



**East Dunbartonshire Council**

# **An Introduction to Conservation Areas**

**Final report**  
Prepared by LUC  
January 2021





# East Dunbartonshire Council

## An Introduction to Conservation Areas

Version	Status	Prepared	Checked	Approved	Date
1.	First draft	R. Brady	S. Orr	S. Orr	27.07.2020
2.	Second draft – addressing client comments	R. Nicholson	R. Brady	S. Orr	13.01.2021

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FS566056



EMS566057



OHS627041



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WELCOME  
TO  
**MILNGAVIE**  
TOWN CENTRE

**The purpose of conservation areas is to celebrate and preserve the local distinctiveness of places, but what exactly is a conservation area and what are the implications of designation?**

**This document explains why we designate areas, why it is important to protect their character and appearance, and how this legislative protection relates to East Dunbartonshire.**

# Chapter 1

## Conservation Area Designation

### What is a conservation area?

**1.1** In 1967, the Civil Amenities Act introduced the simple concept of recognising buildings and areas of historic interest and making provisions for the protection of that special interest. Today, the spirit of that Act was further revised and adopted in Scots Law as the **Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997**. Section 61(1) of the Act places a duty on every planning authority to make provision for the designation of

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“areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance”.<sup>1</sup>

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**1.2** The importance of conservation areas derives from that special interest and its expression through its distinct character and appearance. These traits may impart an enduring sense of time-depth that has evolved over centuries or may be illustrative of a moment in time, perhaps relating to specific events, industries or communities. The most obvious source of this character are features such as the materials, detailing and scale of buildings, streetscapes and open spaces, but our experience of a conservation area is also shaped by the way these elements are configured and the sounds, views, colours and activity of the area. It is the interplay between all these elements that makes conservation areas such interesting and distinctive places and, consequently, worthy of preservation.

**1.3** To date, around 600 conservation areas have been designated across Scotland, covering everything from towns and villages to country houses, rural landscapes, industrial heritage sites and housing estates. They recognise the influence that the evolution of a place has on our

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<sup>1</sup> Section 61(1)a) and b) available at <https://www.legislation.gov.uk/ukpga/1997/9/section/61> [accessed 14th May 2020]

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everyday surroundings and experiences and reveal the wide array of features and landscapes that can be considered to be part of the historic environment.

### Who decides which areas should be designated?

**1.4** Although the legislation applies nationally to Scotland, conservation areas are designated by local authorities. It is usually the local authority that identifies and designates the areas, but suggestions for areas that might meet the criteria for designation can be made to the local authority by anyone. Any proposals for new conservation areas or amendments to existing designations will also be open to public consultation on the proposals.

**1.5** The selection of areas is based on a range of factors and, as mentioned above, can include places of very different character. Historic Environment Scotland (2019) suggest that such factors may include:

- areas of significant architectural or historic interest in terms of specific listed buildings and/or scheduled monuments
- 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
- areas with features of architectural or historic interest such as street pattern, planned towns and villages and historic gardens and designed landscapes; and
- other areas of distinctive architectural or historic character.<sup>2</sup>

### What is 'special architectural or historic interest'?

**1.6** Designations are made based on criteria appropriate to the authority's district, but generally include considerations such as:

- The **architectural quality** of buildings and structures. 'Quality' does not just mean the number of listed buildings in an area or buildings designed by a notable architect: it could be a building that is representative of an era or type of use; one that retains many historic

features; is a good or rare example of local or regional architectural style; is distinct in appearance, a local landmark, or one part of a whole street or townscape that collectively imparts a strong sense of place.

- **Associations** with notable people, literature or art, industries, artistic, political or cultural movements or events that have left their mark on how a place appears today.
- The **spatial qualities** of a place. This is not just about the height, orientation, density and layout of buildings, but of streets, public spaces, private spaces, urban spaces, green spaces, trees, and how all these features interact and have been – and are – used and valued by their communities.
- Relationship with the **surrounding topography and landscape**. As well as adding to the visual appeal or drama of a place, it can also tell us why a settlement is where it is, why it prospered or failed, what industries it relied on, why it developed in one direction and not another. In this way, the setting of a conservation area can contribute greatly to our understanding of the story of a place, or its beauty, or both.

### What are the implications of designation?

#### Legal duties

**1.7** The **Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997** not only makes provisions for the designation of conservation areas but also sets duties for planning authorities when exercising planning functions. When it comes to conservation areas, Section 64(1) of the Act states that:

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"special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."<sup>3</sup>

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<sup>2</sup> Historic Scotland (2019) *Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent*. [Available for download at <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=e4800852-69da-46fd-bd49-aa3a0108bb80>]

<sup>3</sup> Section 64(1) available at <https://www.legislation.gov.uk/ukpga/1997/9/section/64> [accessed 25th June 2020]

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**1.8** To help local authorities meet this duty, the designation of an area introduces some restrictions on what can and cannot be done without permission. These include:

- The demolition of any building within the conservation area
- Control over partial demolition
- Control over works to trees
- Limited permitted development rights
- The option to use Article 4 directions to further restrict specific permitted development rights
- Limitations on the type of advertisements that do not require consent

**1.9** Works for demolition of any unlisted building or structure within a conservation area may also require a separate application for Conservation Area Consent (as well as planning permission).

#### National policy

**1.10** Sitting beneath the legislation for the protection and enhancement of the historic environment are national policy documents. These documents support the directives contained within the legislation by providing more detail and advice on how the duties should be applied in practice and, specifically, how the historic environment should be managed within the planning system.

**1.11** The desirability of the preservation and enhancement of the historic environment, as set out in the 1997 Act, is also embedded in these documents through their recognition of the positive contribution the historic environment makes to the distinctiveness of place, to local identity and character, to personal well-being and to our ability to engage with and understand our past. The principal national documents are:

- **National Planning Framework (NPF3) 2014:** the current (third) edition sets the context for development planning in Scotland, as well as providing a framework for the spatial development of Scotland as a whole.
  - Paragraph 4.6 of the NPF3 recognises that the historic environment is an integral part of our well-being and cultural identity. Natural and cultural assets in and around urban

areas have a key role to play in supporting sustainable growth, maintaining distinctiveness and promoting quality of life (para.4.13).

- **Scottish Planning Policy (SPP) 2014:** the SPP sets out Scottish Ministers' priorities for the operation of the planning system and for the development and use of land. It contains overarching policies that promote sustainability and placemaking as well as subject-specific planning policies, including Valuing the Historic Environment. Paragraph 139 states that Local Development Plans and supplementary guidance should provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment.

- In relation to conservation areas, paragraph 143 states that proposals for development within conservation areas and proposals outwith the designated area which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area.

- **Historic Environment Policy for Scotland (HEPS) 2019:** the aim of this policy statement is to support and enable good decision-making when it comes to changes that affect the historic environment. It sets out 6 policies for managing the historic environment:

1. Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.
2. Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.
3. 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.
4. 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.

- 5. Decisions affecting the historic environment should contribute to the sustainable development of communities and places.
- 6. 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.

**1.12** Of particular relevance here are the policies for managing the historic environment, HEP1 and HEP2: the purpose of a conservation area appraisal is to help explain its cultural significance and this in turn should help ensure that it can be understood and enjoyed by present and future generations.

**1.13** Whilst SPP and HEPS are non-statutory, they still carry substantial weight in the planning process. They inform the policy direction for national and local planning policies, including in Local Development Plans and the supplementary guidance of conservation area appraisals.

### Advice and guidance

**1.14** Sitting beneath national policy documents is the Scottish Government's Planning Advice Notes (PAN). They give more detailed and practical information on how to apply the legislation and national policies. Of particular relevance here is **PAN 71: Conservation Area Management** (2004), which provides advice specifically in relation to conservation areas. It states that:

- Designation of a conservation area should be understood as a commitment to positive action and ongoing review of existing areas to assess the justification for designation and to set management priorities, and
- Townscape audits should not just consider the historic environment but will need to identify the context, use and function of a conservation area and its relationship with the surrounding settlement.

**1.15** Further to this, in 2019 Historic Environment Scotland published interim guidance on the **Designation of Conservation Areas and Conservation Area Consent**, which sets out the principles that they recommend are followed in the Scottish planning system. Supplementary to

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this is their **Managing Change in the Historic Environment** series, which gives detailed guidance on individual subjects to help people interpret and manage the historic environment.

### What are the benefits of designation?

**1.16** Conservation area designation is not about restricting what can and cannot be done in a conservation area but about managing changes so that they reinforce local character and distinctiveness. These 'restrictions' have their benefits too:

#### Economic

**1.17** Research by the London School of Economics and Historic England in 2012<sup>4</sup> looked into the effects of conservation area designation on house values in England and found that properties inside designated conservation areas demanded higher price premia of about 23.1%, with even the most demanding conditional estimates still returning a price premium of about 8.5-9.5%. This, of course, varied from area to area according to their characteristics, with factors such as size and how long the area had been designated key influences; however, the results do suggest that the general quality and stability of the natural and built environment within conservation areas – and the reduction of uncertainty regarding future changes in the character of the location – help sustain and even enhance the value of properties within designated areas.

#### Social and personal wellbeing

**1.18** Some of the most important and far-reaching beneficial effects are not financial or environmental but related to the positive impact the historic environment can have on the physical, mental and social wellbeing of individuals and communities. The What Works Centre for Wellbeing, an independent community interest company that analyses evidence related to wellbeing across the UK, has found that the historic environment is associated with positive effects such as increased confidence, social connectivity, life satisfaction, sense of belonging, pride of place, ownership and collective empowerment.<sup>5</sup>

<sup>4</sup> Ahlfeldt, G., Holman, N. & Wendland, N. (2012) *An Assessment of the Effects of Conservation Areas on Value* [available for download at <https://historicengland.org.uk/content/docs/research/assessment-ca-valuepdf/>]

<sup>5</sup> <https://whatworkswellbeing.org/resources/heritage-and-wellbeing-2/> [accessed 25<sup>th</sup> June 2020]

### Natural environment conservation

**1.19** As well as being important components of the historic character of conservation areas, trees and green spaces – both private and public – also support the biodiversity of settlements. The recognition of these natural features as part of the historic environment helps to protect habitats such as trees, hedgerows and waterbodies, provide important wildlife corridors in otherwise urban environments, and help to reduce noise and air pollution, creating a healthier environment for all the area's inhabitants. Furthermore, as with the built historic features of an area, access to its green space, flora and fauna is another significant factor contributing to social and personal wellbeing.

### Environmental sustainability

**1.20** Whilst the sustainability natural environment and the conservation of the historic environment may on the surface appear to be distinct disciplines, they are in fact threads of the same yarn: they are both important factors in achieving environmental sustainability. This is recognised not least in **Scottish Planning Policy (2014)**, where the guiding principles for sustainability include, with equal emphasis:

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"supporting climate change mitigation and adaptation...[and]... protecting, enhancing and promoting access to cultural heritage, including the historic environment" (para.29).

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**1.21** At a basic level, these two ambitions work hand in hand: retaining and reusing existing building stock is more environmentally friendly than demolition and rebuild, principally because the embodied energy and carbon already present in historic buildings is not lost through demolition, and the additional CO<sub>2</sub> emissions of constructing a new building in its place are avoided. Moreover, the maintenance of historic buildings requires less use of concrete and plastics, and the traditional materials that are needed to maintain and repair them are, on the whole, natural and more durable.

## Chapter 2

# Conservation Area Appraisals

### Why produce a conservation area appraisal?

**2.1** Section 63 of the **Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997** places a duty on local authorities to

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"...formulate and publish, from time to time, proposals for the preservation and enhancement of any parts of their district which are conservation areas."<sup>6</sup>

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**2.2** This importance of appraisals in both development planning and management is reiterated in paragraphs 139 and 144 of **Scottish Planning Policy**, which states that 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"* and that *"conservation areas appraisals should inform development management decisions."* This recognition in legislation and planning policy highlights the importance of appraisals in providing an evidence base to support planning authorities in the development of plans and in making balanced planning decisions.

**2.3** Whilst there are no directives in the Act or in planning policy that define how often 'time to time' is or to specify what format the appraisals should take, the duty to revisit existing designations and identify potential new areas within the planning authority's area is clear. More than that, though, a conservation area appraisal is a tool to help people understand what is important about a place.

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<sup>6</sup> Section 63(1) available at <https://www.legislation.gov.uk/ukpga/1997/9/section/63> [accessed 14th May 2020].

## WHAT IS MEANT BY PRESERVATION & ENHANCEMENT?

**Preservation** of the character and appearance of conservation areas is about avoiding harm and maintaining those features of an area that make it distinctive.

**Enhancement** of the character and appearance of conservation areas is concerned with the promotion of positive improvements; that is, both the removal of elements identified as harmful or detracting from the area's special interest, but also advocating and directing new development so that it responds to and reinforces the character of the area.

**2.4** The requirement to preserve and enhance an area is not intended to discourage or prevent change, but rather to inform and actively manage that change to conserve and strengthen those elements that contribute positively to an area's character; this duty is made considerably easier if the reasons for which an area is special are gathered together and clearly laid out in one document. By recognising what it is that makes an area distinctive, local authorities are better equipped to take account of that special interest when developing Local Development Plan policies and assessing the effects of individual planning proposals. Similarly, prospective developers are able to bring forward appropriate schemes, and local people can readily understand the likely effects of change in their area.

**2.5** The advantages of monitoring and reviewing areas and updating the documentation relating to their management has many advantages. Not least, it allows for our appreciation and understanding of what makes a place important to evolve and to be documented for current and future generations and ensures that all that makes the areas distinctive has been thoroughly assessed and appropriate designations applied. Furthermore, having up-to-date evidence to support historic environment designations is fundamental to positive management of change, especially in urban centres where competing aims of conservation and growth to meet current needs must be balanced.

## What information do the appraisals contain?

**2.6** The contents of conservation area appraisals can vary from district to district, even from appraisal to appraisal; but, however the information is presented, its main task is to capture and explain what the character of a place is. The appraisals for East Dunbartonshire's conservation areas are not intended to be an exhaustive account of all that is present in every conservation area; neither are they essays on the historical development of the areas. The chronological narrative of a place can help us understand why it now appears the way it does, but to describe the historical development of an area is not the same as assessing what is special about it.

**2.7** In order to assess the character and appearance of the conservation area then, conservation areas appraisals consider how both national and local events, communities and activities have shaped the places we see today. Although we can predict the features that are commonly found across different types of settlement, it is the configuration of these features that makes one place distinct from another. Similarly, in later centuries pattern books for architectural detailing became more common place and so certain features and building types can be found repeated across the country, but how and where they were applied depended on the architect, craftsman, the space available and local aspirations, as much as national fashions. It is these nuances that an appraisal aims to capture, as it is the coalescence of all these things that gives a place its unique character.

**2.8** In order to make ensure a consistent approach has been taken to the assessment of special interest, East Dunbartonshire's conservation area appraisals all follow the same format, comprising:

- 1. Summary of special interest:** a concise outline of the development of the area and of its character and special interest, listing key characteristics.
- 2. Location and Context:** consideration of the wider landscape and context for the area, including geological and topographical influences on its character.
- 3. Historical Development:** a broadly chronological look at the development of the area, picking out key themes that have shaped its evolution.
- 4. Character Analysis:** a consideration of the function and form of the settlement, distinctive architectural detailing, spatial qualities, the contribution of setting and the importance of views in influencing understanding and appreciation of character.

## What should the appraisal be used for?

### Planning for change

**2.9** One of the main ways change in a conservation area is managed is through the planning system. Conservation area appraisals provide an evidence base for managing change and, by adopting an appraisal, planning authorities are better placed to give due and proportionate weight to the special interest of conservation areas. This will, in turn, result in better informed and balanced decisions in relation to the historic environment. They can also be used to support strategic and Local Development plans and policies for an area, and to promote its conservation and regeneration.

### Supporting good design

**2.10** In presenting a sound understanding of character, a conservation area appraisal can be used to assess how well new development responds to the character of that area, where there may be opportunities to reverse changes that have adversely affected character, as well as opportunities to enhance what is already there. As such, it can be used as a basis for refusing poor design that fails to respond to the character of the place or take advantage of opportunities to enhance it.

### Informing and inspiring

**2.11** The planning system is not the only way to facilitate positive improvements to the historic environment, however. As publicly accessible documents, available as a source of information to anyone who is interested, the principal aim of conservation area appraisals is to widen appreciation of the special interest of each area and raise awareness of why they are protected. Achieving this outcome is fundamental to an appraisal's purpose as, ultimately, its overarching aim is to help people better-understand and engage with the places where they live, work and visit.

## Chapter 3

### Conservation Areas in East Dunbartonshire

#### What conservation areas are there in East Dunbartonshire?

**3.1** There are currently twelve conservation areas in East Dunbartonshire. They are:

- Baldernock
- Bardowie
- Bishopbriggs
- Lenzie
- Cadder
- Central Kirkintilloch
- Central Milngavie
- Clachan of Campsie
- Milngavie Reservoirs
- Old Bearsden
- Tannoch
- Westerton Garden Suburb

#### How do they relate to the Local Development Plan?

**3.2** The Local Development Plan (LDP) was adopted in February 2017, replacing the East Dunbartonshire Local Plan 2 (2011). It sets out the Council's long-term land-use strategy and establishes which parts of East Dunbartonshire should be protected from development. In particular, the plan contains Policy 10 'Valuing the Historic Environment'. This policy places emphasis on development enabling positive change in the historic environment, informed by a

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clear understanding of heritage assets and sensitive managing of any change to their fabric or setting. It specifically states that:

- Development within a conservation area or townscape protection area, or in such close vicinity that it will impact on its appearance, character or setting, must preserve or enhance its character and appearance as set out in the relevant conservation area appraisal and management plan.
- Locally important gardens and designed landscapes provide green infrastructure and any development within them should not adversely impact their character, important views to and from them, or their setting.

The review of local historic environment designations will contribute to the evidence base for the emerging East Dunbartonshire LDP 2 Proposed Plan, with the aim to go out to consultation on the proposed plan in summer 2020. The documents will also assist the local authority in meeting their statutory duties to pay special attention to the desirability of preserving or enhancing the character or appearance conservation areas.