

**Bolsover District Council**

**Planning Committee**

**19th January 2022**

**Conservation Area Appraisals**

**Report of the Planning Manager (Development Control)**

Classification: This report is public

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**PURPOSE / SUMMARY**

- To notify members of the outcome of the owner and occupier consultation for the proposed extensions to the Elmton with Creswell Farmsteads Conservation Area

**RECOMMENDATIONS**

1. That the proposed additions to the Conservation Area of Elmton with Creswell Farmsteads be designated as a Conservation Area, to be included in the Elmton with Creswell Conservation Area to be known as Extension Number 1.

Approved by the Portfolio Holder – **Corporate Governance**

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**IMPLICATIONS**

**Finance and Risk:** Yes  No

**Details:**

The main cost arising from these proposals is the cost of officer time. There are no other significant financial implications.

There is a reputational risk if the Council does not actively monitor and evaluate its designated Conservation Areas and the effectiveness of the associated Article 4 Directions.

There is a risk of harm to the special qualities of the District's Conservation Areas if they are not actively monitored and up to date Conservation Area Appraisals are not in place.

On Behalf of the Section 151 Officer

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**Legal (including Data Protection):**Yes No **Details:**

The Council is placed under a statutory duty by the Planning (Listed Buildings and Conservation Areas) Act 1990 to undertake periodic reviews of Conservation Area Appraisals, which are also required by national planning policies set out in the National Planning Policy Framework.

There are no data protection issues arising from these proposals and all third party representations on these proposals will be dealt with in accordance with the Planning Service's privacy statement.

On Behalf of the Solicitor to the Council

**Staffing:**Yes No **Details:**

The Planning Service has been funding additional resource to carry out these appraisals through the appointment of a 2nd Heritage Conservation Manager (0.8FTE – until March 2022) because the established post holder (0.6FTE) has insufficient capacity to carry out this work.

On behalf of the Head of Paid Service

**DECISION INFORMATION**

<b>Decision Information</b>	
<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <b>BDC:</b> <b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	Elmton with Creswell
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input checked="" type="checkbox"/> <b>Cabinet / Executive</b> <input type="checkbox"/> <b>SAMT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input checked="" type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input checked="" type="checkbox"/> <b>Other</b> <input checked="" type="checkbox"/>	Yes  Details: <a href="#">Click here to enter text.</a>

**Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.**

All.

## **REPORT DETAILS**

### **1. Background**

- 1.1 Bolsover District Council has a duty under section 69(2) of the Planning (Listed Buildings and Conservation Area) Act 1990 to review its designated Conservation Areas from time to time and assess the suitability of further areas for designation.
- 1.2 The National Planning Policy Framework advises that heritage assets should be conserved in a manner appropriate to their significance (paragraph 189). The guidance goes on to state that local planning authorities should ensure that a conservation area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

### Conservation Area Appraisals

- 1.3 A Conservation Area appraisal is a statement of significance that provides the supporting justification for a Conservation Area designation. It is a statement of what defines the character and appearance of a Conservation Area, identifying those elements in particular which are significant.
- 1.4 An appraisal gives a conservation area designation greater weight in appeals. It informs the Local Plan, providing the necessary detail to support Conservation policies. In providing an understanding of the particular significance of an area, an appraisal supports the Council in its obligation to 'preserve or enhance' when making decisions on development proposals.

### Appraisal Coverage

- 1.5 There are 27 Conservation Areas in Bolsover District, 17 of which have formally adopted appraisals. It is intended that all of the District's conservation areas will have a formal written appraisal.
- 1.6 In November 2019, 6 appraisals were reported to Planning Committee including Barlborough, Bolsover, Palterton, Pleasley Village, Tibshelf and Clowne. That report also included a recommendation to amend the boundary of the Barlborough and Tibshelf; the carrying out of an appraisal of the suitability of the Oxcroft settlement for Conservation Area status; and a commitment that 6 further appraisals covering Hardwick & Rowthorne, Upper Langwith, Southgate House, Stainsby, Elmton, and Elmton with Creswell Farmsteads would follow this work stream alongside a review of Whitwell.
- 1.7 The further 6 appraisals were presented to Planning Committee on 17<sup>th</sup> November 2021.

- 1.8 Within the Elmton with Creswell Conservation Area, there were two proposed boundary changes considered; at Highwood Farm near Whitwell and at Frithwood Farmstead. The proposed boundary changes have come forward following an assessment of the local townscape as part of the work on the Elmton and Creswell Farmsteads Conservation Area Character Appraisal. Both boundary changes are to include additional historic farmsteads as Character Areas; the former Frithwood Farmstead for its historic completeness and Highwood Farmstead for its architectural and historic completeness. The proposed changes will result in the Elmton and Creswell Farmsteads having 8 character areas (Appendix 1).
- 1.9 Following the resolution of the Planning Committee of 17<sup>th</sup> November 2021 those property owners affected by the proposed boundary changes were consulted. A letter was sent out on 1<sup>st</sup> December inviting responses by 17<sup>th</sup> December. No objections have been received.

### Promotion

- 1.10 It is proposed to publicise the appraisal documents through the individual Parish Councils. The Parish Councils will be advised to promote the documents by way of a notification on the Parish Notice board/the Parish Council web page, directing residents to the Bolsover District Council website where electronic copies of the document(s) are posted.

## **2. Conclusions and Reasons for Recommendation**

- 2.1 The appraisal review was prioritised because these Conservation Area are considered to be under most development pressure and where further development is likely to cause most harm to the special qualities of the respective designated Conservation Areas. The draft appraisals can be viewed online.
- 2.2 In defining the significance of each Conservation Area, the appraisals will enable prospective applicants and other agencies to understand the aims of the Council in designating the individual conservation areas and will act as a guide as to how this should be reflected in their approach to potential development proposals.
- 2.3 When assessing development proposals against conservation policies in the Local Plan, the appraisals will enable the Council to have a detailed understanding of the particular significance of each conservation area as a heritage asset against which a proposal is considered.
- 2.4 The proposed amendments to the Elmton with Creswell Conservation Area are considered to better reflect the special architectural or historic interest of the Conservation Area as a whole and will afford these additional areas the additional protection that designation brings.

## **3. Recommendation**

- 3.1 That the Committee approves the proposed amendments to the Conservation Area of Elmton with Creswell Farmsteads as shown be designated as a

conservation area, as an extension to the Elmton with Creswell Farmsteads Conservation Area to be known as Extension Number 1.

## DOCUMENT INFORMATION

Appendix No	Title
1.	Elmton with Creswell Farmsteads Map (inc. Extension)
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
N/A	

# APPENDIX 1: ELMTON WITH CRESWELL FARMSTEADS MAP

