

Bolsover District Council

Planning Committee

27th November 2019

Conservation Area Appraisals

Report of the Head of Planning

This report is public

Purpose of the Report

- To seek approval for the adoption of the following 6 Conservation Area Appraisals:
 - Pleasley Village
 - Barlborough
 - Bolsover
 - Palterton
 - Tibshelf
 - Clowne
- To seek approval for amendments to the Conservation Area boundaries of the designated Tibshelf and Barlborough Conservation Areas.
- To seek approval to carry out an appraisal of the suitability of the Oxcroft settlement for Conservation Area status.

1. **Report Details**

Legal and Policy 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 (2019), Conserving and Enhancing the Historic Environment (section 16), advises that heritage assets should be conserved in a manner appropriate to their *significance* (paragraph 184). 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 Of the 6 appraisals that are the subject of this report to Committee, Bolsover and Clowne are a reformatting of previously adopted appraisals (2010 and 2005 respectively). The other four (Tibshelf, Pleasley Village, Barlborough and Palterton) do not have a formal written appraisal.
- 1.7 These appraisals have been prioritised because these Conservation Areas 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 (see Appendix 3).
- 1.8 It is proposed that there will be a further presentation to Committee with first time appraisals for the following 6 Conservation Areas; Hardwick and Rowthorne, Upper Langwith, Southgate House, Stainsby, Elmton, and Elmton with Creswell Farmsteads. A revised appraisal for Whitwell will also be presented. Once completed, all of the District's 27 designated Conservation Areas will be supported by a Conservation Area Appraisal document.
- 1.9 Since commencing the current work a request has been received from the community of Oxcroft settlement to assess the suitability of Oxcroft for conservation area status. It is proposed that the appraisal of Oxcroft is taken forward following on from the appraisal of the existing designations. Once drafted, this would be brought before Committee for further consideration.

Proposed Boundary Changes

- 1.10 A defensible boundary is essential if the conservation area designation is to be legally robust. The relevance of boundaries may change over time due to a number of factors including new historic or architectural information coming to light or development subsequent to designation cutting across the boundary line. It follows that as well as extending the coverage of the designated area, a boundary change may result in a reduction in its size. Of the six conservation areas assessed, there are two conservation areas where boundary changes are proposed.

- 1.11 Within the Tibshelf Conservation Area, there are two proposed boundary changes. One revision is to exclude from the Conservation Area part of the modern development of Raven Avenue, built since designation. The other is to include within the Conservation Area, The Crown Public House and the traditional buildings facing it on High Street. The Crown is a former coaching inn and has historic significance. As a surviving traditional building it also makes a townscape contribution in terms of the traditional character and appearance of the High Street. The traditional stone buildings facing it are of good quality and contribute to the character of the High Street frontage. This proposed change will result in the Tibshelf Conservation Area having a continuous boundary (Appendix 1 Map).
- 1.12 Within the Barlborough Conservation Area, it is proposed to make one boundary change; to include Coronation Green. This small triangular area of former Common Land is at the A619 entrance to the village from Worksop. It has been the focus of commemorative tree planting to celebrate Royal Coronations for over 100 years (Appendix 2 Map).

Consultation

- 1.13 Local Members and the Parish Council were consulted on the proposed boundary changes to Tibshelf in February 2019. No objections were received. Those property owners affected by the proposed boundary changes were subsequently consulted in March 2019. No objections were received. Local Members and the Parish Council were consulted on the proposed boundary changes to Barlborough in February 2019. The Parish Council is the owner of the land proposed for inclusion. The request for its inclusion came from the Parish Council through the then District Councillor. No objections were received.

Promotion

- 1.14 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. A hard copy will be sent to each Parish Council for them to make available as they think appropriate and a further hard copy will be available for reference at The Arc Reception desk.

2 Conclusions and Reasons for Recommendation

- 2.1 The appraisals (subject of this report) have been 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 In completing these appraisals, it has also been found that the line of the existing Conservation Area boundary is no longer robust within two settlement areas due to development since designation or new information about historical or architectural significance coming to light.
- 2.5 The Council has a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the associated boundary amendments proposed at Barlborough and Tibshelf.

3 Consultation and Equality Impact

- 3.1 The report (paragraph 1.14 above) details the proposed approach to publicising the appraisals through the parish councils. The Conservation Area Appraisals can be made available in alternative formats on request and the documents have been written to be accessible.
- 3.2 There are no other reasons that these proposals could have any significant impact on a person with a special characteristic or people with shared special characteristics.

4 Alternative Options and Reasons for Rejection

- 4.1 A do nothing option would not comply with the Council's statutory duty to pay due regard to the conservation and enhancement of the special qualities of the District's designated Conservation Areas.
- 4.2 A do more option is constrained by the capacity available to complete the work.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 The main cost arising from these proposals is the cost of officer time. There are no other significant financial implications.
- 5.1.2 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.
- 5.1.3 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.

5.2 Legal Implications including Data Protection

- 5.2.1 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 (2019).

- 5.2.2 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.

5.3 Human Resources Implications

- 5.3.1 The Planning Service has funded additional resource because the established post holder (0.6FTE) has insufficient capacity to carry out this work.

6 Recommendations

- 6.1 That the Conservation Area Appraisal documents for Barlborough, Bolsover, Clowne, Pleasley Village, Tibshelf and Palterton, be adopted by the Council and the authority to make any minor amendments to these documents is delegated to the Heritage Conservation Manager.
- 6.2 That the proposed amendments to the Conservation Area of Tibshelf as shown in Appendix 1, be designated as a conservation area, as an extension to the Tibshelf Conservation Area to be known as Extension No. 1.
- 6.3 That the proposed amendment to the Conservation Area of Barlborough as shown in Appendix 2, be designated as a conservation area, as an extension to the Barlborough Conservation Area to be known as Extension No. 2.
- 6.4 That approval be given for the formal appraisal of Oxcroft settlement to assess whether it has the special architectural or historic interest to justify designation following the completion of the appraisals for the existing designated conservation areas.

7 Decision Information

<p>Is the decision a Key Decision? 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:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p>	<p>No</p>
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	<p>No</p>
<p>Has the relevant Portfolio Holder been informed</p>	<p>Yes</p>
<p>District Wards Affected</p>	<p>Ault Hucknall, Clowne (East), Clowne (West), Barlborough, Bolsover (North), Bolsover (South), Bolsover (East), Tibshelf.</p>
<p>Links to Corporate Plan priorities or Policy Framework</p>	<p>The Conservation Area Appraisals inform the application of conservation policies in the Bolsover District Local Plan and the Publication Version of the Bolsover District Local Plan</p>

8 Document Information

Appendix No	Title
1	Map: Proposed Boundary Changes Tibshelf
2	Map: Proposed Boundary Changes Barlborough
3	Location of Conservation Area Appraisal Documents
Background Papers	
None	
Report Author	Contact Number
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