

Committee:	Planning	Agenda Item No.:	8
Date:	18 th June 2008	Category	*
Subject:	Belph Conservation Area Appraisal and Management Plan - Outcome of Public Participation and Proposed Adoption	Status	Open
Report by:	Head of Planning (written by Temporary Assistant Conservation Officer)		
Other Officers involved:	Conservation Manager Creswell Townscape Heritage Initiative Project Officer		
Director	Director of Strategy		
Relevant Portfolio Holder	Cabinet Member for the Environment		

RELEVANT CORPORATE AIMS

Environment - Promoting and enhancing a clean and sustainable environment.

One of the Council's priorities for its aim for the environment is to protect, enhance and improve the natural and built environment in a sustainable way.

The proposed Belph Conservation Area Appraisal and Management Plan seeks to ensure that the historic environment of the Belph Conservation Area is preserved and enhanced by defining its special character and appearance and by setting out appropriate policies and proposals. As a result, the document will form an extremely important policy tool in the Council's efforts to protect, enhance and improve the built and natural environment in a sustainable way.

TARGETS

Achieving the milestones set in the Historic Environment Scheme by March 2011 is a specific target in the Corporate Plan. Within this target, preparing and adopting the Belph Conservation Area Appraisal and Management Plan by July 2008 will achieve one of the milestones.

VALUE FOR MONEY

Preparing and adopting Conservation Area Appraisals and Management Plans aids efforts for a more efficient planning determination process as the additional guidance they contain enables applicants to better prepare their proposals, which in turn reduces the need for amendments, and enables the district to gain better developments.

In addition to this, the Conservation Area Appraisals and Management Plans contain proposals for enhancement that aids efforts to secure external funding for the district.

PURPOSE OF THE REPORT

Firstly, to inform the Committee of the outcome of the public participation exercise on the draft Belph Conservation Area Appraisal and Management Plan and the suggested extensions to the boundary of the Belph Conservation Area.

Secondly, to seek Committee support for the designation of a conservation area to include the additional area as an extension to the existing Belph Conservation Area.

Thirdly, to seek Committee support for the proposed adoption of the revised Belph Conservation Area Appraisal and Management Plan by the Council as a material consideration that will be taken into account when a determination is to be made under the planning Acts.

THE REPORT

Background Information

Members will be aware that the draft Belph Conservation Area Appraisal and Management Plan and the suggested extensions to the boundary of the Belph Conservation Area were approved by the Committee on 19th March 2008 for the basis of a public participation exercise.

In accordance with this resolution, a public participation exercise ran from Monday 24th March 2008 to Friday 18th April 2008, with the required public meeting held at Hodthorpe Primary School on 7th April 2008. The public meeting was attended by fifteen people.

All properties affected by the suggested extension to the conservation area were also specifically consulted during this exercise to seek their views on inclusion within the proposed conservation area.

Outcome of the Consultation Exercise

Four representations were received in total. A summary of the comments made, the main issues raised by the respondents, the recommended response to each representation and where necessary the proposed changes is attached as Appendix 1 to this report.

No objections to the draft Conservation Area Appraisal and Management Plan have been received.

Two responses were received which specifically referred to the suggested extensions to the conservation area boundary. These expressed polarised views; Welbeck Estates objected to the extension of the conservation area boundary stating that the extension was unnecessary because the land is already protected from inappropriate development by statute; Whitwell Parish Council supported an extension to the conservation area boundary that would incorporate the suggested extension area and an additional area comprising Sherwood Cottage and Reynolds Cottages on Station Road.

The Whitwell History Group provided information relating to Penny Green in order to inform the assessment of the historical and architectural interest of the area. The Elmton-with-Creswell History Group supported any proposals which would contribute to the preservation of the built and natural environment of Belph and its extended surroundings.

In addition to the suggested extension of the conservation area, future development in the conservation area was also a significant issue which was raised in the representation by

The representation from Welbeck Estates, the principal landowner in Belph, also outlined a series of development proposals that they considered appropriate to support the repair and restoration of the buildings that were identified in the draft Belph Appraisal and Management Plan as needing urgent or non-urgent repair. The development proposals are discussed further in Appendix 1.

ISSUES FOR CONSIDERATION

Conservation Area designation issues

The principal concern in considering whether to designate a conservation area is whether the local planning authority considers the area to be of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.

In this case, the suggested extensions to the boundary of the Belph Conservation Area to include Penny Green, Water Lane and Belph Grange were suggested by stakeholders during the initial stakeholder exercise.

Given the Council's statutory duty to review the boundary of existing conservation areas from time to time, it was considered appropriate to carry out further research into the architectural or historic interest of Penny Green, Water Lane and Belph Grange. This also included consulting the residents

and owners of the land and buildings who would be affected and the plan of the area of research is shown in Appendix 2.

Assessment of architectural or historic interest

Whilst Belph is a dispersed hamlet, the present conservation area boundary encompasses the main settlement area along Mill Wood Lane. However, the Penny Green and Water Lane area of Belph reflects the agricultural origins of the hamlet and the impact that this industry has had on the landscape and the associated pattern of development, all of which are considered to be integral to the character of Belph. Furthermore, it is considered that the development of the wider Belph area and the appearance of a small settlement at Penny Green are linked to the enclosure of land and the management of the 4th Duke of Portland in the first half of the nineteenth century. This represents an important period, both locally and within the wider national changes to agricultural landscape.

The historical development of the Penny Green and Water Lane area during this period is documented in the 1823 Whitwell Enclosure Award, the 1839 Whitwell Tithe Map and various subsequent Ordnance Survey maps. The Portland Arms (now Portland Cottage) was located on the old Whitwell to Welbeck road and is the only surviving commercial building in Belph. Water Lane links Mill Wood Lane with Penny Green and forms part of this old road. Documentary evidence suggests it may date to the twelfth century when limestone quarried on Belph Moor was transported to Welbeck for the construction of the Abbey. The architectural styles of Penny Green Cottages and in 1915 the New Cottages are distinctive and represent more of a planned approach to development in Belph by the Welbeck Estate for its employees and appear to draw influence from the architectural styles associated with the mining developments on the Duke of Portland's lands in Bolsover and Creswell.

The architectural and historic interest of Belph Grange has been assessed previously by the Council and Belph Grange forms part of the potential Whitwell Farmsteads Conservation Area. However, it is considered that Belph Grange has developed independently of the hamlet of Belph and that whilst there is visual connection between the two areas, the A60 has created a physical barrier.

Therefore, taking into account the information contained in the received representations, it is considered that Penny Green, Water Lane and Belph Grange are all of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.

Conclusion

Based on this assessment, it is recommended that the Penny Green and Water Lane area (as shown on page 6 of Appendix 3,) should be included within the Belph Conservation Area. It is also recommended that Belph Grange should form part of the potential Whitwell Farmsteads Conservation Area when this work commences.

Conservation Area Appraisal and Management Plan issues

The most significant of the issues raised during the public participation exercise is the development proposed by Welbeck Estates to address the repair and re-use of Springfield Farm and the barn adjacent to Station Road.

It would now seem highly unlikely that these buildings will be required for agricultural purposes and the Estate have proposed the conversion of the farm buildings to residential use with additional development to assist with this scheme. Whilst the conversion of the historic farm buildings may provide a solution to the current problem, any proposals for development in the conservation area will need to be in accordance with the development plan unless material considerations indicate otherwise. To secure the repair of this important building before further deterioration occurs, it is proposed that further discussions should take place with Welbeck Estates to explore potential options and the Management Plan has been amended to include this course of action.

With the suggested extension of the conservation area to include the Penny Green and Water Lane area, the Appraisal and Management Plan has been amended to reflect this larger area. A further change is a proposal to make an Article 4 Direction to remove relevant permitted development rights due to the recognised greater threat to the character and appearance from the loss of key traditional building materials and details.

Conclusion

The public participation exercise has shown support for the draft Belph Conservation Area Appraisal and Management Plan and has led to revisions to the Belph Conservation Area Appraisal and Management Plan in response to the issues raised and information provided.

Therefore, it is recommended that the Adoption Draft Belph Conservation Area Appraisal and Management Plan should be adopted by the Council as a material consideration that will be taken into account when a determination is to be made under the planning Acts. The proposed Adoption Draft Belph Conservation Area Appraisal and Management Plan is attached as Appendix 3 to this report.

Implications for the Historic Environment Scheme

The Adoption Draft Belph Conservation Area Management Plan contains a number of actions for further conservation related work. The dates for the completion of new management plan actions are generally stated as being after those already listed in the work programme.

However, it is considered that increased priority should be given to continuing the discussions with Welbeck Estates regarding securing the repair of Springfield Farm, given that initial discussions have demonstrated a willingness on their part to resolve the building's current poor condition in the immediate future without the need to resort to legal measures. The proposed date for this action is now December 2008.

FILE REFERENCE: 5550.13

SOURCE DOCUMENTS: Consultation responses and research documents

Belph Conservation Area Appraisal and Management Plan Consultation Responses

No.	Respondent	Date comments received	Summary of comments	Main issues raised	Comment and recommended response
1	J Wheldon	15/04/08	<p><u>Springfield Farm.</u> Original stone farmhouse. The front faces into crew/fold yard which is unusual. 19th century brick addition in an 'L' shape. Brick-built pig styes have interesting features. Unusual to find this type of building intact.</p> <p><u>Portland Cottage or Arms.</u> Built on the line of the old 'road' from Whitwell to Welbeck; which included Water Lane. Could have been pack horse route. Not just a village pub, also a wayside or hedge tavern for carters using this route with stone and later coal for Welbeck, and other travellers.</p> <p><u>New Cottages</u> built by Welbeck. Only examples of a brick build for their employees. Earlier ones in stone with regulations as to no</p>	<p><u>Appraisal and Management Plan</u> (General)</p> <p>Possible conservation area extension</p>	Information welcomed and noted.

			washing or livestock in sight. New Cottages a more enlightened approach, clothes lines, sheds etc.		
2	Enid Hibbert and Pamela Finch, Elmton with Creswell Local History Group	30/04/08	<p>We support any proposals for the conservation of Belph and the extended surroundings, which would help to preserve the heritage of the buildings and the countryside.</p> <p>Any development of the landscape of the village and of the setting of the existing dwellings would be very detrimental and have an adverse impact on the quality of life of the villagers.</p>	<u>Appraisal and Management Plan</u> (General)	<p>Support welcomed.</p> <p>The development and use of land in the district is directed and controlled by the local planning authority's policies and proposals that aim to manage and control the use of land outside urban areas to the benefit of the natural environment, as set out in the development plan. Therefore, any proposals for development would need to be in accordance with the development plan unless material considerations indicate otherwise.</p>
3	Robin Green, Welbeck Estates	19/05/08 (following meeting on 12/05/08 and previous	The appraisal suggests there has been little development since the 18 th Century. To the contrary, Ordnance Survey plans dated 1875, 1919 and 1959 show one new property and one existing property	<u>Appraisal</u> (Summary of Character)	It is noted that the Belph area has evolved as described but that the change is generally minimal when compared to other parts of the district. Therefore, it is considered that the statement in the Summary

		<p>response 18/04/08)</p>	<p>has been extended. Several farm buildings were also added. Brook Cottage has also been removed. The development of the Belph area has not therefore remained static but has evolved to meet the needs of the residents and the operational farming requirements at Springfield Farm over the last 150 years or so.</p> <p>Since March 2004, Springfield Farm has no longer been tenanted and the associated agricultural land has been split, with a third taken for use as the Belph tip and two thirds taken into the Estate's Home Farm. Because of the changing economics of farming it is therefore highly unlikely that the farmstead would ever be re-used for agricultural purposes. Welbeck Estates would therefore propose additional development to assist with the conversion of the existing salvageable farm buildings to residential use and also secure the refurbishment and repair of the existing farmhouse.</p>	<p><u>Appraisal</u> (Springfield Farm – Threat and Opportunity)</p> <p><u>Management Plan</u> (Buildings needing both urgent and non-urgent repairs – Springfield Farm)</p>	<p>of Character at the beginning of the appraisal is appropriate. However, it is proposed to make greater reference to the loss and addition of buildings over time in the body of the appraisal document.</p> <p>The comments on the current status of Springfield Farm are noted and this input is welcomed.</p> <p>The development and use of land in the district is directed and controlled by the local planning authority's policies and proposals as set out in the development plan. Therefore, any proposals for the building will need to be in accordance with the development plan unless material considerations indicate otherwise. However, it is considered that the conversion of the existing salvageable farm buildings to</p>
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			<p>The Appraisal alludes to the need to preserve views from the conservation area. It will be seen from aerial photographs that (apart from occasional walkers) the views of the residents are largely restricted by existing trees and other vegetation. Also the photos clearly demonstrate that the land outside of the conservation area is under cultivation. Since this use will be ongoing for a number of months throughout the year, the views will also change seasonally.</p> <p>It is the Estate's opinion that the extension to the conservation area is unnecessary since the land is already protected from inappropriate</p>	<p><u>Appraisal</u> (Landscape Setting and Views)</p> <p><u>Conservation area extension proposals</u></p>	<p>residential use, subject to compliance with local plan policy ENV 4, may provide a plan of action to bring about the repair and bringing back into positive use of Springfield Farm and therefore the Council will seek to work with the Estate to resolve this situation. This will be reflected in the management plan.</p> <p>The importance of views to the character and appearance of a conservation area is not necessarily dependant on the views being from residential properties. In the case of Belph, it is the views into and out of the conservation area that contribute greatly to defining its relationship as an agricultural settlement within its surrounding agricultural landscape and the comments made are considered to reinforce this point. Therefore, the identification of the landscape setting and views as a key element is considered appropriate.</p> <p>Conservation areas are defined in the Planning (Listed Buildings and</p>
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		<p>development by statute and it will continue to be used for its existing purposes (i.e. agriculture / sylviculture). It is this use which defines its character and the appearance of the views which persist today. We wish to specifically state that we see no justification and no historical precedent to extend the area across the A60 which is a physical barrier. Belph Grange has no historical connection to Belph other than its name. Similarly we see no historic reason to include Penny Green. The new cottages were built to a standard circa 1915.</p> <p>Only Willowside Cattery and Lilac Cottage are owner occupied. The remainder are Welbeck tenanted properties. The Estate's policy has been to include more open space within and larger gardens in tenancies to ensure that under-utilised land continues to be maintained preferably by tenants themselves. The low density and open character of the land at Belph (as it is today) is therefore a direct result of that policy. However,</p>	<p><u>Appraisal and Management Plan</u> (General)</p>	<p>Conservation Areas) Act 1990 as 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. Therefore, it is considered that the argument put forward is not relevant. However, the comment that the agriculture / sylviculture use defines the area's character and the appearance of the views which persist today is noted and considered to be correct.</p> <p>The issue of the proposals to extend the conservation area is considered in the main report.</p> <p>The efforts of the Estate to ensure the appropriate maintenance of the open spaces within the conservation area are noted and welcomed. This will be reflected in the appraisal and management plan.</p>
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		<p>changing circumstances (i.e. the ability of tenants, especially the elderly) to continue to maintain these spaces means that they sometimes become overgrown and fall out of character. Despite this, the Estate considers that this policy in which tenants / occupiers share the maintenance responsibility is the best way of preserving the spaces which contribute to its conservation status.</p> <p>It is the Estate's opinion that well designed new development of high quality in some areas of the open space areas proposed by the conservation area appraisal should not be prevented simply because it might be considered to detract from the attractiveness of the conservation area. On the contrary, new development can significantly add to the character of Belph provided it is carried out in a sympathetic way and in a way which complements and respects the style of architecture and the informal open spaces which now exist. To this end, the Estate proposes a scheme of</p>	<p><u>Appraisal and Management Plan</u> (General)</p>	<p>The development and use of land in the district is directed and controlled by the local planning authority's policies and proposals as set out in the development plan. Therefore, any proposals for the building will need to be in accordance with the development plan unless material considerations indicate otherwise.</p> <p>Given the Estate's role as principal landowner, the Council wishes to work with the Estate to achieve an</p>
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		<p>improvement which would involve the removal of existing structures, new build and renovation as generally outlined on the attached copy of the aerial photograph of Belph, namely:</p> <ol style="list-style-type: none"> 1. Demolition / removal of two modern barns to the south of Mill Wood Lane. 2. Demolition / removal of two further outlying outbuildings around Springfield Farm. 3. Conservation of the Springfield Farm main range of inner outbuildings to residential use. 4. Building 5 new dwellings in the wooded area south west of Springfield Farm. 5. Building 2 new dwellings in the 	<p>acceptable scheme of improvement and welcomes the Estate's engagement in the Belph Conservation Area Appraisal and Management Plan process.</p> <p>Initial comments on the proposals listed are:</p> <ol style="list-style-type: none"> 1. The appraisal identifies that the demolition / removal of these two modern barns would enhance the appearance of the conservation area and improve the views of the surrounding landscape. 2. This needs to be investigated further to assess the impact on the conservation area. 3. This may provide a solution and could be investigated further to determine its acceptability. However, any proposals would need to be in accordance with the local plan policies, in particular ENV 4 – Re-use and Adaptation of Rural Buildings or HOU 7 - Low Cost Housing to Meet Local Needs in Small Settlements in the Countryside. 4. This is likely to be contrary to the
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			<p>open space between Mill Wood Cottage, Lilac Cottage and The Cottage.</p> <p>6. Building 1 new dwelling west of Mill Wood Lane to the north of Willowside Cattery.</p> <p>7. Extension and conversion of the barn adjacent to Station Road to</p>		<p>local plan policies and would require further investigation to assess the impact on the conservation area.</p> <p>5. A single replacement dwelling for the building previously located on this site may bring positive benefits to the conservation area by restoring the historic layout of the hamlet and through improvement maintenance of the open spaces and the identified untidy boundary treatment along this section of Mill Wood Lane. However, as this would constitute housing in countryside, any proposals would need to be in accordance with the local plan policies, such as HOU 7 – Low Cost Housing to meet Local Needs in Small Settlements in the Countryside or HOU 9 – Essential New Dwellings in the Countryside.</p> <p>6. A new dwelling to the north of Willowside Cattery is considered to be detrimental to the character and appearance of the conservation area due to the loss of the important open space and</p>
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			residential use.		<p>the likely negative effect of a building on views across the site and of necessary vehicular access on boundary treatment.</p> <p>7. This may provide a solution depending on the extent of any extension and rebuilding work but could be investigated further to determine its acceptability. However, any proposals would need to be in accordance with the local plan policies, in particular ENV 4 – Re-use and Adaptation of Rural Buildings.</p> <p>It is proposed that the appraisal and management plan will be amended to reflect these comments. Should the document proceed to be approved by the Council on this basis, it is proposed that the Council will approach the Estate to work towards achieving an acceptable scheme of improvement that can be taken forward to secure the preservation and enhancement of the Belph Conservation Area.</p>
4	N Woolley on behalf of	23/5/08	We are in agreement with the proposed extension plan, subject to	Suggested Conservation	The issue of the proposals to extend the conservation area is considered

	B Woodcock, Clerk to Whitwell Parish Council		Sherwood Cottage and Reynolds Cottages being included in the conservation area.	Area extension	in the main report.
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Belph Conservation Area

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