

CABINET
27 June 2023

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: ASHWELL CONSERVATION AREA

REPORT OF: SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER: EXECUTIVE MEMBER FOR PLANNING AND TRANSPORT

COUNCIL PRIORITY: SUSTAINABILITY

1. EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to consider the representations made in response to the consultation on the draft Ashwell Conservation Area Appraisal and Management Plan (CAAMP) and the proposed boundary changes for the Ashwell Conservation Area.

2. RECOMMENDATIONS

- 2.1. That the boundary changes to the Ashwell Conservation Area are approved and the new Ashwell conservation area is designated.
- 2.2. That the Ashwell CAAMP is approved and adopted.
- 2.3. That Officers are authorised to undertake the associated administrative tasks to finalise the designation of the Ashwell conservation area, outlined in paragraph 8.6.
- 2.4. That delegated authority is granted to the Service Director – Regulatory in consultation with the Executive Member for Planning and Transport to make any minor non-material corrections (including but not limited to cosmetic additions or presentational alterations) to the CAAMP as considered necessary for the publication of the CAAMP.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To ensure that our Conservation Areas and historic assets within North Hertfordshire are appropriately assessed and designated to inform decision making for planning applications and in the preparation of neighbourhood plans and our Local Plan.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. The Council could refrain from undertaking any further work on conservation areas or local heritage assets, but this would not reflect national policy or legislation which requires local authorities to review and monitor conservation areas from time to time and conserve local and designated assets.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. Executive Members and Deputies have been briefed on the relevant matters in this report.
- 5.2. Public consultation took place on the proposed amendments to the Ashwell Conservation Area boundary and the draft CAAMP in June 2022. A summary of the responses is attached as Appendix A. Those responses have been considered and taken into account when finalising the proposed boundaries and the CAAMP.
- 5.3. Details of the responses received to the consultation are available on the Council's website and the Parish Council, the neighbourhood planning group and local ward councillor have all been informed of those responses.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1. Conservation areas are designated by the Council in its role as Local Planning Authority. They exist to manage and protect the special architectural and historic interest of a place. Local planning authorities have a duty to review past designations from time to time to determine if any further parts of the area should be included within conservation areas or no longer merit that designation.
- 7.2 Policy SP13 : Historic Environment in the Local Plan states that the Council will pursue a positive strategy for the conservation and enjoyment of the historic environment through periodic reviews of Conservation Areas and publication of detailed guidance. In paragraph 4.178 of the supporting text of that Policy it states that:

Over the lifetime of this Plan, we will carry out a programme of work relating to our Conservation Areas with priority for locations with potential development pressures and where there have been significant changes since the designation was first made. The reviews will include the production of character statements and will provide opportunities to consider amending boundaries.

- 7.3 Many of the District's conservation areas were designated in the 1960's and 1970's. Consultants were commissioned in 2019 to prepare character statements for the 33 conservation areas that were without information to support the designations. The final character statements were endorsed by Cabinet in January 2021 and are available to view of the Council's [website](#). As part of that work, there were a number of recommendations for further areas of work, which included preparing a full conservation area appraisal and management plan for Ashwell.
- 7.4 The Council commissioned external consultants, Place Services, to prepare a Conservation Area Appraisal and Management Plan for Ashwell and to recommend any boundary amendments to the Conservation Area.

8. RELEVANT CONSIDERATIONS

- 8.1. Cabinet approved the draft CAAMP for Ashwell and a number of proposed boundary changes for public consultation in [June 2022](#) with public consultation taking place between July and September 2022.
- 8.2. The consultation documents were placed on the Council's website, interested parties were contacted and a consultation event was held in the village with the consultants available to answer questions. The Parish Council also helped publicise the consultation period to local residents.
- 8.3. The draft CAAMP recommended a series of amendments to the Ashwell Conservation Area boundary and a number of representations were received in response to the proposals from Historic England, the Parish Council, the County Council and a number of local residents. The issues raised included both suggested additions and reductions to the conservation area. A full schedule of the representations and the consultant's response to those representations is attached as Appendix A.
- 8.4. Taking the detailed responses to the consultation into account and using their professional judgement, the consultants have recommended that the Ashwell Conservation Area boundary should be amended in some circumstances and a revised conservation area has been finalised. The CAAMP has also been revised to reflect the proposed boundary. A map of the proposed boundary changes is shown within the CAAMP attached as Appendix B.
- 8.5. The CAAMP sets out the background information about the legislative and policy context for designating conservation areas, includes a description of the history of Ashwell, explains the revisions to the Conservation Area boundaries and describes the assessment of significance for the Conservation Area. There is also a section in the CAAMP which sets out the potential opportunities for enhancement and proposals for the management of the Conservation Area.
- 8.6. If Cabinet agree that the Ashwell Conservation Area boundary should be amended, we must notify the Secretary of State and Historic England and are required to publicise the designation of the Ashwell Conservation Area with a notice placed in the London Gazette and a local newspaper, in accordance with [section 70\(8\) of the Planning \(Listed Building and Conservation Areas\) Act 1990](#). The Local Land Charges register will also be updated with the details of the new boundary.
- 8.7. The Local Plan Policies Map, [adopted in November 2022](#) details how and where the policies in the Local Plan have effect geographically. The maps also show a number of environmental designations, including conservation area boundaries which are designated under different pieces of legislation. The Local Plan Policies Maps will be updated with the details of the new conservation area boundaries which will be available on the website and through the interactive maps.

9. LEGAL IMPLICATIONS

- 9.1. Under the Terms of Reference for Cabinet, the Constitution states that it may exercise the Council's functions as Local Planning Authority and receive reports on strategic planning matters, (except to the extent that those functions are by law the responsibility of the Council or delegated to the Service Director: Regulatory).
- 9.2. Section 69 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to designate areas which they consider possess architectural or historic interest worthy of preservation or enhancement as Conservation Areas. As part of this, section 71 of the Act requires the local planning authority to formulate and publish proposals for the preservation and enhancement of these areas, such as in the form of an appraisal document. It is also the Local Authority's duty to ensure that special attention is paid to the desirability of preserving or enhancing the character or appearance of the area when making planning decisions, as per section 72 of the Act. Any decision is taken by the Local Planning Authority, and should be taken having considered the external professional consultant's report Appended at B and consultation responses at Appendix A. The consultants have confirmed that they have reached their professional conclusions in accordance with best practice guidance and the consultation responses detailed in Appendix A.

10. FINANCIAL IMPLICATIONS

- 10.1. The costs for the work on the Ashwell CAAMP and boundary review has been met from within the planning fees reserve. £120k has been earmarked for conservation work over an anticipated three years. So far £19k has been spent in 2021/22 and £10.4k in 2022/23, so there is £90,553 left to fund conservation work. Each CAAMP cost around £10-12k.
- 10.2. If Cabinet approve the amended boundary for the Ashwell conservation area, there will be some revenue costs associated with advertising the proposed changes in the London Gazette and a local newspaper.

11. RISK IMPLICATIONS

- 11.1. Sustainable Development of the District is identified as a Corporate Risk. The preparation of the CAAMP for the Ashwell Conservation Area will assist in promoting sustainable development in the future.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. There are not considered to be any direct equality implication issues arising from this report.

13. SOCIAL VALUE IMPLICATIONS

13.1. The Social Value Act and “go local” requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

14.1. The adoption of the CAAMP for the Ashwell Conservation Area will assist in the management of the historic environment.

15. HUMAN RESOURCE IMPLICATIONS

15.1. There are no new human resource implications arising from the contents of this report.

16. APPENDICES

16.1 Appendix A – Report on the Public Consultation Process for the Ashwell Conservation Area

16.2 Appendix B – Ashwell Conservation Area Character Appraisal and Management Plan, February 2023

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18. BACKGROUND PAPERS

18.1 [Conservation Area Appraisal, Designation and Management, Historic England Advice Note 1, 2019](#)

18.2 [Cabinet report : Conservation Area Summary Report and Next Steps, 26 January 2021, Agenda Item 10](#)

18.3 [Cabinet report : Conservation Area Reviews, 21 June 2021](#)