

<b>Title of Report:</b>	<b>Proposed Designation of Peasemore Conservation Area and Adoption of Peasemore Conservation Area Appraisal</b>
<b>Report to be considered by:</b>	Council
<b>Date of Meeting:</b>	09 December 2010
<b>Forward Plan Ref:</b>	C2162

**Purpose of Report:** To inform Members that the Planning Task Group is recommending a new Conservation Area in Peasemore and adoption of the Peasemore Conservation Area Appraisal.

**Recommended Action:** To:

1. designate a new Conservation Area in Peasemore and
2. adopt the Peasemore Conservation Area Appraisal.

**Reason for decision to be taken:** The Planning (Listed Buildings and Conservation Areas) (LB&CA) Act 1990 places local authorities under a duty to formulate and publish proposals for the preservation and enhancement of their Conservation Areas.

**Other options considered:** None

**Key background documentation:** Planning (Listed Buildings and Conservation Areas) (LB&CA) Act 1990  
 Planning Policy Statement 5 - Planning for the Historic Environment  
 English Heritage -Guidance on the Management of Conservation Areas (Feb 2006)  
 English Heritage - Guidance on Conservation Area Appraisals (Feb 2006)

The proposals will also help achieve the following Council Plan Themes:

- CPT3 - Affordable Housing
- CPT4 - High Quality Planning
- CPT6 - Vibrant Villages
- CPT12 - Including Everyone
- CPT13 - Value for Money

The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by:  
 Setting a positive framework for the future planning of Peasemore.

Portfolio Member Details	
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<b>Date Portfolio Member agreed report:</b>	27 <sup>th</sup> August 2010

Contact Officer Details	
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## Implications

- Policy:** The CAA and designation of a new Conservation Area will support the policies contained within the West Berkshire Core Strategy
- Financial:** There are no direct financial implications at this stage.
- Personnel:** There are no direct personnel implications at this stage
- Legal/Procurement:** The Council will have to display appropriate notification notices and undertake appropriate publicity in accordance with Section 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- Property:** Permitted development rights are generally restricted in Conservation Areas and so there will be implications for individual property owners.
- Risk Management:** There are no direct risk management issues arising from the CAA.
- Equalities Impact Assessment:** The consultation carried out in support of the CAA helps ensure that all people have an opportunity to have their views and concerns heard.

<b>Is this item subject to call-in?</b>	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input checked="" type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

# Executive Summary

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## 1. Introduction

- 1.1 The following report was considered by the Planning Task Group on the 27<sup>th</sup> August 2010 who agreed that a report should be taken to Full Council with a recommendation to create a new Conservation Area for Peasemore.
- 1.2 The Planning (Listed Buildings and Conservation Areas) (LB&CA) Act 1990 defines Conservation Areas as “areas of special architectural and historic interest, the character and appearance of which it is desirable to preserve and enhance”. There are presently 52 Conservation Areas in the District.
- 1.3 It is the duty of the Local Authority to assess whether particular groups of buildings within their District should be designated as a Conservation Area. A Conservation Area may be designated at any time by a Local Planning Authority (LPA) by resolution of the appropriate committee.
- 1.4 Prior to the designation of a new Conservation Area, the LPA will normally carry out a study to determine whether the area is of sufficient quality to justify designation; to establish the nature of its special architectural and/or historic character, and to enable decisions on where the boundaries of the Conservation Area should be. The results of such a study will generally be incorporated in a Conservation Area Appraisal (CAA) or similar document.

## 2. Proposals for Peasemore

- 2.1 A Conservation Area Appraisal (CAA) has been prepared to support and justify the proposed designation of Peasemore Conservation Area and to provide a framework for sustaining its special architectural and historic interest into the future. The boundary of the proposed Conservation Area is shown in Appendix C.
- 2.2 Designation will allow the Council to ensure that development within the Conservation Area is more closely controlled as permitted development rights are restricted in Conservation Areas. Conservation Area control relates to controls over demolition; strengthened controls over minor development; and the protection of trees. Extra publicity must be given to planning application affecting Conservation Areas and the LPA must take account of the desirability of preserving the character of the area when determining such applications.

## 3. Conclusion

- 3.1 Designation of a Conservation Area in Peasemore and adoption of the Peasemore Conservation Area Appraisal will support the policies contained within the West Berkshire Core Strategy and other subsequent Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) prepared as part of the Local Development Framework (LDF).

# Executive Report

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## 1. Introduction

- 1.1 The Planning (Listed Buildings and Conservation Areas) (LB&CA) Act 1990 defines Conservation Areas as “areas of special architectural and historic interest, the character and appearance of which it is desirable to preserve and enhance”. There are currently 52 Conservation Areas in West Berkshire.
- 1.2 It is the duty of the Local Authority to assess whether particular groups of buildings within their District should be designated as a Conservation Area. A Conservation Area may be designated at any time by a Local Planning Authority (LPA) by resolution of the appropriate committee.
- 1.3 Prior to the designation of a new Conservation Area, the LPA will normally carry out a study to determine whether the area is of sufficient quality to justify designation; to establish the nature of its special architectural and/or historic character, and to enable decisions on where the boundaries of the Conservation Area should be. The results of such studies will generally be incorporated in a Conservation Area Appraisal (CAA).

## 2. Peasemore Conservation Area Appraisal

- 2.1 A Conservation Area Appraisal (CAA) has been prepared by the Council to support and justify the proposed designation of Peasemore Conservation Area. The CAA will help guide development within Peasemore and ensure that new development preserves or enhances the special character of the area in accordance with Planning Policy Statement 5 (PPS5). The Appraisal will support the policies contained within the West Berkshire Core Strategy and other subsequent Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) by providing a framework for sustaining Peasemore’s special architectural and historic interest into the future. By providing a clear definition of those elements which contribute to the special architectural or historic character of the area it will ensure that a robust policy framework is in place for the future management of the area, against which planning applications can be considered. The CAA will help to protect Peasemore’s best features, including historic buildings, attractive green spaces and mature trees, from the potentially destructive effects of new development and property alteration.
- 2.2 Production of the Peasemore CAA followed the Council’s standardised approach and relevant guidance set out in the English Heritage publications ‘Guidance on Conservation Area Appraisals’ and ‘Guidance on the Management of Conservation Areas’. It identifies and appraises the characteristics and features that give the proposed Conservation Area its special interest. It also presents recommendations to help guide decisions made by the Council when applying development plan policies and national planning guidance to help manage and control development affecting the proposed Conservation Area and its setting.
- 2.3 In accordance with English Heritage guidance, once the draft document had been produced it was subject to public consultation. A range of organisations and interested parties were consulted, including English Heritage, national and local heritage societies, local residents and Ward and Parish Councillors. Copies of the

Study were available for viewing at the Council Offices in Market Street, the Newbury Library and the Mobile Library.

- 2.4 The period of consultation ran between November 25<sup>th</sup> 2009 and December 23<sup>rd</sup> 2009. In all, 7 written representations were received. These included 4 local residents, English Heritage, Berkshire Archaeological Research Group and WBC Archaeological Service. The responses and the actions that were taken as a result, are summarised in the table in Appendix A.
- 2.5 The final Peasemore Conservation Area Appraisal and appendices which are recommended for adoption by the Council are attached in Appendices B and C.

### **3. Designation of Peasemore Conservation Area**

- 3.1 The proposed Conservation Area for Peasemore is a small but historically and architecturally very significant part of the village. The special character of Peasemore principally derives from the relationship between the historic farms and the 'enclosure' to the south of the village. Appendix C outlines the area proposed for designated as a Conservation Area.

### **4. Implications of Designation**

- 4.1 Conservation Area designation allows the Council to ensure, through the planning system, that the special quality and value that has been identified in the Area will be protected.
- 4.2 The Town and Country Planning (General Permitted Development) (Amendment)(No.2) (England) Order 2008 (GPDO) outlines how permitted development rights that exist generally are restricted.
- 4.3 The implications of Conservation Area designation include the following:
- The details of what works may be carried out without the need to apply for planning permission (permitted development rights) are different from those applicable in an area not subject to any special designation.
  - Extra publicity must be given to planning applications affecting conservation areas and the Council must take account of the desirability of preserving the character of the area when determining such applications.
  - Conservation Area consent is generally required for the demolition of any unlisted building over a certain size, and for the demolition of certain gates, walls or fences, within the Conservation Area (unless such work is authorised under other procedures). Failure to obtain such consent may result in enforcement action and/or criminal prosecution. Any consent for demolition of a building or other structure within a Conservation Area will normally be conditioned to ensure that the appearance of the site subsequent to such demolition does not detract from the character and appearance of the Area.
  - With certain exceptions, notice must be given to the Council before works are carried out to any tree within the Conservation Area.

- The local authority may issue an 'Article 4 direction' specific to particular properties restricting development of a particular type which would, otherwise, not require planning permission. Such directions are rarely issued.

**Appendices – Not included but available on request and a copy will be circulated at the meeting**

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Appendix A - Consultation comments and actions.

Appendix B - Peasemore Conservation Area Appraisal.

Appendix C - Peasemore Conservation Area Appraisal appendices.

**Consultees**

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**Local Stakeholders:** Consulted as part of the production of the CAA

**Officers Consulted:** Paula Amorelli, Corporate Board

**Trade Union:** N/A