Compulsory Acquisition of a listed building in need of repair

Section 43 Repairs Notice as preliminary to acquisition under section 42

Section 47 Acquisition by agreement

Section 49 Urgent Works to preserve unoccupied listed buildings

Section 51 Local authority may contribute to preservation of listed buildings etc.

Conservation Areas:

Section 63 Proposals for preservation and enhancement of conservation areas

Section 66 Control of Demolition in conservation areas

Section 68 Urgent Works to preserve unoccupied buildings in conservation areas

Section 69 Grants or loans to preserve or enhance conservation areas

The Housing (Scotland) Act 2006

Provisions under this Act to ensure home owners keep their buildings in a reasonable standard of repair.

Section 13 The Repairing Standard

Section 14 Landlord's duty to repair and maintain

Section 30 Works Notices

Section 42 Maintenance Orders

Section 71 Scheme of Assistance

Building (Scotland) Act 2003

Defective and dangerous buildings

Section 28 Defective Buildings

Section 29 Dangerous Buildings

Section 30 Dangerous Building Notice

Why have these challenges arisen?

Permitted development and consents

The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011

Interpretation of the controls and understanding around repair, i.e. when does “repair” require listed building consent or planning permission.

4. Making Changes to a Dwellinghouse – Introduction To Enlarging a Dwellinghouse

Porch

Class 1C – The erection, construction or alteration of any porch outside any external door of a dwellinghouse.

This class allows for the construction of a small porch on any external door.

Enlargement of the roof

Class 1D – Any enlargement of a dwellinghouse by way of an addition or alteration to its roof.

This class allows for the construction of a typical rear facing dormer.

4.8

These permitted development rights do NOT apply to flats.

4.9

If the proposed development falls into any of the above classes and is in a conservation area then an application to the planning authority is required. Furthermore, if the dwellinghouse was created under permitted development rights granted by classes 18B or 22A then a planning application is required.

4.10

A listed building consent is required if the proposed development affects the character or setting of a listed building. A building warrant from the local authority is also often required, as explained in Section 2.

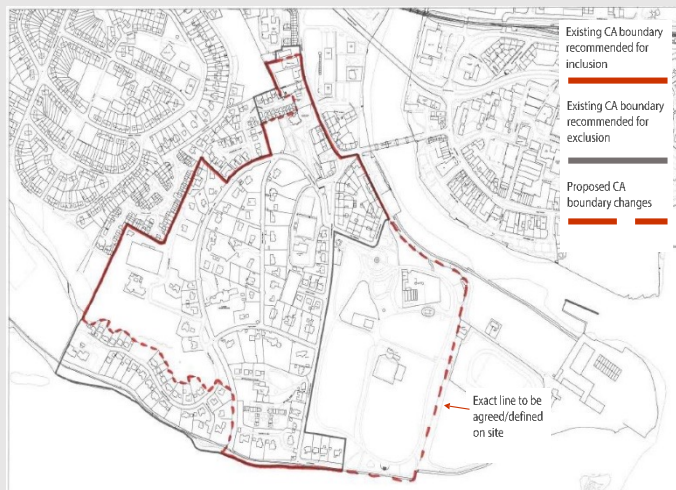
Why have these challenges arisen?

Past conservation area management

Historically a lack of detailed appraisal and regular review.

Changing views on the value of the historic environment.

Recent boundary reviews and new designations which may include properties with existing inappropriate incremental changes.



Kirktonhill Conservation Area



Alloa Glebe Cons. Area



Knoxland Square Conservation Area

Difficulties in management of these challenges:

Assessment of positive – neutral – negative buildings?
Definition and use of such an approach?



Historic buildings effected by disrepair



Historic buildings effected by inappropriate change



Conservation Area Appraisal, Designation and Management

Historic England Advice Note 1 (Second Edition)



Difficulties in management of these challenges:

Lack of understanding of significance and value of the historic environment

Lack of awareness of traditional materials and skills

Lack of awareness of available guidance

Lack of availability of suitable materials

Lack of availability of skilled contractors

Lack of (and cost of) safe access

Lack of investment in building maintenance and small repairs over time

Low property values v cost of appropriate repair

Environmental and economic concerns (e.g. double glazing)

Ownership issues, co-owners, absent owners

Etc.



Lack of skills

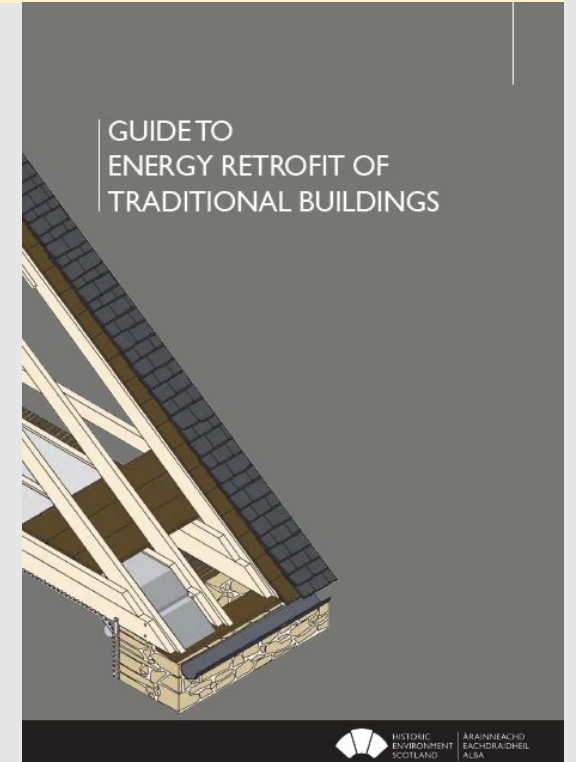
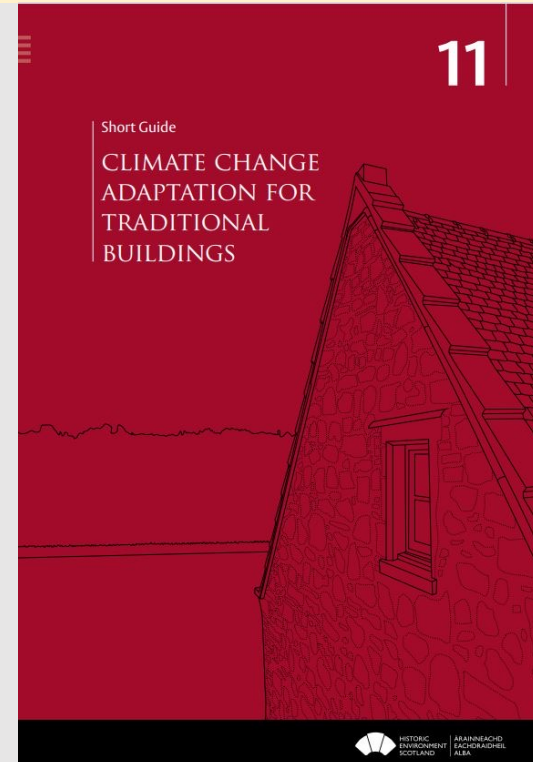


Difficulties in management of these challenges:

New challenges such as the potential impact on character and appearance, and fabric condition, from energy efficiency improvements.
Potential conflict with other policy initiatives.



External insulation



Opportunities for conservation areas:

Recognition on social, cultural, economic and environmental grounds.

Place-making policy and how to best to integrate with new Local Place Plans?

Maintenance and appropriate repair is gaining recognition:

Scottish Parliament Working Group on Tenement Maintenance.

NLHF area based schemes and HES Heritage & Place Programme will be looking for firm commitments to maintenance in funding applications and can support initiatives as part of area schemes.

Opportunities for conservation areas:

Practical examples from CARS and THI projects

Millport CARS offered a Free Building Health Check supported by a community benefits clause – the contractor and scheme architect accompanied the owners for a visual external inspection of their buildings.

Elgin CARS targeted a free condition survey to buildings which had been identified as in need of repair.



Free Property Health Check

- Loose roof tiles?
- Water ingress?
- Cracks in stone walls?

If you're the **owner of the traditional property** within the Millport Conservation Area, you can get your property checked by our experts.

John Fulton (Plumbers) Ltd. are currently on the island delivering the conservation work to two priority projects under Millport CARS. They are roof and leadwork specialists with extensive experience in conservation work and can assist with identifying the sources of problems and also advise on necessary repairs.

This service is delivered under the Community Benefits clauses and is **free of charge**. Places are limited and booking is required.

To book, email conservation@millport.gov.scot
If you don't have access to internet, the staff at the Millport Public Library will be able to offer assistance.

Millport
Conservation Area
Regeneration Scheme



Opportunities for conservation areas:

Practical examples from CARS and THI projects

Campbeltown CARS worked closely with the Housing Team for buildings in multiple ownership using the Housing Act's Scheme of Assistance to offer a grant contribution towards professional advice /condition surveys.

The leaflet features the Argyll & Bute Council logo at the top left and the Housing Services logo at the top right. It includes three photographs of historic stone buildings. The central text reads 'SCHEME OF ASSISTANCE' in bold, followed by 'For Private Owners and the Private Rented Sector to Adapt and Repair Housing'. At the bottom left, there is a quote: 'To realise the potential of communities by ensuring that people have access to affordable, sufficient and suitable housing in Argyll & Bute'. At the bottom right, there is a logo for 'POSITIVE ABOUT DISABLED PEOPLE'.

Argyll & Bute COUNCIL

HOUSING SERVICES

SCHEME OF ASSISTANCE

For Private Owners and the Private Rented Sector to Adapt and Repair Housing

To realise the potential of communities by ensuring that people have access to affordable, sufficient and suitable housing in Argyll & Bute

POSITIVE ABOUT DISABLED PEOPLE

Opportunities for conservation areas: *Practical examples from CARS and THI projects*

Detailed materials audits (stone / slate) and condition surveys
 Traditional skills audit of local contractors



A Building Stone Survey for Cupar Conservation Area, Cupar, Fife

Carried out by the Scottish Lime Centre Trust

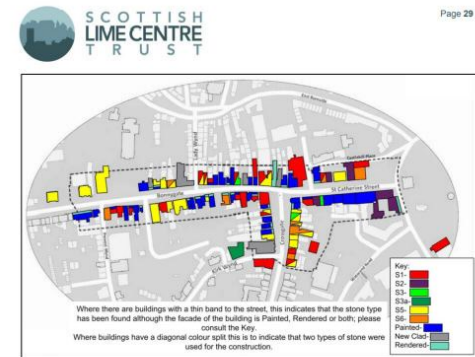


Figure 12: Distribution of stone types within the principle street elevations of the Cupar Priority Area. Map © Crown copyright and database rights 2015 Ordnance Survey 100023385.

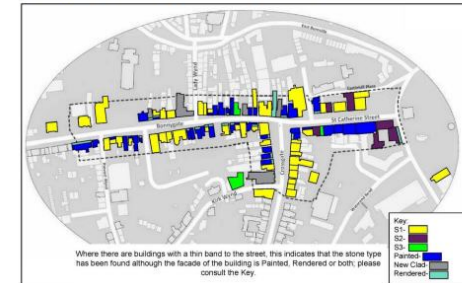
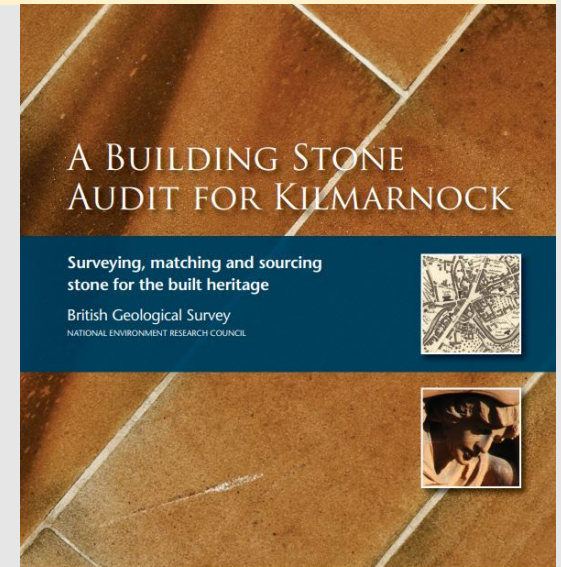


Figure 13: Simplified distribution of stone types within the principle street elevations of the Cupar Priority Area. Sandstone type S1 includes types S1, S5 and S6, as determined by petrographic thin section analysis. Map © Crown copyright and database rights 2015 Ordnance Survey 100023385.



Opportunities for conservation areas:

Practical examples from CARS and THI projects

Strathaven CARS developed a detailed Strathaven Maintenance Guide

Campbeltown & Rothesay Tenement Maintenance Guides

Kilmarnock Conservation Area Maintenance Guide

Falkirk Council Development Management Team as part of Falkirk THI

- informal monitoring and acting against unauthorised changes.

Work with 'Street Ambassadors' established as part of the Business Improvement District (BID) to improve communication and engagement.



Strathaven Maintenance Guide



Conservation and maintenance
in Strathaven



Good practice maintenance

What to look out for
Walls, roofs and problem areas



Windows and shopfronts

Common property repairs
Working with other owners



Get help
*Where to get professional and
technical advice*

Opportunities for conservation areas:

Fife Council's Stitch in Time

High level inspection and maintenance works in Fife's traditional high streets.

Funding identified through the former Private Housing Improvement Programme (PHIP, £99,000) and from individual local authority area budgets.

Total project costs in the region of £150,000 across 15 towns covering more than 2500 properties.

Partners:

- Building Standards and Public Safety (inspection)
- Building Services (physical access and maintenance works)
- Private Housing Standards Team (communications)

Some towns in association with Fife Historic Buildings Trust and CARS/THI schemes.



Opportunities for conservation areas:

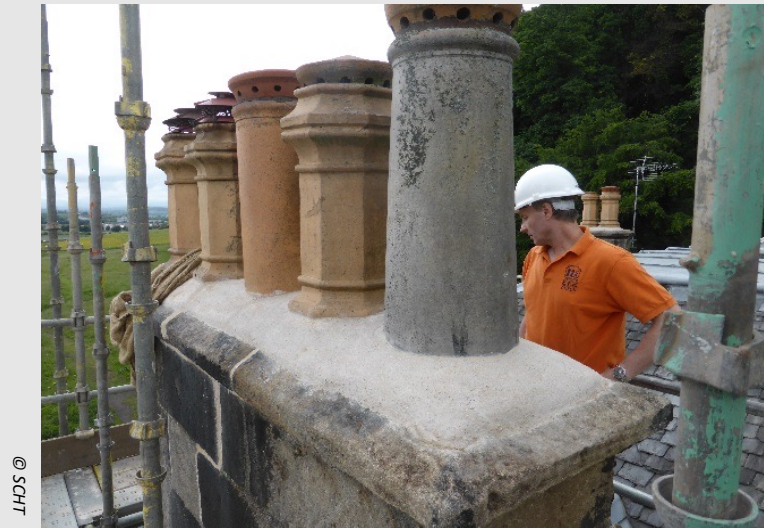
City Heritage Trusts: in all six Scottish cities

General advise and prioritised grant schemes for repair.

Stirling City Heritage Trust: Traditional Buildings Health Check

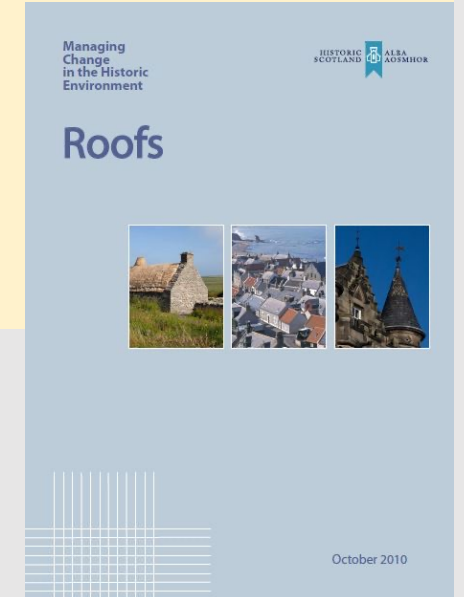
As a conservation area management tool.

Now operational in 11 city conservation areas plus Bridge of Allan, Dunblane and Blairlogie.



How can local authorities take action?

- Prepare, publish and publicise CAAs and CAMPs as widely as possible to raise awareness.
- Can the CAMP be a proactive 'action plan'?
- Embedded in planning policy including historic environment / heritage strategies.
- Planning guidance and advice e.g. window, doors, shopfronts, as material consideration.
- Promotion of HES Managing Change guidance.
- Specific maintenance guides linked to materials audits and area appraisal.
- Monitor and review the conservation area regularly including,
- recording maintenance and condition of traditional buildings,
- And involve local community.



How can local authorities take action?

- Partnership working across departments and relevant organisations in the area.
- Investigate the potential of the Scheme of Assistance to assist protection of the traditional buildings as part of Local Housing Strategy.
- Investigate the potential for practical maintenance schemes / exercises to assist owners in safe access and to raise awareness of responsibilities and resources.
- Link where relevant to Town Centre First principle, town centre economic support.
- Area scheme grant applications in partnership,
- With potential to combine other grant initiatives including energy efficiency and zero-waste agendas.

Thank you for listening



BEFS

Conservation Areas:
Placemaking, pitfalls and
towards good practice

Prepared by LUC
Steven Orr
29/10/2022



Introduction

- Where have we come from?
- Where are we now?
- Where do we want to be?
- How could we get there?

Where have we come from?

- Conservation Areas have been with us a long time – in more ways than one!
- Act is broadly drafted:
 - ‘...special historic **or** architectural interest...’
 - ‘...character or appearance of which it is desirable to preserve or enhance...’
- Presumption of the desirability of preservation / enhancement – intention to spur **action!**

Where have we come from? **Fundamental questions**

- **Context for conservation areas...**
- **'Special' interest:**
 - how special is 'Special'?
 - Equivalent to listed buildings? Same legislation, same wording, same intention?
 - Architectural or historic interest – a level playing field?
- **Desirability of preservation or enhancement:**
 - Desirable to whom?
 - Why?
 - Which to choose / take precedence?
 - Character and appearance, rather than necessarily fabric and/or setting...



Where are we now?

- 670 conservation areas in Scotland
- Not all created equal...
 - Mostly from ~1970s
 - Uninspiring national policy, dated guidance
 - Information gaps
 - Wide variance in approach: understanding of special interest, character etc.
 - Dilution of purpose?



Where are we now? **An evolving context**

- *'People like conservation areas'...*
 - Conservation of **monetary value**
 - Prioritisation of the 'nice' over the interesting, distinctive and important?
 - Buildings, rather than places?
 - Whose heritage?
 - Critique of origins and legacy of places 'worthy' of designation?

Where are we now? **An evolving context**

- Arguably overused, and devalued, in places?
 - Targeting investment in the ‘right’ places?
 - Placemaking, place-freezing, or worse?
 - Locally designated, statutory weight...oversight, quality assurance, moderating ‘special’?
 - Planning controls, enforcement and active management?

- **All the crises:**
 - Climate, housing, cost of living, energy, social justice, climate justice, ageing populations, funding for heritage advice in local authorities...



It's not all doom and gloom!

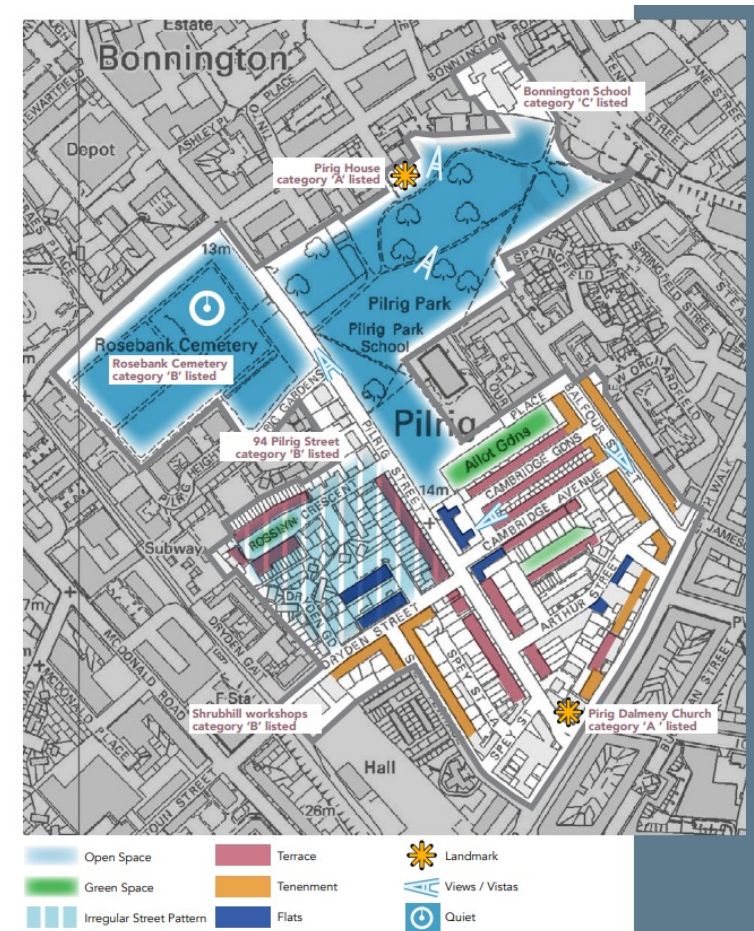
- What do we want conservation areas to be?
 - Living, active and resilient places
 - Celebrating heritage and distinctiveness
 - Hooks for regeneration?
 - **People focus**

- Opportunity to look critically at existing designations:
 - Levels of change? Dual designation? The right tool for the job?
 - Effectiveness in DM context?

- Making best use of limited resources

Community engagement and involvement

- Focus on historic places with strong communal value
- Example:
 - Pilrig Conservation Area, Edinburgh
 - Designation driven by local community
 - Strong identity, distinctive places, significant development pressure...



Engagement – approaches, opportunities and issues

- Higher standards and greater accessibility now a given
- People need to be **meaningfully** involved
- Be careful what you wish for!
 - What are you actually asking...?
 - ‘signal or noise’?
- Clarity of purpose
- Political and management buy-in

Morpeth Conservation Area Review

Morpeth Town Council

Morpeth Conservation Area Review:
Public Consultation Hub

Welcome to the Morpeth Conservation Area Review Public Consultation Hub

History of Morpeth

Morpeth is a historic, rural market town in mid-Northumberland, 22 kilometres north of Newcastle upon Tyne and some 9 kilometres east of Ashington and the mouth of the River Wansbeck, where it flows into the North Sea. The settlement grew at the foot of the Norman castle overlooking the fording point of the River Wansbeck, but spread most extensively on the opposite bank, where we find the core of the town today. Morpeth's historic position on the east coast's principal north-south road ensured that the town was well serviced by travellers and passing trade in the coming centuries, and so it flourished to become the principal market town in central Northumberland. With the arrival of the railway in the 19th

Prioritisation Methodology Employed in Stakeholder Workshop

Opportunities / Constraints Mapping Employed in Community Workshop

Comment 'Bunting' Employed in Community Workshop

'Graffiti Wall' for Geographically Specific Comments

Lessons from 'Heritage Action Zones'?

- Historic England programme 2017 –
 - Investment in evidence and understanding
 - Building community engagement
 - Specific regeneration objectives
- Cross-sector partnerships in delivery
- Local leadership is everything!



Stressing the 'so what'

- Putting evidence to work...
- What does designation **mean**?
- What do we want places to **be**?

- Strategic approach:
 - Facilitating positive change
 - Investing in public realm
 - Masterplanning type approach?
 - Land allocations?

Conservation-led development

Enhancement of historic fabric and form
The historic fabric and form of Northgate Conservation Area and its surroundings are in a state of deterioration. Retention of historical built form is to be prioritised, evaluating opportunities for enhancement, repurposing and better integration within an improved environment. Particular opportunities for enhancement include:

- Georgian terraces at 143-163 Northgate
- 185-191 Northgate
- 219 Northgate
- the former Edward Pease house.

Improving the setting of landmarks
The study area has an abundance of historic and natural features which are intrinsically tied to the story of Darlington, its Quaker heritage and its growth as a railway pioneer. Views of key landmarks should be retained, and adjacent new development should be sympathetically designed.

The Skerne bridge is a significant historic landmark in the north of the study area. Its setting would benefit from an improved public realm space incorporating high quality paving, integrated interpretation, seating, lighting and planting. Improving the environment generally along the length of Northgate is a long term ambition of the masterplan.

Rediscovering 'hidden gems'
Hidden historic form within the study area will be retained as key anchor points within the masterplan. These anchor points inform legibility and movement through the study area, which will increase footfall and development viability. Key gems include:

- Derelict property on Oxford Street, which has the potential for a complementary area of public realm to its frontage, and a riverside view

LEGEND

- Existing / proposed development blocks
- Existing green space
- Proposed green space
- Historic fabric and form:**
- Existing historic feature to be retained, enhanced and brought into positive use (outside of CA)
- Retal extensions to be removed
- Opportunities for new development
- Improvements to boundary treatment
- Public realm enhancements
- Existing stone brick surfacing to be retained (Scale)

Proposed conservation-led development priorities

Proposed massing and siting of existing massing and siting generally common along area to the west and into Northgate, and in particular...

Areas of proposed taller gateway locations, along nodal space at the Clock tower within the 2 to 2.5 storey historic development.

The setting of the Skerne bridge

New development relates positively to existing Victorian terrace form, with minimal setbacks and front garden spaces. Properties incorporate stepped access due to proximity to flood risk area.

A new public realm space at the bridge will enhance its setting, with high quality paving, seating, lighting and integrated pace-making.

Head of Steam car park to be softened by green and blue infrastructure, including breaking up large with tree planting, and providing a green intertate to the river and proposed residential area.

A multi-user footpaths and cycleway, connecting to existing cycleways, will provide an attractive waterside route to encourage active travel within Darlington.

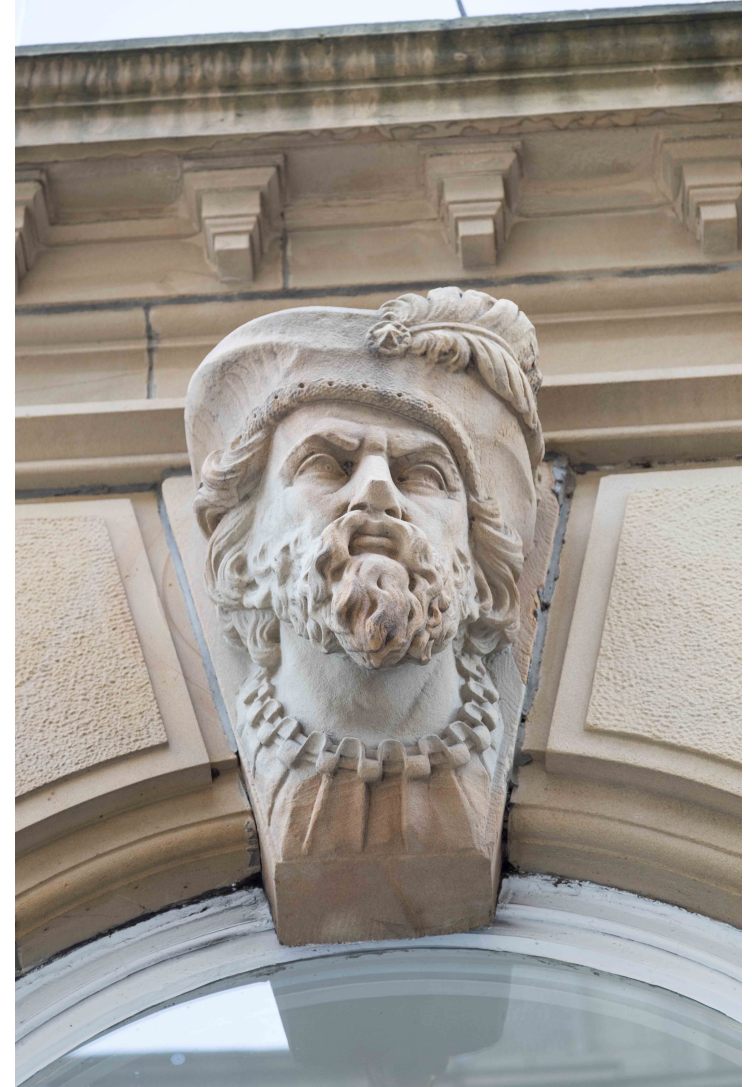
A new network of green spaces, connecting the town centre to the Skerne bridge and beyond. Located within a flood risk zone, the landscape and infrastructure will be designed to withstand seasonal flooding.

Residential development set back from the street with intermediary planting beds to screen views of cars accessing the Head of Steam car park.

UDF street typology: green street

Key messages from recent work

- Don't cut corners!
- Clarity, concision and user focus
 - Vision
 - DM guidance
 - Strong, positive plan
- Integration, integration, integration!
- **Be bold**, and focus on need / opportunity



Thank you!

Steven Orr
Director of Historic Environment
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landuse.co.uk



AHSS
THE ARCHITECTURAL
HERITAGE SOCIETY
OF SCOTLAND



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

BEFS
BUILT ENVIRONMENT
FORUM SCOTLAND

Panel Discussion

Reality and Resources – how can local authorities
deliver good places?

Aberdeenshire Council Shaun Norman

East Lothian Council Paul Zochowski

Glasgow City Council Alison Farrell

Perth and Kinross Council Diane Barbary

Conservation Officers Group (COG) Mark Douglas

Panel Discussion Questions

Questions and comments (drawn from Stirling CPD visit on 22nd September and as part of the event):

- What is the purpose of Conservation Areas, in their current state, and what *could* it be? Are there opportunities for change?
- Conservation Areas and positive net zero aims; challenges in practice and advice – e.g. more enquiries about solar panels and vehicle charging points. What are the compromises?
- How can Conservation Area Appraisals and Management Plans provide an opportunity to engage and communicate with the public? What could/should be included in appraisals – new views?
- Has a Conservation Area ever been significantly diminished or de-designated? (Yes, Rosyth Garden City, c. 1990, after a plebiscite – mainly to allow satellite dishes soon after designation)
- Where does Conservation Area designation sit in relation to group listings and changes to existing listings?
- Let's abolish Conservation Area Consent! (Because it needs to be considered in light of the replacement development, provided Planning Permission can also consider merits of existing building)
- Do Conservation Areas encourage 'pastiche' and is that a bad thing?
- Is there a national grants programme focussed on Conservation Areas to build on THI and CARS and maintain LA interest?
- What can we do about 'Future Property Auctions' and constant issue of property changing hands?
- How do you monitor for 15 years when there is a lack of conservation resource?
- How many Conservation Areas still meet the criteria? (Permitted Development only changed since 2012). Are there any de-designations in the statistics we were shown?

- Traditional Skills training – there is a real need for concerted action in west of Scotland. How have others address this?
- Enforcement – who can we enforce against in law and can it be changed? Owner/trades??
- Should we be more ‘inclusive’ in our future Conservation Area designations, in terms of drawing ‘warts and all’ boundaries - i.e. thinking about future heritage being a valid part of Conservation Areas?
- Holistic approach to character – should we avoid gaps?
- Can guidance be provided on embodied energy issues e.g. impact of making solar panels vs their performance?
- Is there a mechanism whereby Scottish Government monitor councils’ performance – i.e. implementing conservation policies?
- Repair changes may not need planning permission but can impact on the character of a conservation area. How can this be better covered by policy and information dissemination?
- Fraserburgh showed the role of Conservation Areas in promoting pride in place. How can this be maintained? How can people be made aware of the fact that they live in a Conservation Area and why this is important? Might this growth of pride in place reduce the need for enforcement?
- Should we link up NPF4 spatial principles and the LPP process?
- How can the importance and meaning of a conservation area be disseminated to property owners living in a Conservation Area, so that principles can be put in to practice?
- Legislative change should be introduced to strengthen and simplify compulsory purchase orders in respect to buildings at risk.
- More guidance should be introduced regarding gap sites in Conservation Areas.
- Interesting to note that the new HP&P grants can be used outwith Conservation Areas – will this undermine the investment in Conservation Areas?
- Gentrification: indicator of a Conservation Area’s success or a sign that conservation is out for areas of multiple deprivation?
- Big Challenge: Conservation Deficit – despite user friendly appraisals, management plans being circulated, publicised, and online access the pressure of affordability of

meeting Conservation Area standards will always be a challenge to homeowners. The “stick” of planning controls within Conservation Areas makes them unpopular in less affluent areas – securing political support for these added planning controls is challenging on this basis. Is a solution grant aid?

- How can Conservation Area policies and principles be better incorporated into the work of Building Standards?
- Current policy position is to “Preserve or Enhance” – what about aspects that are poor - i.e. this assumes that UPVC windows can be replaced with UPVC (as this would preserve current position). Can policies be reworded to require *improvement* where needed?
- Since so many category C listed buildings are valued primarily for their external form, should we make efficiencies by delisting all those which are protected by conservation area status?
- Should there be guidance on Local Place Plans if communities can ask for buildings and areas to be protected or does it not matter, if a community wants it done?
- Are Place Plans only going to be created by affluent communities? Can Conservation Area Appraisals level up from these?
- How do we get deprived communities to engage with LPP’s and Conservation Areas?

Conservation Officers Group (COG) Information

A forum for those working with our built environment in a local authority with a remit for heritage/conservation.

Conservation Officers Group (COG) has been meeting since June 2021 with the purpose of creating a forum and network for knowledge sharing and good practice. COG – stands for Conservation Officers Group, however all those working with a built heritage and conservation remit within a local and planning authority context are encouraged to take part.

It is intended there will be 3-4 (currently virtual) meetings per year. If you currently work for a local authority within this remit and would like to have access to the group, please contact BEFS Policy & Strategy Manager – Hazel Johnson at hjohnson@befso.org.uk

BEFS offer is as that of secretariat and ‘host’, a neutral space for discussion – the group is autonomous and any meeting topics, agenda, and resource library are led by attendees. BEFS works in collaboration and partnership, with the aim of enhancing sector policy capacity and advocating for the sector. COG is formed along these principles.

<https://www.befso.org.uk/policy-topics/conservation-officers-group/>

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