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|  REPORT TO EXECUTIVE | | Agenda Item No. 9 |
| Title | Adoption of a Canal Conservation Area | |
| For further information about this report please contact | Roger Beckett RIBA Assistant Conservation Officer E Roger.Beckett@warwickdc.gov.uk T 01926 456533 Dave Barber Head of Development Services 01926 456065 | |
| Wards of the District directly affected | Arden, Budbrooke, Woodloes, Saltisford, Emscote, Myton & Heathcote, Brunswick, Leam, Sydenham, Radford Semele | |
| Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006? | No | |
| Date and meeting when issue was last considered and relevant minute number | N/A | |
| Background Papers | Appraisal, guidance and character lengths (Appendix 1); Canal Conservation Area Plans and (Appendix 2) | |

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| Contrary to the policy framework: | No |
| Contrary to the budgetary framework: | No |
| Key Decision? | Yes |
| Included within the Forward Plan? (If yes include reference number) | Yes 934 |
| Equality Impact Assessment Undertaken | No |

| Officer/Councillor Approval | | |
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| Officer Approval | Date | Name |
| Chief Executive | 11/12/2018 | Chris Elliott |
| Head of Service | 11/12/2018 | Dave Barber |
| CMT | 11/12/2018 | Chris Elliott, Bill Hunt, Andy Jones |
| Section 151 Officer | 11/12/2018 | Mike Snow |
| Monitoring Officer | 11/12/2018 | Andy Jones |
| Finance | 11/12/2018 | Mike Snow |
| Portfolio Holder(s) | 18/12/2018 | Cllr Alan Rhead |
| Consultation & Community Engagement | | |

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| <p>Consultation on the draft has been undertaken over a period of time exceeding 7 weeks, with registered interests, local people, the Canal & River Trust, Historic England, Warwickshire County Council Heritage Environment Record, WDC CAF and others with an interest and knowledge of the relevant history. This has been evaluated and the boundaries amended.</p> | |
| <p>Final Decision?</p> | <p>Yes</p> |
| <p>Suggested next steps (if not final decision please set out below)</p> | |

1. Summary

1.1 Following public consultation, this Executive report proposes to designate a Canal Conservation Area as indicated in the enclosed draft boundary maps. The Canal Conservation Area will assist conservation of the waterside, inform heritage-lead regeneration, and other waterside development opportunities across the district.

2. Recommendation

2.1 That the Executive agrees to adopt a canal conservation area as defined in the appraisal in appendix one and as shown on the boundary map as at appendix two.

3. Reasons for the Recommendation

3.1 Warwick District Council Local Plan has identified that Waterways can be used as tools for place making and place shaping and contribute to the creation of sustainable communities (Warwick District Local Plan NE7). The historic environment is a shared resource everyone should be able to participate in. Understanding the significance of places is vital to sustaining the historic environment. Canals through Warwick District are significant places that should be managed to sustain their values.

3.2 The Grand Union canal (including the former Warwick and Birmingham Canal and Warwick and Napton Canal), and Stratford on Avon Canal serve as a major heritage asset that strengthens Warwick District’s overall economy and tourism offer and enhances the quality of life for the 66,000 residents who live within one kilometre/ ten minutes’ walk of a canal.

3.3 An appraisal has been undertaken to explore the physical context, to understand, analyse and articulate exactly how the eighteenth century landscape has changed and evolved and will continue to do so; why the waterway corridor is special and what elements within the area contribute to this special quality and which do not; and how to preserve and enhance what is significant. Decisions about change must be reasonable, transparent and consistent. Documenting and learning from decisions is essential.

3.4 It is in the public interest for the Council to work with the Canal & River Trust and owners in the surrounding area to:

- sustain the existing heritage assets;
- manage change to preserve and enhance the canals and their settings;
- promote access and usage that will enhance quality of life for the District’s residential population; and,

- strengthen the local economy and tourism offer.

- 3.5 Formal Public Consultation extended over a seven week period and included press reports, a public meeting and events with local societies, as well as two days informal consultation at the Leamington Canal festival. The notice to registered interests followed the procedure in Council’s Statement of Community Involvement adopted in January 2016. 2 responses were received from the formal procedure; one supportive, one suggesting the DPD should be adopted at the same time. 62 responses as a result of the publicity were almost universally welcoming, some wanting greater area to be included. As a result the boundary map has been moderated internally.
- 3.6 On adoption the duties of formal designation require an advertisement in a local paper and the London Gazette, together with letters to all property owners affected within the boundary, as this is a land charge.

4. Policy Framework

4.1 Fit for the Future (FFF)

- 4.1.1 The Council’s FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit.
- 4.1.2 The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal in relation to the Council’s FFF Strategy.”

| FFF Strands | | |
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| People | Services | Money |
| External | | |
| Health, Homes, Communities | Green, Clean, Safe | Infrastructure, Enterprise, Employment |
| <i>Intended outcomes: Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities</i> | <i>Intended outcomes: Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB</i> | <i>Intended outcomes: Dynamic and diverse local economy Vibrant town centres Improved performance/productivity of local economy Increased employment and income levels</i> |
| Impacts of Proposal | | |
| The proposal will enhance the health and wellbeing of Warwick’s residential population by promoting the intrinsic value of this significant local asset. By enlightened policy Warwick District Council will share in stewardship of this legacy, | The local waterways link historic towns with the countryside beyond. An ecological resource, they provide open access to a landscape of character for the many residents who do not have their own garden, want to walk, jog or cycle along the 40 Km of Canal in Warwick | The canal infrastructure formed a key element in the industrial revolution. The 18C enterprise led by Warwick people is an example of how ideas can transform places. The project will encourage local people to explore the assets on their doorstep as well as enhance the |

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| responding to the range of communities of interest that engage with this distinctive part of the public realm, thus contributing to broaden community, cultural, and civic life. | District. By realising the potential of this heritage asset, increasing safe use and enjoyment. | attractiveness of the district to visitors on and to the canals. The CCA seeks to promote intelligent and inspired design, which is responsive to local distinctiveness and respects history and context, that can bring about economic and social benefits. |
| Internal | | |
| Effective Staff | Maintain or Improve Services | Firm Financial Footing over the Longer Term |
| <i>Intended outcomes: All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours</i> | <i>Intended outcomes: Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services</i> | <i>Intended outcomes: Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money</i> |
| Impacts of Proposal | | |
| The full impact of designation is a saving in officer time, by providing design guidance that informs applications and helps speed up decisions. Explaining the ethos and heritage policy approach, should increase understanding and reduce opposition to proposals. Staff will have access to good appraisal information, and get better informed proposals by applicants. Designation should not create added bureaucracy and especially not if early consultation with the planning authority and other stakeholders is | Guidance will inform a creative dialogue on investment that will explore the potential of the waterway environment to enhance quality of life for residents, visitors and businesses. Advice and assistance from public sources helps owners sustain the heritage in their care, and promotes intelligent and imaginative design approaches to new buildings that enrich historic environments. Designation is a measure available to local authorities to assist in raising the quality of the environment in an appropriate context. | The investment in this historic asset was made over 200 years ago. Properties in waterside conservation areas have greater value. (Historic England and London School of Economics research) Increasing use and enjoyment will help sustain this important part of the Public Realm that links open space, landscape and waterside structures as a supportive setting for business activity. Attracting people to live, work and play in the locality will increase the return on the legacy of local investment that created this enduring national heritage asset. |

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| undertaken that also reduces risk and removes uncertainty. | | |
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4.2 Supporting Strategies

- 4.3 Protecting and enhancing the historic environment is an important component of the National Planning Policy Framework's drive to achieve sustainable development. The appropriate conservation of heritage assets forms one of the 'Core Planning Principles' that underpin the planning system. Sustainable development* can be summarised as, meeting the needs of the present without compromising the ability of future generations to meet their own needs (* Resolution 42/187 of the United Nations General Assembly).
- 4.4 The Warwick District Local Plan 2011-2029. Policy NE7 Use of Waterways - *The waterways can be used as tools in place making and place shaping, and contribute to the creation of sustainable communities.*; Policy DS17 Supporting Canalside Regeneration and Enhancement; Strategic Policy DS3 (Supporting Sustainable Communities); and Local Plan Policy NE1 – 4 Green Infrastructure... HE1 -4 seeks to protect the historic environment - see 8.14 - 8.18

5. Budgetary Framework

- 5.1 The cost of appraisal, public consultation and designation has been met from the existing service budgets. On going costs are associated with design and management guidance, as well tree preservation.

6. Risks

- 6.1 There is a risk that doing nothing will result in the further erosion of the quality of canals in the district; partly through ignorance of their significance as a heritage asset with an evolving setting; and a common misunderstanding that they are a natural feature, rather than something designed and then constructed.
- 6.2 There is a risk that piecemeal change will incrementally devalue the significance of the waterway heritage without the conservation area appraisal and the planning and design guidance being implemented effectively. This is countered by this work that has identified vulnerabilities and unforeseen consequences, the opportunity to enhance both what is there and how change could be managed to enhance further the waterways contribution to the district in the future.
- 6.3 There is a chance of reputational harm should the appraisal, consultation, designation or design guidance not be considered a success and not bring about an improvement in quality. To minimise this risk, the work has been carried out by an Architect/Planner with over forty years' experience of waterside planning, design and conservation including the regeneration of Gloucester Docks.
- 6.4 There is a possibility of legal challenge if the consultation process and the formal resolution is not carried out correctly. This risk is to be avoided by following due process. The intention to designate is clear from the adopted local

plan. The town and parish councils have been advised and the document placed on the WDC Website and in local Libraries. In accordance with Section 71 Planning and Listed Buildings and Conservation Areas Act 1990 Formulation and publication of proposals for preservation and enhancement of conservation areas.

(1) It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area 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 local planning authority shall have regard to any views concerning the proposals expressed by persons attending the meeting.

7. **ALTERNATIVE OPTION(S) CONSIDERED**

- 7.1 It would be possible for the Council to ignore this opportunity to work with the Canal & River Trust and others in the stewardship of this asset. This fails to recognise the foresight and belief of Warwick's eighteenth century citizens, in creating this enduring legacy, and the interest that local residents and business people have in canal-related heritage. Not to designate would accept that this was a lost opportunity to build on that enterprise, and thus to miss out on the regeneration, investment and improved quality of life that recognition of this asset through designation and guidance brings.

Appendix 1,

part one canal appraisal, special interest and management highlighting relevant national and local plan policies; part two Canals Conservation Area Plans; and Character lengths 1-7; Glossary; Public consultation report [can be viewed here](#) Gazetteer, and Footnotes to be completed by 19.12.18

Appendix 2,

Boundary maps can be viewed [here](#)