

<b>Report To:</b>	<b>CABINET</b>	<b>Date:</b>	<b>11 MARCH 2019</b>
<b>Heading:</b>	<b>PROPOSED DESIGNATION OF A CONSERVATION AREA FOR HUCKNALL</b>		
<b>Portfolio Holder:</b>	<b>LEADER, COUNCILLOR JASON ZADROZNY</b>		
<b>Ward/s:</b>	<b>HUCKNALL CENTRAL &amp; HUCKNALL NORTH</b>		
<b>Key Decision:</b>	<b>YES</b>		
<b>Subject to Call-In:</b>	<b>YES</b>		

### **Purpose of Report**

The purpose of this report is to seek approval from Cabinet to designate a new Conservation Area in Hucknall Town Centre. A map illustrating the proposed Conservation Area Designation is appended to the report. If approved, this area will be designated as the Hucknall Town Centre Conservation Area.

### **Recommendation(s)**

**That Cabinet approves the designation of the Hucknall Town Centre Conservation Area and authorises its implementation in accordance with legislative requirements.**

### **Reasons for Recommendation(s)**

Local Planning Authorities are under a duty to review whether any parts of their area should be designated as conservation areas. Officers in Development Management and Conservation teams have identified that the Town Centre of Hucknall is an area of special architectural and historical interest and justifies being designated as a Conservation Area. A public consultation has been held on the proposal and the majority of responses received by the Council were in support.

Designation will provide a planning control to enable the conservation and enhancement of the special historic and architectural interest of the defined area. Designation will provide controls over the demolition of buildings and structures, and the planning authority will be able to exercise greater control over the design of new buildings/structures/extensions. The designation will confer a level of protection for trees that are not currently protected.

### **Alternative Options Considered**

Not to approve the designation of the Hucknall Conservation Area. The failure to designate carries a risk that the architectural and historic character of the area will be eroded, or will continue to erode, and significant buildings and mature trees will be vulnerable to demolition or removal. Not designating could undermine the distinct heritage and environmental quality of the area. Not recommended.

### **Detailed Information**

Conservation areas were introduced by the Civic Amenities Act 1967, and were established to make further provision for the protection and improvement of buildings of architectural or historic merit, and of the character of areas of such interest. The legislation has since been consolidated under the Planning (Listed Buildings and Conservation Areas) Act 1990 (hereafter referred to as 'the Act').

The Act defines conservation areas as: "areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance" (Section 69 (1) a). Under Section 69, Local Planning Authorities are required to review whether any parts or further parts of their area should be designated as conservation areas. If they determine such areas then they shall designate those accordingly. On designation, the Conservation Area will be registered as a local land charge. The Land Charges Register records relevant information relating to property or land against which parties can undertake a search.

The National Planning Policy Framework, Paragraph 186 states: "When considering the designation of conservation area, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest."

During 2018, the District Council's Conservation Officer within the Planning Department, surveyed Hucknall Town Centre and identified a part of it as having special architectural and historic interest, which is desirable to preserve or enhance. This area is identified by the boundary on the plan contained in this report. In accordance with *Historic England (2019): Advice Note 1 – Conservation Area Designation, Appraisal and Management (2<sup>nd</sup> edition)*, a Designation Statement of the area was written to provide a brief summary of significance of the proposed Hucknall Conservation Area.

The proposed Hucknall Town Centre Conservation Area has been identified as an area of historic and architectural interest. Hucknall has a rich and long history with many buildings of architectural interest, resulting in a town with a distinct character. The layout of the town still reflects its ancient origins with the medieval parish church of St Mary Magdalene being its focus. A distinctive feature of the town is the road layout around the Church and the Market Place. The character of the town centre is predominantly Victorian/Edwardian with buildings being brick built with slate or plain clay tile roofs. Stone, terracotta or decorative brick is used widely to enliven building facades. Consequently, it is considered that part of the town centre is of sufficient architectural and historic interest to warrant conservation area designation.

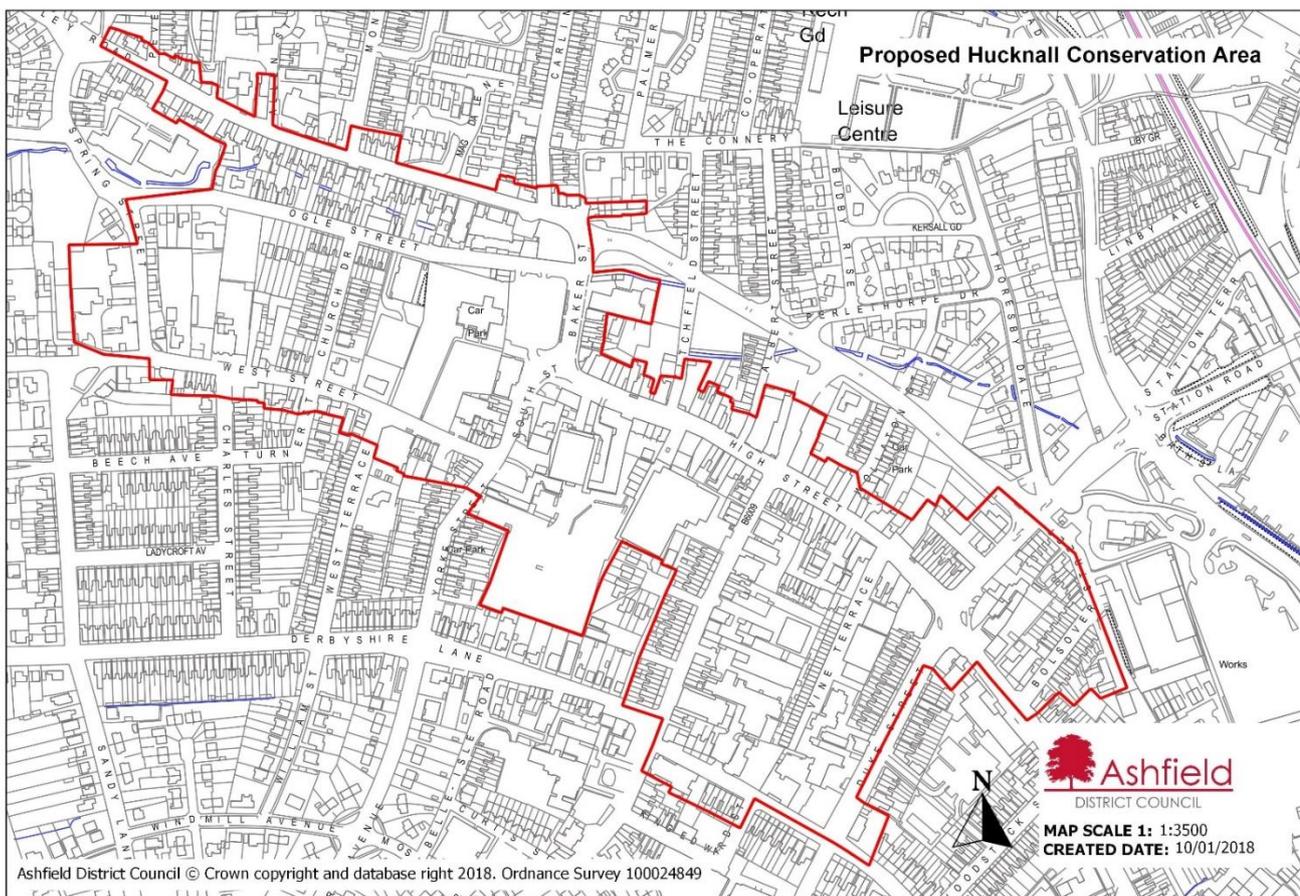
Community consultation is not a statutory requirement when designating a conservation area; although Historic England advises that positive public consultation to be carried out as early as possible in the designation process. Consultation is a statutory requirement for any proposals to enhance the area. Officers have engaged the public in the process and have carried out consultation from 19th November 2018 to 7th January 2019. This consultation sought the public view on the designation of Hucknall Town Centre. A report on the consultation has been written entitled: "Hucknall Town Centre Conservation Area Consultation Report" and is available on the Council's website. To raise awareness of the consultation:

- A public drop in meeting was held on 27<sup>th</sup> November 2018 at Hucknall Library, which members of the public and the local heritage group attended.
- Flyers and site notices were placed within prominent locations in the town centre.
- Letters/Emails were sent to local people and business affected by the proposal, to external consultees such as Historic England, Nottinghamshire County Council, Parish Councils, heritage societies, and various business organisations. The letters/emails advised of the public drop in meeting and the consultation.
- There was an article and advert in the local paper, the Hucknall Dispatch regarding the consultation.
- Copies of the Designation Statement and Questionnaire were made available at the Council offices and the main libraries.
- Elected Members of the Hucknall ward, portfolio holders and the leader of the Council were all informed of the proposed boundary and designation statement.

There were 167 respondents (written and online) to the consultation. The overwhelming majority of the responses to the consultation were positive (84.4%) supporting the designation of the Conservation Area.

A resolution to designate the area is now sought. The proposed Conservation Area boundary has been drawn accurately because designation will affect permitted development rights.

Section 70 (5) requires that the local planning authority must give notice to the Secretary of State of any designation of any area as a conservation area under Section 69 (1) or (2) of The Act. Notice of any such designation with particulars will be published in the London Gazette and in at least one local newspaper as required in Section 70 (8).



## **Implications**

### **Corporate Plan:**

The designation of the Conservation Area is in accordance with the long term outcomes and corporate priorities of facilitating economic regeneration and developing place and communities.

### **Legal:**

Section 69 of The Planning (Listed Buildings and Conservation Areas) Act (1990) imposes a statutory duty on local planning authorities to identify parts, or further parts, of their District with special architectural or historic interest, and if appropriate, designate them as conservation areas.

The designation of any area as a conservation area shall be a local land charge as specified by Section 69 (4) of the Act.

Section 70 (5) of the Act requires that the local planning authority gives notice to the Secretary of State and English Heritage of any designation of any area as a conservation area. Notice of any such designation with particulars will be published in the London Gazette, and in at least one local newspaper as required in Section 70 (8).

### **Finance:**

There will be a cost of publishing the designation of the Conservation Area including advertising in the London Gazette and a local paper. These costs will be met from existing budgets.

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	N/A
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

### **Risk:**

<b>Risk</b>	<b>Mitigation</b>
None identified	

### **Human Resources:**

There are no direct implication for Human Resources.

### **Equalities:**

There are no direct implications with this report.

### **Other Implications:**

For service users (residents/owners).

There will be greater control over the demolition of buildings and structures, and the rights by which property owners might undertake development without the need for planning consent (known as 'permitted development rights') will be reduced. Control that is more stringent would also be exercised over the design of new buildings to ensure that development conserves and enhances the special character or appearance of the area.

Six weeks' notice must be given to the local authority when carrying out works to trees within the Conservation Area.

Affected property owners will be required to use higher standards of materials, joinery and fixtures than they might otherwise. This may have cost implications for service users.

The opportunity for conservation/heritage grants for service users in order to preserve and enhance the area is likely to be increased by conservation area designation.

A communications' statement will be prepared for the press and social media.

### **Reason(s) for Urgency**

N/A

### **Reason(s) for Exemption**

N/A

### **Background Papers**

- Proposed Hucknall Conservation Area Designation Statement and Questionnaire. Available on the Council's website.
- Historic England (2019): Advice Note 1 – Conservation Area Designation, Appraisal and Management (2nd Ed). Available on the internet.

### **Report Author and Contact Officer**

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