

<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 16</b>
<b>DATE OF MEETING:</b>	<b>31<sup>st</sup> May 2018</b>	<b>CATEGORY: *see below DELEGATED/ RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>STRATEGIC DIRECTOR (SERVICE DELIVERY)</b>	<b>OPEN **see below</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>LIZ KNIGHT (ext. 5983) <a href="mailto:liz.knight@south-derbys.gov.uk">liz.knight@south-derbys.gov.uk</a></b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>HARTSHORNE CONSERVATION AREA AND AREA OF SPECIAL LOCAL CHARACTER</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>WOODVILLE</b>	<b>TERMS OF REFERENCE: *see below</b>

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## **1.0 Recommendations**

1.1 That the Committee:

- Does not designate the Screw Mill area of Hartshorne as a Conservation Area due to its lack of architectural and historic merit.
- Does not designate the Upper Town Area as an Area of Special Local Character due to the degree of change and alteration in this area.

## **2.0 Purpose of Report**

2.1 The report is being submitted for consideration after public consultation in February 2016. As part of this consultation comments were sought on the designation of a new Conservation Area at Screw Mill and the local designation of the area around the church, referred to as the Upper Town, as an Area of Special Local Character (ASLC). The delay in submitting this report is due to the absence of a permanent Conservation Officer from mid 2016 to the end of 2017. This resulted in a lack of resources to review the public consultation responses and undertake a further review of the proposals.

2.2 In light of representations received as part of the public consultation and a review of the areas it is considered that the Screw Mill area does not meet the high criteria for Conservation Area designation and that the Upper Town has also been subject to development and change, which has impacted on its historic character. It is not considered to merit ASLC designation whilst also noting that the more historic buildings within this area are covered by listing designation, which also extends to their setting.

2.3 The Committee is asked to consider whether it wishes to designate the Screw Mill area as a Conservation Area subject to further research and if it wishes to designate the Upper Town, an ASLC.

### **3.0 Detail**

- 3.1 South Derbyshire has 22 Conservation Areas. The Council has a duty to review these areas from time to time and designate those areas of special architectural or historic interest as conservation areas (section 69 of the Planning (Listed Buildings and Conservation Areas Act)). The National Planning Policy Framework (NPPF) further states that when designating Conservation Areas, Local Planning Authorities should ensure that the area justifies the designation and that the concept is not devalued through the designation of areas that lack special interest (paragraph 127).
- 3.2 Any relevant proposals will need to demonstrate they preserve/enhance the architectural or historic character and appearance of the area and will need to be considered by the Local Planning Authority. Further restrictions include; planning permission is required for the demolition of any building/structure, greater protection for trees, some adverts require consent and special publicity is given to planning applications for development within the area. Permitted development rights can be further restricted with the serving of an Article 4 Direction. Where an Article 4 Direction is in force planning permission is required for particular types of development that is usually permitted, for example extensions, alterations/replacement of windows/doors, porches and boundary treatments. These features can all impact on, and contribute to, the historic and architectural character of an area.
- 3.3 ASLC is a local designation. Currently there are no ASLC designations in South Derbyshire. These areas are not considered to meet the high criteria set out for Conservation Areas, but acknowledge that the area retains some local historic/architectural merit worthy of consideration as part of the planning process. Designation as an ASLC does not impact on permitted development rights. It would, however, be considered a non-designated heritage asset and taken into consideration as part of a planning application.
- 3.4 *Background*  
An appraisal of Hartshorne was undertaken in early 2016. Areas reviewed included Screw Mill, Upper Town and Lower Town (see background papers for copy of report and maps).
- 3.5 The appraisal recommended that for the;
- Lower Town. Due to the degree of change and alteration within this area, Lower Town was not considered to meet the criteria for heritage designation.
  - Upper Town. While there are buildings in this area of merit, the historic grain and layout has been eroded with later development and alterations to historic buildings and plots. While it would not meet the high standards for Conservation Area designation, consideration should be given to designating this as an Area of Special Local Character, a local designation that would be considered in any future planning applications in the area.
  - Screw Mill area. While the report advised that further research was required in relation to the Screw Mill area, it identified that it retained historic interest reflecting the industrial development of the area. Subject to further research it was recommended that this area be designated a new Conservation Area.
- 3.6 A draft of these proposals was published for public consultation in February 2016. As part of this consultation local residents, interested parties and stakeholders were informed and advised how to comment on the proposals. A public event was also

held with the opportunity for local residents to discuss the proposals and the impact of designation.

3.7 15 responses were received in total. These comprised, 1 no comment, 6 in support and 8 objections. Those supporting the proposals reinforced the historic character and interest of the area. Comments made included the use of designation to restrict development, however, it should be noted that designation is not designed to prevent change, but ensure that any proposals preserve/enhance the special character and appearance of the area. Those objecting to the proposal noted, particularly in the Screw Mill area, that due to the degree of alteration and change including the re-build of the mill, loss of historic and architectural detail to the cottages and the change of use and appearance of the mill pond (now the wood yard), the area did not meet the high standard required for Conservation Area designation. A similar argument was made for the Upper Town area noting the degree of change. Some went on to comment that the notable historic buildings in this area were offered protection, including to their setting, by their listed designation which would need to be considered as part of any planning application. Therefore, ASLC designation offered no greater protection.

3.8 The proposals and comments have been reviewed as part of this process and it is considered that the:

- Screw Mill area does not meet the high criteria for Conservation Area designation due to the degree of alteration and change that has taken place. This includes the re-building of the original mill, the loss of architectural features and details of the terrace including modern uPVC windows and doors that impact on the fabric, character and unity of the row and the change in use and appearance of the former mill pond which now functions as the wood yard. Due to the degree of alteration and change within the area, should it be designated as a Conservation Area, it is likely that it would immediately be considered 'at risk'.
- Upper Town. While there are buildings of merit within the area a number of these are already protected by listed building designation, which would also extend to their setting. Within the wider area modern and infill development and alterations to historic buildings has reduced the interest and historic low-density layout around this area. Therefore, it is not considered that the designation of the area as an ASLC is warranted or necessary and would not confer any greater significant protection than that provided by the listed buildings and their setting.

#### **4.0 Financial Implications**

4.1 Whilst it is not recommended that either of these designations are supported, were members to wish to proceed then consultants would need to be appointed to undertake further research to produce a more comprehensive appraisal in line with national requirements. Comments were received as part of the public consultation process relating to discrepancies in the accuracy of the appraisal and its historic research which would need further consideration. A more comprehensive document would be required in order to fulfil the criteria for Conservation Area designation as set out by Historic England (Historic England, Advice Note 1 (2016); Conservation Area Designation, Appraisal and Management). This would be in line with previous practice where consultants have completed Conservation Area Character Statements due to the lack of capacity within the existing workload of the Conservation Officer to undertake such a task. It would also serve to provide an independent review of the area in light of contrary professional views of the previous and existing Conservation Officer.

## **5.0 Corporate Implications**

- 5.1 The conservation and designation of the historic environment relates to the Place objective of the Corporate Plan.

## **6.0 Community Implications**

- 6.1 Should the area be designated as a Conservation Area there will be restrictions on demolition of buildings/structures, greater protection to trees and the need to demonstrate that proposals preserve/enhance the special historic and architectural character of the area. Further permitted development rights could be revoked and controlled with an Article 4 Direction. The designation as an ASLC does not confer any greater control over the area or impact on permitted development rights.
- 6.2 Research has shown that those living within a Conservation Area feel a greater sense of place and that buildings within a conservation area often command a higher price than similar properties outside the area by up to 9% (Historic England (2017); Heritage Counts).

## **7.0 Background Papers**

- 7.1 Hartshorne Appraisal and Proposals Report
- 7.2 Screw Mill Area Map
- 7.3 Upper Town Map
- 7.4 Lower Town Map