
Newbury Town Centre Conservation Area Appraisal and Boundary Review

Committee considering report:	Council
Date of Committee:	28 th November 2024
Portfolio Member:	Councillor Denise Gaines
Date Head of Service agreed report: <i>(for Corporate Board)</i>	29 th October 2024
Date Portfolio Member agreed report:	4 th September 2024
Report Author:	Elise Kinderman
Forward Plan Ref:	C4594

1 Purpose of the Report

- 1.1 To outline proposed changes to the Newbury Town Centre Conservation Area, Kennet and Avon Canal, Newbury (East) Conservation Area and Kennet and Avon Canal, Newbury (West) Conservation Area boundaries and enable the new boundaries to be varied as per legislative requirements.
- 1.2 To outline the proposed Newbury Town Centre Conservation Area Appraisal and Management Plan and allow this to be adopted as per legislative requirements.

2 Recommendation(s)

- 2.1 That the changes to the Newbury Town Centre Conservation Area, Kennet and Avon Canal, Newbury (East) Conservation Area and Kennet and Avon Canal, Newbury (West) Conservation Area shown in Figure 2 be designated in line with the requirements of sections 69 & 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.2 That the Newbury Town Centre Conservation Area Appraisal and Management Plan in Appendix A be adopted and published in line with section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	The documents referred to in this report have been completed and no further work has been commissioned at this stage.

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Human Resource:	There are no HR implications.			
Legal:	Local Planning Authorities are required by the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider from time to time whether new Conservation Areas should be designated, and whether existing Conservation Areas should be varied. The designation of any area as a Conservation Area is a local land charge.			
Risk Management:	Possible risks include certain areas of the existing Newbury Town Centre Conservation Area being left unprotected by Conservation Area status if the redesignations do not all happen simultaneously.			
Property:	The designation of any area as a Conservation Area is a local land charge.			
Policy:	The West Berkshire Core Strategy 2006 – 2026 confirms its commitment to the production of Conservation Area Appraisals in order to support the policies contained within the Core Strategy (particularly CS19). In addition, the Local Plan Review 2022 - 2039 also confirms its commitment to the production of Conservation Area Appraisals (para 10.81).			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		

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B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:	X			Having an up-to-date Conservation Area Appraisal will enable planning decisions to be made in light of their impact on the significance of the Conservation Area, in particular to pay special attention to the desirability of preserving or enhancing the character and appearance of that area, and thus improve consideration of heritage and design aspects.
Health Impact:		X		
ICT Impact:		X		
Digital Services Impact:		X		
Council Strategy Priorities:	X			<p>Council Strategy Priority Area 5 – Thriving communities with a strong local voice.</p> <p>Conservation Area Appraisals outline their special interest and include proposals for their preservation and enhancement. This enables the management of change in a way that conserves and enhances the character and appearance of historic areas. Therefore, the Newbury Town Centre Conservation Area Appraisal will directly positively benefit the commitment under this priority area to work with partners and the local communities to enhance our main towns and large villages (5C).</p>
Core Business:		X		
Data Impact:		X		

Consultation and Engagement:	<p>Public consultation – public survey, written representations, website, targeted mail out to residents and businesses in the Conservation Area and within 10m buffer 12th January 2023 – 23rd February 2023.</p> <p>Local Heritage Groups – Stakeholder meetings on 23.04.2024 & 21.08.2024.</p> <p>Historic England – meeting on 23.04.2024</p>
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4 Executive Summary

- 4.1 The Newbury Town Centre conservation area was originally designated in 1971 and has been subject to several extensions and amalgamations over the years, with the latest boundary extensions adopted in 1990. The current arrangement of the Newbury Town Centre Conservation Area and Kennet and Avon Canal Newbury (East and West) Conservation Areas is shown in Figure 1.
- 4.2 Newbury Town Centre Conservation Area is one of 53 conservation areas in West Berkshire District. It is a statutory requirement of the local planning authority to formulate and publish proposals for the preservation and enhancement of conservation areas under its jurisdiction. Currently, only two of the conservation areas in West Berkshire have adopted Conservation Area Appraisals and Management Plans.
- 4.3 In 2021, work was commissioned to undertake a conservation area appraisal for the Newbury Town Centre Conservation Area in the knowledge that this was one of the most important Conservation Areas in the district that would benefit from an up-to-date Area Appraisal and Management Plan. The work also included a boundary review of the Newbury Town Centre Conservation Area.
- 4.4 The Newbury Town Centre Conservation Area Appraisal and Management Plan and Boundary Review has been subject to extensive consultation as set out in the report.
- 4.5 The boundary review also recommended that a new conservation area be created – the Newtown Road Conservation Area. This is on the basis that the proposed area is of sufficient special architectural or historic interest and sufficiently distinct from the Newbury Town Centre Conservation area due to its size, location and suburban character to warrant the creation of a new conservation area to allow better appraisal and management. The proposed Newtown Road Conservation Area is shown in Figure 2. However, it is not proposed to proceed with this new designation currently, as further work on assessing the special historic and architectural interest needs to be undertaken separately prior to designation. A further report will be prepared to take this designation forward.
- 4.6 In general, the reduction in size of the Newbury Town Centre Conservation Area is considered to make the area easier to manage and appraise. It also ensures that the area justifies designation because of its special architectural or historic interest and the process of conservation is not devalued by including areas that lack special interest.
- 4.7 The revised Newbury Town Centre Conservation Area and Management Plan (Appendix A) has now been finalised and is ready to be adopted, in order to start

informing planning decisions within this area and in order to fulfil our statutory functions of publishing proposals for the preservation and enhancement of conservation areas.

- 4.8 Therefore, it is proposed that the recommendations outlined in this report be approved. Communication on the changes will be undertaken through the resident's newsletter and press release if necessary, prior to the changes being enacted.

5 Supporting Information

Introduction

- 5.1 The [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#) ('The Act') requires Local Planning Authorities, under [section 69](#), to determine which parts of their area are areas of special architectural or historic interest the character of which is desirable to preserve or enhance, and to designate those areas as conservation areas. In addition, Local Planning Authorities are under a duty to, from time to time, review previous designations of conservation areas. [Section 71](#) of The Act goes on to set out that Local Planning Authorities are under a duty to formulate and publish proposals for the preservation and enhancement of conservation areas (Conservation Area Appraisals and Management Plans).
- 5.2 Section 71 also requires that any proposals for the preservation and enhancement of conservation areas to be submitted for consideration to a public meeting in the area to which they relate, and that the Local Planning Authority shall have regard to any views concerning the proposals expressed by persons attending the meeting.
- 5.3 This is the legislative backdrop driving the need to review the Newbury Town Centre Conservation Area boundary and undertake a conservation area appraisal and management plan for this conservation area.

Background

- 5.4 Following several conservation area (CA) designations in the town centre area in 1971, two Newbury Town Centre Conservation Areas were designated in 1977. Following this in 1983, two adjacent Kennet and Avon Canal Newbury (East and West) Conservation Areas were designated adjoining the existing Newbury Town Centre Conservation Areas.
- 5.5 In 1990, the Newbury Town Centre Conservation Areas merged and expanded to incorporate additional areas, including the previously separate 'Pound Street and Newtown Road' Conservation Area. Figure 1 shows the current boundaries of the Newbury Town Centre (blue) and Kennet and Avon Canal, Newbury (East and West) Conservation Areas (East in pink, West in gold).
- 5.6 In 2021, work was commissioned to undertake a conservation area appraisal for the Newbury Town Centre Conservation Area, with consultants Heritage Architecture appointed to undertake the work. The brief also included a requirement to review the boundaries of the Newbury Town Centre Conservation Area in order to facilitate better management of the conservation area.

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- 5.7 Historic England and NPPF guidance is to ensure that a conservation area justifies designation as such because of its special architectural or historic interest. The NPPF (paragraph 213) states that impacts on a conservation area must be considered on the conservation area 'as a whole'. Therefore, the larger the conservation area and/or the lesser the quality, the less will be the impact of a new development. This may allow developments of greater impact than would be justified on a more tightly confined conservation area. The higher the quality of the conservation area, the higher the benchmark is for proposed development and including areas of lower architectural or historic interest would leave decisions open to challenge.
- 5.8 The draft Newbury Town Centre Conservation Area Appraisal and Management Plan (including boundary review) was consulted upon from 12th January 2023 until 23rd February 2023. A public survey was available to participate in through the website and targeted consultation letters were also sent to residents and businesses within the Newbury Town Centre Conservation Area and a 10m buffer. A summary of these comments and Council Responses are included in Appendix B.
- 5.9 The boundary review originally recommended 17 amendments to the Newbury Town Centre Conservation Area (4 additions and 13 subtractions). Whilst there was some support for the proposals, there was also significant concern about the areas proposed to be removed from the Newbury Town Centre Conservation Area, and proposals to move certain parts of the Newbury Town Centre Conservation Area to adjacent conservation areas. A summary of these comments and Council Responses are included in Appendix B.
- 5.10 Following consultation, some amendments were made although not all changes requested have been undertaken where there is sufficient justification for this. There are now 6 proposed additions and 11 proposed subtractions, with three proposals to move areas from the Newbury Town Centre Conservation Area to adjacent conservation areas. A map of the final proposed amendments is shown in Figure 2 and a summary of the proposed amendments is given at Appendix C, and the (now separate) boundary review document is included as Appendix D.
- 5.11 The amendments were discussed with stakeholders at meetings in April and August 2024. Meetings included The Newbury Society, Newbury Town Council Heritage Working Group, West Berkshire Heritage Forum and Historic England in April and August 2024 to discuss these issues. A meeting with Historic England was also held in April 2024. Historic England were supportive of the general approach, subject to making any proposed boundary changes clear in terms of phasing, to highlight that no areas of conservation significance will be left unintentionally unprotected.

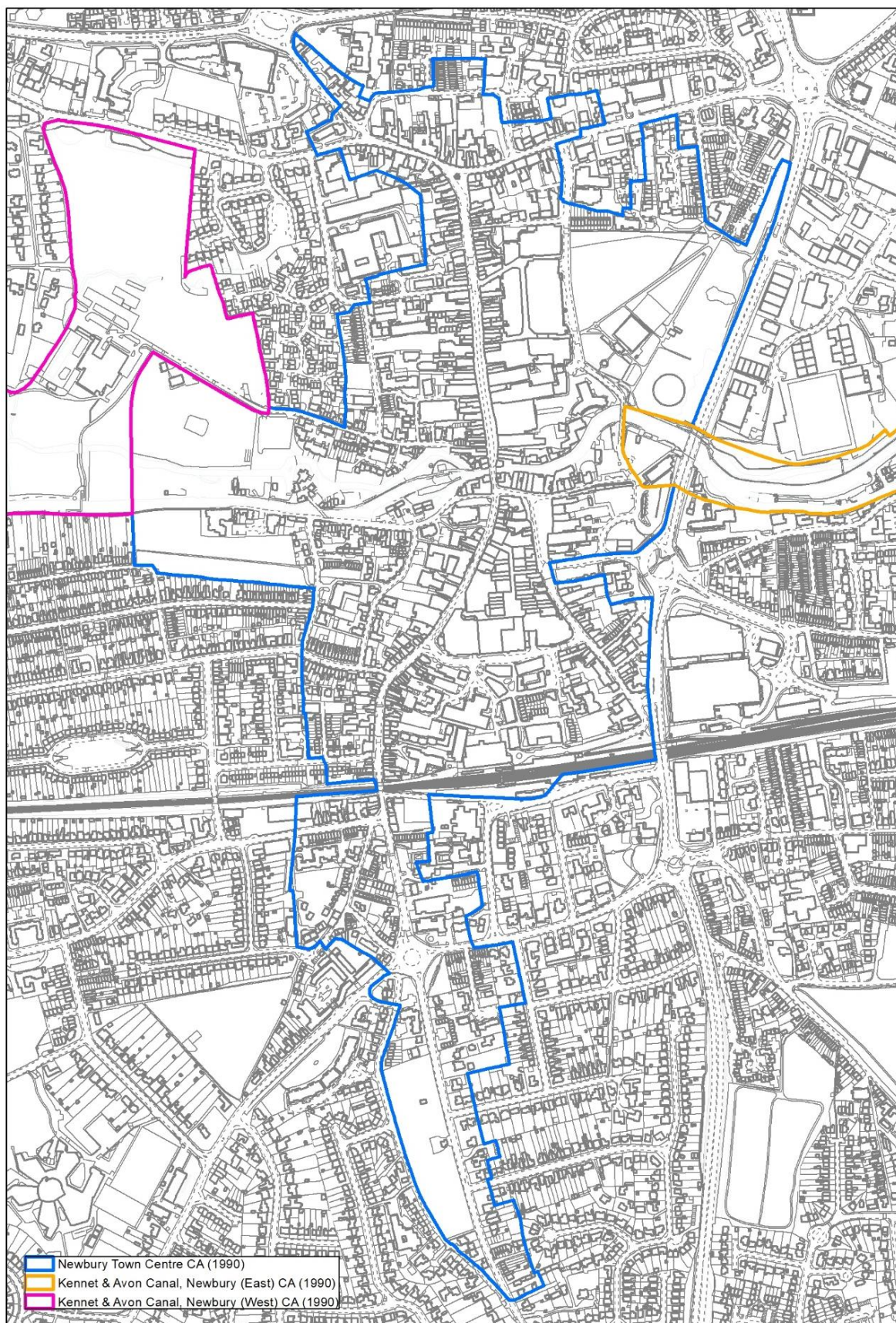


Figure 1 – Current Arrangement of the Newbury Town Centre (Blue) and Kennet and Avon Canal, Newbury (East) and Kennet and Avon Canal, Newbury (West) Conservation Areas (East in pink and West in gold)

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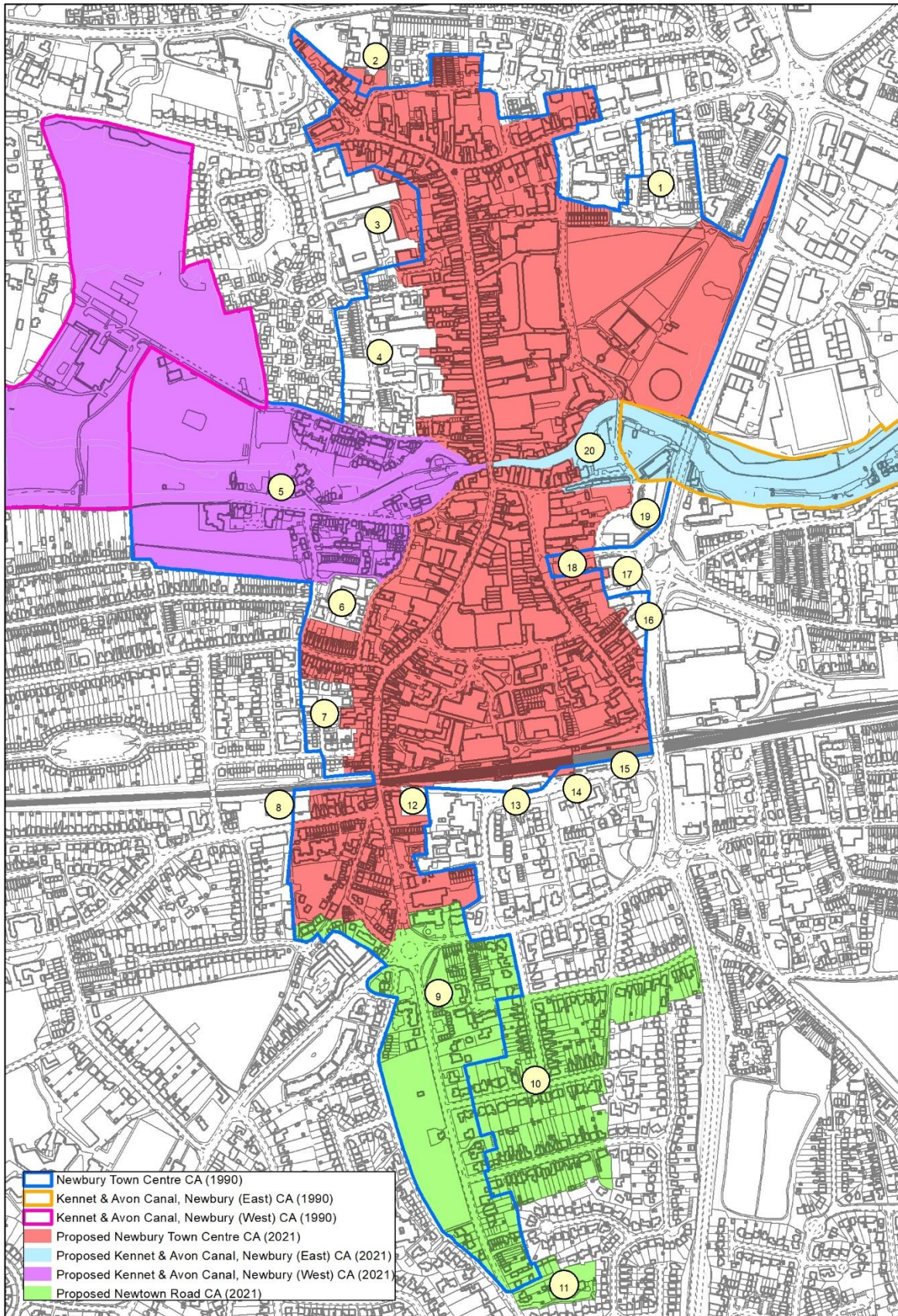


Figure 2 – Proposed amended boundaries of the Newbury Town Centre, Kennet and Avon Canal (East and West) Conservation Areas and proposed Newtown Road Conservation Area.

Proposals

Boundary Review

5.12 The proposed changes to the Newbury Town Centre Conservation Area as a result of the boundary review are listed below, with more detail in Appendix C, along with a summary of responses and the proposed outcome (where applicable). All areas are also shown on Figure 2.

Area 1 – Subtraction of residential area north of Victoria Park

Area 2 – Addition of the Infant Schoolhouse, Speenhamland

Area 3 – Addition to the area west of the Broadway and Northbrook Street

Area 4 – Subtraction of the area west of Northbrook Street

Area 5 – Move this area west of the canal to become part of the adjacent Kennet and Avon Canal Newbury (West) Conservation Area

Area 6 – Subtraction of the residential area west of Oddfellows Road

Area 7 – Subtraction of the residential area West of Bartholomew Street

Area 8 – Subtraction of the former builder's merchant premises and yard south of the railway

Area 9 – Move this area currently in Newbury Town Centre Conservation Area to Newtown Road Conservation Area (separate conservation area)

Area 10 – Newtown Road Conservation Area Eastern extension

Area 11 – Newtown Road Conservation Area Southern Extension

Area 12 – Subtraction of playground to St. Nicholas C of E Junior School

Area 13 – Subtraction of area south of the Railway

Area 14 – Addition of the Newbury Station building

Area 15 – Subtraction of the railway tracks

Area 16 – Subtraction of the area west of the A339

Area 17 – Addition of the extension to the Post Office Building

Area 18 – Addition of the Post Office Depot

Area 19 – Subtraction of the bus station and car park area north of KFC

Area 20 – Move this area of Newbury Wharf to the Kennet and Avon Canal Newbury (East) Conservation Area

Newbury Town Centre Conservation Area Appraisal and Management Plan

5.13 The Newbury Town Centre Conservation Area Appraisal and Management Plan (NTCCAAMP) will set out the historic context and current character and condition of the area. The management plan also sets out recommendations for ways of preserving and enhancing the area.

5.14 There were several factual errors in the consultation draft that have been picked up and addressed in the final version.

5.15 Consultation comments also suggested that a summary and photographic record of all listed buildings, but especially grade I and grade II*, be included within the Newbury Town Centre Conservation Area Appraisal, as an Appendix. However, normally a CAAMP would only include a list of listed buildings alongside a map only and is not the best place to include a full and detailed inventory. To include descriptions and photographic records would also greatly increase the length of an already lengthy document. It is suggested that this can be undertaken as a separate exercise by

enhancing list descriptions and Historic Environment Record (HER) entries which could be done by interested groups, in collaboration with West Berkshire Council.

Amending the Kennet and Avon Canal Newbury (East and West) Conservation Areas (Areas 5 & 20)

- 5.16 In line with the outlined recommended changes to the Newbury Town Centre Conservation Area, it is proposed that Areas 5 & 20 of the current Newbury Town Centre Conservation Area be moved to the adjoining Kennet and Avon Canal Newbury (East and West) Conservation Areas.
- 5.17 Following a review of the area, these areas were found to be closer in character to that of the canal. In the case of the Western side (Area 5), this includes the Newbury Lock Area and the development on the southern and northern sides of the canal, which have a greater impact on the setting and experience of the canal, as well as a closer relationship, in terms of historic use and development.
- 5.18 In the case of the Eastern side (Area 20), this includes the canal and wharf area, listed Cloth Hall and Corn Stores, which are examples of past trades which have strong historic associations with the canal and wharf area. The location of these buildings and their visibility from the canal and wharf means they contribute to the setting and experience of the canal conservation area.

Designation of the Newtown Road Conservation Area (Areas 9, 10 & 11)

- 5.19 It is proposed that Area 9 of the current Newbury Town Centre Conservation Area be moved to a newly designated Newtown Road Conservation Area, and that areas 10 & 11 also be designated as being part of this Conservation Area. This is due to the fact that the area has a wholly different character and appearance to that of the Town Centre, being a residential suburb that developed from the Victorian period onwards. The area has developed separately from Newbury Town Centre and its use both historically and currently, is primarily residential, functioning as a suburb of the Town Centre and not itself within it. The area is also physically separated by the St. John's roundabout and the A343, therefore it is logical that this area is separately designated.
- 5.20 Although this proposal remains, it is not proposed to undertake the separate designation of the Newtown Road Conservation Area at this time, prior to a proper assessment demonstrating how the area meets the definition of special historic or architectural interest has been undertaken in accordance with Historic England guidance¹.
- 5.21 This will allow proper consultation and consideration of the proposed new area to be undertaken, and a further paper on these proposals will be undertaken in due course.

Designation Process

- 5.22 In line with section 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in order to designate and/or vary boundaries of conservation areas, notice must be given to the Secretary of State, and Historic England. A notice of any such

¹ Historic England, (2019). *Conservation Area Appraisal, Designation and Management* [online]. Available at: historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/ (Accessed 14th October 2024).

designation, variation or cancellation and particulars of their effect shall also be published in the London Gazette and in at least one newspaper circulating in the area of the local planning authority.

- 5.23 It is intended that the relevant notices be prepared and submitted based on the recommendations of this paper, and given effect once a resolution has been made, along with relevant communications. It is also the case that the designations will become a land charge, if such a resolution is made.

Communications

- 5.24 It is proposed that communications are done through the resident's newsletter and a press release if necessary, prior to the formal designation taking place. All people originally consulted on the Newbury Town Centre Conservation Area and Management Plan and Boundary Review will also be notified of the proposed changes and final Conservation Area and Management Plan document. This will enable people to be sufficiently informed and prepared prior to any changes in the boundaries taking place. A press release will also be undertaken if necessary. The adopted Newbury Town Centre Conservation Area Appraisal and Management Plan will be published on the West Berkshire Council Website.

6 Other options considered

- 6.1 Other options considered include:

1. **Do nothing** – This option has not been taken forward due to the legislative requirement to designate/review conservation areas and undertake appraisals/proposals for their preservation and enhancement.
2. **Do not redesignate areas of the Newbury Town Centre Conservation Area to adjacent conservation areas (Areas 5 & 20)**. This option would effectively leave these areas within the Newbury Town Centre Conservation Area. To do this would continue to delay the production of the Newbury Town Centre Conservation Area Appraisal and Management Plan, as these areas have not currently been appraised. In addition, it was considered that these areas were more closely associated with the adjacent conservation areas to warrant their being redesignated to them. After already significant delays, it is considered imperative that the current Newbury Town Centre Conservation Area Appraisal and Management Plan is adopted, and boundary adjustments effected.
3. **Designate a new Newtown Road Conservation Area (Areas 9, 10 & 11)**. It is not proposed to proceed with this new designation currently, as further work on assessing the special historic and architectural interest needs to be undertaken separately prior to designation. A further report will be prepared at the relevant time to take this designation forward.
4. **Do not include proposed subtractions to the Newbury Town Centre Conservation Area**. Following review meetings with Heritage Architecture and Historic England, it has been agreed to retain the approach of leaving out lesser quality areas to improve the overall quality of the conservation area. This will allow decisions to better take account of the conservation area 'as a whole' as

required by the NPPF and easier to resist development that causes harm to the conservation area.

Overall, it is considered that the current option to adopt the Newbury Town Centre Conservation Area Appraisal and Management Plan based on the proposed boundary changes, and to formally designate these changes is the preferred option and aligns with our statutory duties to designate and review conservation areas and publish proposals for their preservation and enhancement.

7 Conclusion

- 7.1 The revised Newbury Town Centre Conservation Area and Management Plan (Appendix A) has now been finalised and is ready to be adopted, in order to start informing planning decisions within this area and in order to fulfil our statutory functions of publishing proposals for the preservation and enhancement of conservation areas.
- 7.2 The revisions to the Newbury Town Centre Conservation Area boundary have been outlined. The proposed additions are generally supported. In terms of the proposed subtractions, it is considered that there is sufficient justification not to include these areas of lower quality as it risks undermining the protection of the whole conservation area. Buildings of historic/architectural interest that are not nationally listed could be protected by local listing. Tree Preservation Orders could be used to protect the trees of amenity value.
- 7.3 It is proposed to move Areas 5 & 20 to adjacent conservation areas as it is considered that these areas were more closely associated with the adjacent conservation areas to warrant their being redesignated to them. No areas will be left unprotected of conservation area status as it is intended to redesignate all areas simultaneously.
- 7.4 Overall, it is considered that the current option to adopt the Newbury Town Centre Conservation Area Appraisal and Management Plan based on the proposed boundary changes, and to formally designate these changes is the preferred option and aligns with our statutory duties to designate and review conservation areas and publish proposals for their preservation and enhancement.
- 7.5 Therefore, it is proposed that the recommendations outlined in this report be approved. Communication on the changes will be undertaken through the resident's newsletter and press release if necessary, prior to the changes taking effect.

8 Appendices

- 8.1 Appendix A – Newbury Town Centre Conservation Area Appraisal and Management Plan
- 8.2 Appendix B – Summary of Representations and Responses
- 8.3 Appendix C – Summary of Proposed Amendments to the Newbury Town Centre Conservation Area.
- 8.4 Appendix D – Newbury Town Centre Conservation Area Boundary Review.

Corporate Board's recommendation

*(add text)

Background Papers:

*(add text)

Subject to Call-In:

Yes: No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Scrutiny Commission or associated Committees, Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

Wards affected: Newbury Central, Newbury Greenham, Newbury Wash Common, Newbury Speen, Newbury Clay Hill

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