



## Report of the Head of Planning and City Regeneration

Special Planning Committee – 22 February 2021

### **Adoption of Supplementary Planning Guidance: Mumbles Conservation Area Character Appraisal and Management Plan**

<b>Purpose:</b>	To report the representations received during the consultation on the Mumbles Conservation Area Review; to agree the proposed amendments to the draft guide and adopt the relevant document as Supplementary Planning Guidance (SPG).
<b>Policy Framework:</b>	Swansea Local Development Plan (Adopted 2019).
<b>Reason for Decision:</b>	To enable the new Mumbles Conservation Area document to be afforded Supplementary Planning Guidance status.
<b>Consultation:</b>	Legal, Finance, Access to Services.
<b>Recommendation(s):</b>	It is recommended that: a) The issues raised in the representations made during the consultation process, and the responses of the Planning Authority to these (as set out at Appendix B and C of this report), be noted; b) The final version of the Mumbles Conservation Area Character Appraisal and Management Plan (as set out at Appendix A of this report), be approved and adopted by the Council as Supplementary Planning Guidance; c) The new Mumbles Conservation Area Boundary (as set out at Appendix D of this report) be approved; d) The Head of Planning and City Regeneration, or appropriate delegated officer, be authorised to make any outstanding typographical, grammatical, presentational or factual amendments to the SPG prior to its final publication.

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## **1.0 Background**

- 1.1 Conservation Areas are designated by the Local Planning Authority under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The principal considerations are the architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.
- 1.2 Designation of a place as a Conservation Area does not mean that no change can occur or that only traditional designs are allowed. Rather, the designation requires that appropriate special regard is had to the impact of a proposed development within that area, as set out in LDP policies HC1 and HC2, with the main consideration being whether any change 'preserves or enhances' the character of the conservation area.
- 1.3 Whilst the legislation sets out a duty to review the Conservation Areas from 'time to time', the only published information available in Swansea are informal notes which comprise boundary plans and a very limited description of the area (often less than a single side of text). As a result there is a lack of up to date information on the character and appearance of some Conservation Areas in Swansea to guide those preparing and assessing development proposals in these sensitive and historic areas.
- 1.4 The Mumbles Conservation Area Review process was undertaken to produce an up to date assessment of the character and issues affecting the designated Mumbles Conservation Area. The final version of the Mumbles Conservation Area Character Appraisal & Management Plan will be used to help assess and determine planning applications in this area. It allows for the commencement in the future of introducing Article 4 Directions, should this be considered necessary to provide greater control of various permitted development rights for selected properties.
- 1.5 In order to be effective a Conservation Area Review needs to comprise:
1. A 'Character Appraisal' which is an up to date record of the character of buildings and spaces including positive and negative features.
  2. A 'Management Plan' which indicates how the character of the area will be preserved and enhanced by a variety of means including Development Control, management of the public realm and spaces, plus possible environmental enhancements.

## **2.0 Mumbles Conservation Area Character Appraisal & Management Plan**

2.1 Mumbles Conservation Area was first designated in 1969. Since this time the area has never been reviewed or updated.

2.2 The Mumbles Conservation Area Character Appraisal and Management Plan SPG (attached as Appendix A) seeks to:

- Define the special interest of the area and identify the issues which threaten its special qualities; and
- Provide guidelines to prevent harm and achieve the enhancement of the area.

2.3 The SPG document briefly sets out the historical development of the area. Mumbles has a long and rich history with evidence as far back as a Roman villa on the site of All Saints Church. Medieval Mumbles was a village based on fishing, focused around the narrow streets and cottages called 'slades' that led steeping up Mumbles Hill. Notably, the opening of the Swansea to Mumbles railway in 1804 brought further changes to the village, with the first regular horse drawn rail passenger service in the world introduced in 1807 when the area began to develop as a tourist resort.

2.4 The document explains the townscape and built form of the Conservation Area including listed buildings, buildings of local character and special heritage characteristics. It identifies the following positive issues and assets:

- Overall Character and Setting of the Conservation Area which clusters around the seafront with Swansea Bay and the wooded headland forming strong visual boundaries to the historic settlement
- Variety of historic townscape including the contrasting built heritage qualities of the Character Areas from the three storey seafront streetscape to the predominantly two storey area of terraces and the Newton Road shopping area
- Individual building and structures of particular heritage merit and/or locational impact which enlivens the streetscape with focal buildings
- Significant townscape groups of buildings including Victorian and Edwardian terraces of commercial and residential buildings that combine to create an attractive variety of scale and design
- Long distance views from the Conservation Area to the coastal setting.

2.5 The document also identifies 7 distinct character areas within the expanded conservation area:

- Seafront
- Newton Road
- Queen's Road and terraces
- Overland Road

- Village Lane / Thistleboon Road
  - Castle Grounds and Castle Avenue
  - Wooded hill slopes.
- 2.6 The proposed division into character areas as shown on page 17 of the document makes it easier to differentiate between the distinct parts of the Conservation Area, and will also make it easier to manage change.
- 2.7 The Management Plan, which forms an integral part of the document, sets out key issues and opportunities to preserve or enhance the areas special character. A key action identified is the amendments to the Conservation Area boundary in order to recognise additional areas of historic value and interest for conservation.
- 2.8 The areas listed below highlight those assessed as having a quality and historic interest commensurate with areas already within the Conservation Area. The extent of the current conservation area boundary and the proposed enlarged boundary to the Mumbles Conservation Area to include the areas listed below, as well as the small area proposed to be removed from the boundary, are set in Appendix D.
- **Oystermouth Castle area:** The Historic Castle, associated grounds and Castle Avenue;
  - **Newton Road commercial area:** From Mumbles Road at the bottom of the hill up to the junction with Stanley Street;
  - **The residential terraces area:** The planned grid layout of terraces either side of Newton Road;
  - **Overland Road (east end):** The steeper slopes of Mumbles Hill with wooded hill slopes as the backdrop;
  - **Mumbles Road including Oystermouth Square and the 'Northern seafront approach':** The area between the current Conservation Area boundary at Church Park Lane extending along Mumbles Road to Norton Road.
- 2.9 The principle of adding the above areas to the existing conservation area was highlighted as a key question during the public and stakeholder consultation. The implications of expanding the Conservation Area to include the above areas brings a greater level of placemaking and development management to assess whether proposals preserve or enhance the area, as explained in paragraph 2.2. It should be noted that designation of the additional areas listed above will not stop change, moreover it provides an appropriate framework for managing any change proposed. Therefore the expanded conservation area boundary will not stop change at Oystermouth Square and will not stop change for the potential sea wall and public realm project along the Promenade; instead the conservation area designation brings the preserve or enhance test to projects that would in any situation be expected to be high quality.

## 2.10 Other recommendations of the Management Plan include:

- Enhancement of existing buildings. Residents and owners should be encouraged to repair original elements in preference to replacement.
- Management Framework for the public realm. Whilst no enhancement funding is allocated, the draft management plan identifies that improvements to the public realm can make a significant contribution to the appearance and use of the conservation area by creating high quality attractive streetscape and improved open space. The Council is undertaking further design and feasibility work on a new Coastal Protection scheme to improve which will improve the standard of flood risk protection and also enhance the promenade to create a more sustainable and attractive seafront with regeneration and recreation benefits.
- Preservation / Improvement of key sites. For example, encouraging investment to reuse the historic building stock, improvements to shopfronts and signage, and traffic and parking appraisals.
- Local Listing in the Conservation Area for buildings of local historic or architectural value, group value or visual interest.
- Community involvement. There is scope for further engagement with the community in caring for the local built environment through voluntary projects and conservation education and training.

## 3.0 Public consultation

3.1 In April 2018 the draft Mumbles Conservation Area Review was presented to Planning Committee. Members resolved to endorse the draft document to be issued for public and stakeholder consultation.

3.2 The draft Mumbles Conservation Area Review was subject to a 6 week consultation exercise which ran from the 14<sup>th</sup> May 2018 until the 25<sup>th</sup> June 2018 and was extended by a further 4 week to the 20<sup>th</sup> July 2018 to allow extra time to comment.

3.3 The following consultation methods were used to engage the community and stakeholders with the review of Mumbles Conservation Area:

- A Press Release was issued and featured within the South Wales Evening Post on the 19<sup>th</sup> May 2018.
- Bilingual notification emails highlighting the consultation on the draft document were sent to local ward councillors as well as specific consultation bodies, planning agents.
- Bilingual letters explaining the consultation process and how to view documents and make representations were sent to all households and commercial properties in the expanded conservation area (+1000 properties). This included a web link to the online bilingual information for comment.
- A dedicated webpage was established to explain the consultation process and allow electronic documents to be downloaded in pdf

format. The webpage included the facility to complete and submit an online comment form.

- Over 20 bilingual posters were displayed in the local area
- Paper copies of the bilingual draft documents were placed on deposit in Mumbles Library and Swansea Central Library.
- Social media notifications during the 6 week consultation process.
- Council officers held consultation events at Mumbles Farmer's Market on 9<sup>th</sup> June 2018 and Ostreme Hall on 12<sup>th</sup> June 2018 followed by evening walking tour.
- Council officers met with local traders and Mumbles Community Council on 3<sup>rd</sup> July 2018 to discuss the conservation area review process.

3.4 This initial period of consultation resulted in comments from circa 90 respondents at the Farmers Market event, a further 60 respondents commented at the drop in session at the Ostreme Centre plus 30 stakeholders also commented via post/ email. These representations are set out in appendix B along with the Authority's response.

3.5 A further 6 week period of consultation was undertaken from the 24<sup>th</sup> January 2020 until the 9<sup>th</sup> March 2020. This additional consultation was undertaken as a result of the strong support from respondents of the initial consultation exercise for the 'Northern Seafront Approach' area to be included within the expanded Conservation Area boundary. This focussed consultation included direct letters to the properties within the 'Northern Seafront Approach' area and a drop in session at Oystermouth Library on the 27<sup>th</sup> February 2020.

3.6 Following this additional consultation on the inclusion of the Northern Seafront Approach, an additional 11 individual respondents provided comments on the Conservation Area review via the comment form or by letter. A further 20 individuals expressed their views at the public event at the drop in session at Oystermouth Library. The representations are set out in Appendix C along with the Authority's response.

3.7 The final amended version of the Mumbles Conservation Area Character Appraisal and Management Plan includes all the necessary and appropriate changes to the document following the public and stakeholder consultation exercise.

#### **4.0 Boundary Amendment**

4.1 A key action set out in the Management Plan is the proposal to review the Conservation Area boundary and forms part of the public and stakeholder consultation. Following analysis of the areas around the Conservation Area, the following areas have been assessed as having a character and quality equal to the existing conservation area and are therefore proposed for inclusion within the designated boundary:

- Oystermouth Castle area;
- Newton Road commercial area;
- The residential terraces area; and

- Mumbles Road including Oystermouth Square and the 'Northern Seafront Approach.
- 4.2 In addition to the above, it is proposed to remove a small area from the Conservation Area comprising modern development that does not contribute to the special character on Western Close, at the top of Thistleboon Road from the Conservation Area.
- 4.3 There was widespread support from respondents for the expansion of the Conservation Area as outlined above. A number of respondents suggested that the boundary be extended further north to include the western section of Overland Road, Langland Villas and properties located on Langland corner. However, whilst these areas contain some buildings of character and historic interest, it is considered that these areas do not warrant inclusion as they are largely modern development and disjointed from the evolution of Mumbles Conservation Area which is characterised largely by a seafront, fishing village and grid-like pattern of development. The looser pattern of development found in the aforementioned areas are more akin to the adjoining Langland Conservation Area.
- 4.4 The full extent of areas proposed to be added to, or removed from, the Conservation Area as previously defined are shown in Appendix D of this report.

## **5.0 Other Representations Received**

- 5.1 The majority of comments received during consultation were supportive of the character areas identified, as well as the Management Plan set out in the document. Appendices B and C to this report contain the full list of detailed comments and the recommended responses. The main comments and responses are summarised below.
- 5.2 A significant amount of respondents advocated the further expansion of the Conservation Area boundary to encompass the 'Northern Seafront Approach' area along Mumbles Road (no's 422-488), hence the additional public and stakeholder re-consultation undertaken in 2020. The proposal seeks to expand the Conservation Area boundary to take in '*adjoining areas of similar architectural / townscape character or quality*'. It is considered that this section of terraced housing located on the approach to Mumbles from Swansea is worthy of inclusion within the expanded boundary on the basis that it is of a similar architectural / townscape character, provides a logical 'squaring' off of the boundary and encompasses some historical development which pre-dates 1877.
- 5.3 A number of respondents questioned why areas such as Mumbles Pier, Mumbles Headland and Underhill Park are not proposed to be within the expanded boundary. However each of these areas is protected in its own right, being either listed, designated Nature Reserve or protected by parks and recreation land planning policy.

- 5.4 There was significant interest in what protection could be afforded to the commercial units located on Newton Road in terms of potential restoration/enhancement works, and whether any form of grant funding would be available to assist such works. The attractive townscape along Newton Road is acknowledged in the document and the boundary is to be extended to encompass this area and provide additional protection. All applications for works in the area, including to shopfronts, will need to meet the 'preserve or enhance' test. In terms of potential funding initiatives, some comments have been provided which suggest that there may be scope for owner/occupiers to explore restoration/enhancement works to commercial units in the area. Worthy to note is the funding Mumbles Community Council has recently provided towards improving the decorative condition of the retail premises along Newton Road which aligns with the aspirations of the Management Plan which provides guidance on improving shopfronts and signage.
- 5.5 Several respondents focused on the unsympathetic alterations to residential dwellings, for example replacement UPVC windows, removal of bay windows and inappropriate dormer window extensions. The document identifies key negative issues and acknowledges that the proliferation of minor building alterations can incrementally erode the character and appearance of an area. Whilst it is not possible to 'turn back the clock', it is important that property owners and occupiers adopt a sensitive approach to repairs, extensions and alterations. There is a need to raise awareness of this issue and inform householders of the importance of 'street character' and the contribution that individual residences make to that. A 'Living in your Conservation Area' leaflet has been produced by the council which briefly sets out the effects of living in a conservation area to local people (in a positive way). Notwithstanding this, the Conservation Area designation does not stop change but it does require greater scrutiny of new designs. As a further project there may be scope to impose Article 4(2) Directions on key unlisted properties to remove Permitted Development Rights and bring minor alterations under planning controls.
- 5.6 The current status and redevelopment of the tennis courts alongside the Tivoli was raised by a number of respondents. It is important to note is that the tennis courts are located within the existing conservation area boundary and any potential development of the site would be assessed against the 'preserve or enhance' test
- 5.7 A number of respondents also focused on public realm improvements needed in the area, specifically work to pavements, maintenance of street furniture along the promenade and the need for additional places to sit and rest in the area. The Management Plan notes that public realm has a significant contribution to the appearance and use of the area. Subject to the availability of funding, there is scope for street enhancements, de-cluttering of pedestrian space, with the primary focus being the pedestrian environment and the space in front of commercial units. Specifically in this seafront location, the Council, along with partners, is working on a coastal protection scheme in the area between Knab Rock and the Dairy Car Park (subject to separate public consultation). The scheme aims to address the

current condition of the sea wall and provide an improved standard of protection against the risks of flooding. It will potentially provide the opportunity for the widening of the promenade, improve accessibility of the foreshore and enhance the public realm to create a high quality, sustainable green, and attractive waterfront. The scheme will require careful design to integrate the new defences with adjacent areas of existing public realm, areas of existing public open space and highways.

## **6.0 The Next Steps**

6.1 Following adoption as Supplementary Planning Guidance, the Mumbles Conservation Area Character Appraisal and Management Plan will become a material planning consideration in determining planning applications within the enlarged conservation area.

6.2 Prior to final publication some minor factual, grammatical and formatting changes to the document may be necessary, and some photographs may need to be altered.

## **7.0 Financial Implications**

7.1 The final adopted document will be provided in electronic form on the planning webpage of the council's public website. Any request for printed copies will incur a fee to cover the costs of printing. Therefore there are no financial implications arising from the publication of this SPG.

7.2 The increase in the size of Mumbles Conservation Area will result in greater scrutiny of planning applications in the enlarged area to ensure that they preserve or enhance the special character of the conservation area. Whilst this will result in an increase in the workload of the development control service and the Placemaking and Heritage Team it is essential to properly manage character and special interest of the Conservation Area. Any additional workload will be met from the existing team structures and budget.

## **8.0 Legal Implications**

8.1 The designation and proposed enlargement of the Mumbles Conservation Area will need to comply with national legislation set out in the Planning (Listed Building and Conservation Areas) Act 1990. The final Mumbles Conservation Area Review document will amount to SPG to relevant policies of the LDP, including Policy HC2, and will need to be taken into account as a material consideration in evaluating future planning applications.

8.2 Within all Conservation Areas across Wales, there are reduced Householder Permitted Development Rights imposed by Welsh Government as follows:

- Control over removal of chimneys
- Control over addition of roof lights
- Control over changing the appearance of any wall of a dwelling

- Control over external wall insulation
- Reduced dimensions for single storey side extensions
- Control over all two storey extensions

Therefore these works require planning consent in all Conservation Areas and a key consideration is the preservation or enhancement of the identified special character.

8.3 Irrespective of location within a Conservation Area or not, there are limited Permitted Development Rights for flats and commercial properties. Therefore, work to change the appearance of these types of buildings often requires planning consent.

8.4 There are a number of long established Article 4 Directions in the original Mumbles Conservation Area from 1977 which remove Householder Permitted Development Rights for the following:

- Dwelling alterations to footprint and roof
- Addition of porches
- Control over front walls more than 1m high and all other walls over 2m
- Control over new accesses to the highway

Therefore these works require planning consent in the 'original' Mumbles Conservation Area and do not apply to the enlarged areas of Mumbles Conservation Area as outlined in this report.

8.5 Any future imposition of Article 4(2) Directions on selected unlisted buildings of character and local interest will require further reviews to be undertaken and separate public and stakeholder consultation, which will require the approval of Members.

## **9.0 Equality and Engagement Implications:**

9.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

9.2 An EIA screening has been undertaken with the result that a full EIA is not required. It should be noted that the conservation area review provides a heritage framework for managing change and future projects:

- Where changes are proposed within public areas and commercial buildings these will also be subject to national requirements such as Part M of the Building regulations and the Equality Impact Assessment process.
- The potential flood alleviation scheme and public realm enhancement is a separate project that will be subject to a separate EIA screening and will require further consultation and engagement.

**Background Papers:**

Planning Committee report, 3<sup>rd</sup> April 2018 (approval for initial consultation)

Planning Committee report 5<sup>th</sup> November 2019 (approval for further consultation)

**Appendices:**

Appendix A Final draft of the Mumbles Conservation Area Character Appraisal and Management Plan.

Appendix B Record of Initial 2018 Public and stakeholder comments - Full table of comments and authority responses.

Appendix C Record of additional 2020 Public and stakeholder comments - Full table of comments and authority responses.

Appendix D Plan showing proposed amendments to the boundary of the Mumbles Conservation Area.

Appendix E Equality Impact Assessment