

ENVIRONMENT COMMITTEE
23 AUGUST 2012

Report of Director of Planning and Housing Services

DRAFT CONSERVATION AREA CHARACTER APPRAISAL FOR SHIRLEY

SUMMARY

The report advises Members of the contents of a Draft Character Appraisal for Shirley Conservation Area and seeks authority for it to be subject to a period of public consultation.

RECOMMENDATION

1. That the contents of the Draft Character Appraisal for Shirley Conservation Area as set out in the attached document (CD), be approved and be subject to a six-week public consultation period as set out in paragraph 2.7 of this report.
2. That the outcome of the public consultation exercise be reported back to a future meeting of this Committee.

WARDS AFFECTED

Clifton and Bradley

STRATEGIC LINK

Conservation Area Character Appraisals are undertaken for designated and proposed Conservation Areas. These will be of considerable assistance in delivering the Council's corporate aim of protecting and enhancing the environment.

1. BACKGROUND

- 1.1 In April 2003, the Partnership and Regeneration Committee approved a programme for undertaking Conservation Area Character Appraisals across the District (Minute 705/02 refers). The Committee subsequently approved revisions to the original programme in September 2004 (Minute 207/04 refers) and again in September 2008 (Minute 147/08 refers).
- 1.2 The latter report identified a programme for undertaking Conservation Areas Character Appraisals on an annual basis until 2017 when appraisals for all 33 existing Conservation Areas would be completed.
- 1.3 To date, Conservation Area Appraisals have been undertaken and approved by the Partnership and Regeneration Committee for Matlock Bridge; Sudbury; Cromford; Matlock Bath; Castle Top / Lea Bridge / High Peak Junction; Ashbourne; Matlock Bank; Brassington; an extension to Matlock Bridge; Carsington & Hopton; Middleton

by Wirksworth; Lumsdale, Bonsall Longford, Old Matlock Conservation Areas. Somersal Herbert Conservation Area has recently been appraised and subject to a period of public consultation – the results of which are subject to a report on the agenda of this Committee meeting.

- 1.4 Appraisals have also been undertaken for potential Conservation Areas in Bradley and Tansley but these did not result in the designation of a Conservation Area in these locations.
- 1.5 The completion of Conservation Area Character Appraisals is important as they demonstrate that the Local Planning Authority is able to make decisions based on an understanding of the special character and appearance of its local historic environment.
- 1.6 Section 38(6) of the Planning and Compulsory Purchase Act 2004, emphasises the importance of the Development Plan which includes the need to have firm policies for conservation where conservation and development are clearly linked. The designation of a Conservation Area should be based upon a clear definition of the factors that give the area its special character and appearance.
- 1.7 In 2006, English Heritage produced a Policy Statement '*Conservation Area Character Appraisals*' for use by Local Planning Authorities in their assessment of both new and existing Conservation Areas. The advice set out areas which should be included within Appraisals such as the origins and development of the settlement; the influence of former uses; the archaeological significance; the architecture and history of the buildings; the contribution of unlisted buildings; the character and relationship of open spaces; the building materials; local details, the setting of the area within the wider environment and a definition of neutral and negative factors. It also recommended a summary of special interest; a planning policy context; problems, pressures in the area and a comprehensive assessment of the Conservation Area boundary.

2. SHIRLEY CONSERVATION AREA

- 2.1 Shirley Conservation Area was originally designated in October 1981 and no further review has been undertaken, or amendments to the boundary have been made.
- 2.2 A Draft Conservation Area Character Appraisal has now been completed. In the interests of efficiency and the sustainable use of resources, the contents of this Appraisal are included on the attached CD. Paper copies of the Appraisal can be provided on request, from the Conservation Officer (see contact details below).
- 2.3 The Draft Conservation Area Character Appraisal has been prepared in accordance with the 2006 English Heritage Policy Statement and includes a landscape appraisal, a section on planning policy and legislation, and a justification for the boundary.
- 2.4 In respect of the boundary, it is recommended that this is amended to include in the Conservation Area, a parcel of land which was granted planning permission in 1993 to become an extension to the burial ground (see Appendix 1). Inclusion within the defined Conservation Area is only likely to affect the Church and the neighbouring property which abuts the land, namely the Old School House.
- 2.5 The Town and Country Planning Act 1990 requires proposals for the preservation and enhancement of conservation areas to be submitted for consideration to a public

meeting in the area and for the Local Planning Authority to have regard to any views concerning the proposals. National Planning Policy Framework (Policy 141) sets out that Local Authorities should make information about the significance of the historic environment, gathered as part of plan making or development management processes publically accessible.

- 2.6 The English Heritage Historic Environment Planning Practice Guide (March 2010) identifies that there needs to be a comprehensive evidence base, sufficient for devising a positive and pro-active strategy for the historic environment. The emphasis is on understanding and assessing the significance of the historic environment and on making the information publicly available, particularly through the Historic Environment Record maintained and monitored by Derbyshire County Council.
- 2.7 It is recommended therefore, that in order to comply with this advice, a six-week public consultation exercise be undertaken. The proposed consultation process for the Draft Shirley Conservation Area Character Appraisal is identified in the table below:-

Action	Date
<p>Consultation period Six-week period</p>	<p>Thursday 6th September 2012 to Thursday 18th October 2012</p>
<p>Notifications Shirley Parish Council Ward Member for Shirley:- Cllr A. Shirley Derbyshire County Council Member:- Cllr A. Lewer Derbyshire County Council:- Conservation and Highways Departments. The Parochial Church Council (via the Vicar)</p> <p>As there is only a single alteration proposed to the Conservation Area boundary (the inclusion of a parcel of land adjoining the churchyard), it is proposed that notifications will only be made to properties immediately affected i.e. the Church and the neighbouring dwelling -‘The Old School House’.</p>	<p>Thursday 30th August 2012</p> <p>5 working days in advance of formal consultation period and 12 working days in advance of advisory meeting</p>
<p>Publicity Posters advertising the 6-week period and advisory meeting for the public:- Parish Council Notice Board Possible other venues around Conservation Area</p> <p>Approved Public Notice for insertion in the Ashbourne News Telegraph</p>	<p>Thursday 30th August 2012</p> <p>Thursday 30th August 2012 (submit for insertion by Friday 24th August 2012)</p>
<p>Documents : Paper copies made available at :- Ashbourne Leisure Centre Shirley Parish Council Insertion on the web-site</p>	<p>Thursday 6th September 2012 to Thursday 18th October 2012</p>
<p>Advisory meeting for the public - Venue Shirley Church (provisional)</p>	<p>W/C 10th September 2012</p>

2.8 The outcome of the public meeting and the representations received during the consultation period will be reported back to a future meeting of this Committee. Once this Committee approves a final document, based on receipt of those representations, the Conservation Area Appraisal will be included within the Historic Environment Record.

3. RISK ASSESSMENT

3.1 Legal

The proposals are in accordance within the statutory framework. The legal risk is, therefore, low.

3.2 Financial

The cost of the Conservation Area Character Appraisal Programme can be contained within existing budgets. Therefore the financial risk is low.

4. OTHER CONSIDERATIONS

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equality of opportunity, environmental, health, legal and human rights, financial, personnel and property considerations.

5. CONTACT INFORMATION

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6. BACKGROUND PAPERS

Description	Date
Reports to Partnership and Regeneration Committee	14th April 2003 16 th September 2004 4 th September 2008
National Planning Policy Framework	March 2012
The Historic Environment Planning Practice Guide - English Heritage / Department of Culture, Media & Sport / Communities and Local Government	March 2010
Guidance on Conservation Area Character Appraisals - English Heritage	2006

7. ATTACHMENTS

Appendix 1 – Map of Shirley Conservation Area
CD of Shirley Conservation Area Appraisal