

WEST NORTHAMPTONSHIRE COUNCIL CABINET

9TH NOVEMBER 2021

CABINET MEMBER WITH RESPONSIBILITY FOR STRATEGIC PLANNING, BUILT ENVIRONMENT & RURAL AFFAIRS – COUNCILLOR REBECCA BREESE

Report Title **Cottesbrooke Conservation Area**

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List of Appendices

Appendix A – Draft Cottesbrooke Conservation Area Appraisal and Management Plan 2021

1. Purpose of Report

To seek agreement to consult on the draft Cottesbrooke Conservation Area Appraisal and Management Plan (2021).

2. Executive Summary

2.1 The report contains background information on the process of reviewing the Cottesbrooke Conservation Area and the requirements regarding public consultation on the draft Cottesbrooke Conservation Area Appraisal and Management Plan supplementary planning document (SPD), which includes information about proposed changes to the conservation area boundary, proposed candidates for the local list, and proposals for an Article 4(1) Direction (appendix A).

3. Recommendations

3.1 It is recommended that the cabinet:

- a) Endorses that public consultation be undertaken on the draft Cottesbrooke Conservation Area Appraisal and Management Plan SPD (appendix A)
- b) Endorses that public consultation be undertaken on Article 4(1) Directions controlling development with regards to:
 - Alteration of windows
 - Alteration of doors
 - Alterations to roofing
 - Alterations to porches
 - Alterations to walls, gates and fences
 - Painting of exterior walls
 - Alterations to chimneys.

4. Reason for Recommendations

To accord with the council's Consultation and Engagement Framework, the Statement of Community Involvement (SCI) and Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires local authorities to hold a public meeting to publicise draft proposals within an appraisal, for the relevant stakeholders of the affected area.

5. Report Background

The council has a statutory duty under the 1990 Planning (Listed Building and Conservation Areas) Act to review its conservation areas. Cottesbrooke was first designated as a conservation area in 2000 but has not been reviewed since then and has no up-to-date conservation area appraisal and management plan. As such, this is the first opportunity in some time to review the architectural and historic interest of the conservation area and assess whether the boundary is fit for purpose.

The current conservation area boundary (2000) covers the whole village, including several areas of pasture to its south, as well as Cottesbrooke Hall, its parkland and gardens, which is a designated registered park and garden. A draft conservation area appraisal and management plan has been prepared for Cottesbrooke Conservation Area. Public consultation on the draft appraisal is now required in order to allow stakeholders to provide their views and to inform the document, as well as

to meet the requirements of the 1990 Planning (Listed Building and Conservation Areas) Act and the council's statement of community involvement.

Following the consultation exercise a further report would be made to cabinet. This report would set out the responses received and suggest any changes resulting from the consultation and recommendations. Should cabinet decide to continue with the proposal, the new conservation area boundary would then be formally designated. The council would then need to consider whether the character or appearance of the area would be affected by future development. The relevant policies in the West Northamptonshire Joint Core Strategy and Settlements & Countryside Local Plan would apply, together with policies in the National Planning Policy Framework. The conservation area appraisal and management plan would be adopted as an SPD and would be a material planning consideration, helping to apply relevant policies.

Certain permitted development rights would also be more restrictive and additional controls would apply with respect to works to, or felling of, trees.

The draft appraisal and management plan identifies a proposal to include buildings in the council's local list of buildings and sites. This list contains buildings and sites which do not meet the criteria for listing by Historic England but are of sufficient local importance that they warrant policy protection. At this stage, draft entries for Cottesbrooke are proposed but this could change following the consultation exercise.

The appraisal identifies certain features as being of particular importance to the character of the proposed conservation area. Some of these, however, could be changed under national permitted development rights. The appraisal and management plan therefore contains initial proposals for an Article 4(1) Direction. Such directions can be used to remove permitted development rights for prescribed matters. In this case, the proposal would be to remove permitted development rights that relate to matters of particular importance to the character of the area. This would not prevent such changes being made, but it would require any proposal to change them to require planning permission.

To impose a direction, additional formal procedures would need to be followed. At this stage a draft proposal is put forward. This could change following the consultation exercise. A refined proposal would then be developed which would be subject to consideration by cabinet alongside the post-consultation appraisal.

A draft conservation area appraisal and management plan has been prepared for Cottesbrooke, following an initial meeting held online with residents. It is suggested that a six-week consultation period now be undertaken, including a public meeting held in such a way that the risks of Covid-19 are minimised.

6. Issues and Choices

6.1 Conservation area status and an adopted appraisal and management plan, which has the status of an SPD, adds weight to the consideration of non-designated heritage assets in decision making. It also provides detail for applicants and decision makers on the special interest of the

conservation area as a designated heritage asset. The proposed conservation area boundary for Cottesbrooke and the draft appraisal and management plan has been produced with the aim of providing proportionate and effective means of protecting the special architectural and historic interest of Cottesbrooke for the benefit of present and future generations. Public consultation on the proposed boundary and the draft appraisal would help to inform the document and enable it to proceed to the next stage in the process, which would be its consideration for adoption as an SPD.

6.2 The alternative option would be not to agree to the public consultation on the draft Cottesbrooke Conservation Area Appraisal and Management as an SPD.

6.3 Not agreeing to the commencement of the public consultation would prevent the proposed changes to the conservation area boundary being made and the conservation area appraisal and management plan proceeding for adoption as a supplementary planning document. This would leave the council without valuable tools with which to protect and enhance the special architectural and historic interest of Cottesbrooke.

7. Implications (including financial implications)

7.1 Resources and Financial

7.1.1 There could be some minor costs for printing documents, but it is envisaged that this could be met within existing budget.

7.2 Legal

7.2.1 SPDs are defined by the Planning and Compulsory Purchase Act 2004. The detailed requirements for SPDs and their adoption are provided by the Town and Country Planning (Local Planning) (England) Regulations 2012.

7.2.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

7.2.3 Directions under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (No. 596) require planning permission to be obtained for works which would otherwise be permitted development.

7.3 Risk

There are no significant risks arising from the proposed recommendations in this report.

7.4 Consultation

Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires of local authorities that they hold in public meeting to publicise draft proposals within an appraisal, for the relevant stakeholders of the affected area.

A presentation publicising the review and inviting initial questions from residents took place online on Wednesday 28 July 2021 and was attended by parish councillors and local residents.

The next stage would include a formal consultation on proposed changes to the conservation area boundary and the draft conservation area appraisal and management plan. It is therefore recommended that the draft document is consulted on for a minimum of eight weeks during which time a public meeting will be held to inform stakeholders (residents, interested parties, statutory consultees).

The Covid-19 pandemic necessitates a different approach to consultations. Firstly, a decision will need to be taken as to whether or not it is appropriate, having regard to any Government advice at the time, to commence the consultation. The public meeting would be held in a way that minimises the risks to staff and the public. It is normal practise to have hard copies of documents available at the council offices and libraries, as well as having them available online. Access to these buildings may be limited, therefore it might be necessary to offer the availability of free copies delivered to households on request (it is assumed that most households would be happy to read the document online).

7.5 Consideration by Overview and Scrutiny

No comments from Overview and Scrutiny.

7.6 Climate Impact

The assessment and up to date designation of the conservation area should not have any material consequences for climate change. Specifically, under the proposed Article 4(1) Direction, proposals for energy conservation measures and renewable energy devices could still come forward but would be judged in the balance with any adverse impacts on the village's character.

7.7 Community Impact

7.7.1 Consulting on the draft appraisal would not have any negative implications regarding crime and disorder.

7.7.2 The proposed course of action should not have any perceptible differential impact on people with different protected characteristics, with the possible exception of disability. Accordingly, the consultation materials will be provided in alternative formats if required.

7.8 Communications

The document has been checked for accessibility. Support will be provided by the Communications Team to maximise engagement with the formal consultation process.

8. Background Papers

- [Department of Communities and Local Government \(2021\) National Planning Policy Framework](#)
- [Planning \(Listed Building and Conservation Areas\) Act 1990](#)
- [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015 with amendments](#)