

CABINET

19 September 2023

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: CHESFIELD CONSERVATION AREA

REPORT OF: SERVICE DIRECTOR – REGULATORY

EXECUTIVE MEMBER FOR PLANNING AND TRANSPORT – RUTH BROWN

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 Chesfield Conservation Area Appraisal and Management Plan (CAAMP) and the proposed designation of the Chesfield Conservation Area.

2. RECOMMENDATIONS

- 2.1. That the proposed boundaries for the Chesfield Conservation Area are approved and Officers authorised to undertake the necessary administrative tasks to designate the conservation area boundary.
- 2.2. That the Chesfield CAAMP is approved and adopted.
- 2.3. 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 designation of the Chesfield Conservation Area boundary and the draft CAAMP between November 2022 and February 2023. A summary of the responses is attached as Appendix A. Those responses have been used in finalising the proposed boundary and the CAAMP.
- 5.3. Details of the responses received to the consultation are available on the Council's website.

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 designations from time to time to determine if any further parts of the District should be included within a conservation areas.
- 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 In 2016, a heritage assessment for the proposed strategic housing allocation North of Stevenage (NS1) was commissioned, and included the recommendation that:

North Hertfordshire District Council should consider designating a conservation area based upon Chesfield Park and Chesfield Church to adjoin the St Nicholas / Rectory Lane Conservation Area in Stevenage and preserve the significance of Chesfield Park.

Details of this recommendation are set out in para 8.14 of Cabinet report : [Conservation Area Summary Report and Next Steps, 26 January 2021](#).

- 7.4 The Council commissioned consultants to undertake a preliminary assessment to establish whether the Chesfield area is of sufficient special or historic interest to designate as a conservation area. The work concluded that the area was of sufficient interest to prepare a draft Conservation Area Appraisal and Management Plan for Chesfield with a view to recommending a new Conservation Area be designated.

8. RELEVANT CONSIDERATIONS

- 8.1. Cabinet approved the draft CAAMP and the proposed boundaries for a conservation area at Chesfield for public consultation in [September 2022](#) with public consultation taking place between November 2022 and February 2023.
- 8.2. The consultation documents were placed on the Council's website, interested parties were contacted and an online consultation event was held with the consultants available to discuss the proposals and answer questions.
- 8.3. The draft CAAMP set out a proposed boundary for the Chesfield conservation area and a number of representations were received in response to the proposals, from local residents and interest groups and a number of statutory consultees. Local residents who made comments on the proposals expressed their personal objections to the proposals which included:
 - the opinion that few buildings of sufficient historic interest to warrant statutory protection;
 - the opinion that the gardens of Chesfield Park have not been judged to be of sufficient interest to include in the Register of Parks and Gardens;
 - that the consultants had not gained access to Chesfield Park to make a detailed assessment of the area;
 - the opinion that additional traffic from new developments in the surrounding area has changed the character of the area;
 - the opinion that more visitors will be attracted to the area, where there is no car parking or footpaths;
 - inconvenience of applying for permission to erect sheds, fences and tree maintenance;
 - Chesfield Park is private property with no footpaths or public rights of way;
 - the opinion that boundary issues with Great Ashby require woodland and fencing management which needs to be undertaken daily without asking for permission through a management scheme; and
 - the opinion that inflated prices for specific conservation items to repair or improve houses.
- 8.4. All of the representations are available to view on the [website](#) and a summary of the representations and the consultants responses are attached as Appendix A.
- 8.5. Following the consultation, the consultants have undertaken further work discussing the proposals to designate a conservation area at Chesfield with Historic England, Hertfordshire Gardens Trust and Stevenage Borough Council. A full response from Stevenage Borough Council is attached as Appendix D. Both the consultants and ourselves have attempted to contact the owners of Chesfield Park to arrange for the consultants to gain access to Chesfield Park, although to date, it has not been possible to arrange this access to the Park. The owners have responded and suggested that a site visit should take place in the winter so that the surrounding area can be seen, rather than when the trees are in full leaf. However, the decision to designate a conservation area should be based on the planning and the historic merits of the proposals; the consultants consider that there is sufficient evidence from site visits and desk based research to designate the Chesfield Conservation Area.

- 8.6. Designating a new conservation area at Chesfield will provide a continuation of the St Nicholas / Rectory Lane conservation areas in Stevenage, as illustrated in Appendix C. The conservation areas will provide a buffer between the adjoining allocated sites and will ensure that the historic parts of the landscape are retained in the future.
- 8.7. As a result of the consultation and further discussions, the consultants have recommended that some changes are made to the CAAMP and that the boundaries to the proposed conservation area are confirmed, as attached as Appendix B.
- 8.8. The CAAMP sets out the background information about the legislative and policy context for designating conservation areas, includes a description of the history of Chesfield, explains the reasons for 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.
- 8.9. If Cabinet agree that the Chesfield Conservation Area should be designated, we must notify the Secretary of State and Historic England and are required to publicise the designation of the Chesfield 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.

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.

10. FINANCIAL IMPLICATIONS

- 10.1. The costs for the work on the Chesfield 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 designation of the Chesfield Conservation Area, there will be some revenue costs associated with advertising the proposed changes in the London Gazette and a local newspaper, which will be fully funded from the earmarked reserve.

11. RISK IMPLICATIONS

- 11.1. Sustainable Development of the District is identified as a Corporate Risk. The preparation of the CAAMP for the Chesfield 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.

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 designation of the Chesfield Conservation Area and the adoption of the CAAMP 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 Chesfield Conservation Area.
- 16.2 Appendix B – Chesfield Conservation Area Character Appraisal and Management Plan, September 2023.
- 16.3 Appendix C – Map of the Chesfield Conservation Area in the context of the neighbouring area.
- 16.4 Appendix D – Response from Stevenage Borough Council.

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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](#)
- 18.4 [St Nicholas / Rectory Lane Conservation Area Management Plan Supplementary Planning Document, July 2012](#)