

WEST NORTHAMPTONSHIRE COUNCIL PLANNING POLICY COMMITTEE

28 June 2022

Rebecca Breese – Planning, Built Environment and Rural Affairs

Report Title	Canons Ashby Conservation Area
Report Author	Anna Wilson, Heritage Policy Assistant, anna.wilson@westnorthants.gov.uk

Contributors/Checkers/Approvers

Legal	Theresa Boyd	Approval mail received 30/05/2022
West S151	Martin Henry	Approval email received 26/05/2022
Other Director/SME	Stuart Timmiss	Email sent 26/05/2022
Communications Lead/Head of Communications	Becky Hutson	Approval email received 26/05/2022

List of Appendices

Appendix A – Written Responses

Appendix B – Canons Ashby Conservation Area Boundary Map

Appendix C – Local List Candidates

Appendix D – Canons Ashby Article 4(1) Direction

1. Purpose of Report

To consider the responses to the consultation exercise on the draft Canons Ashby Conservation Area Appraisal and Management Plan and further steps to implement the outcomes.

2. Executive Summary

- 1.1. The report sets out the recommendations for the adoption of the conservation area boundary as set out in Appendix B, the adoption of the Canons Ashby Conservation Appraisal and Management Plan as a supplementary planning document (SPD), the inclusion of buildings on the Local List, and proposals for an Article 4(1) Direction. It includes details of how the statutory consultation was undertaken, and the results of the consultation (Appendix A).

3. Recommendations

- 3.1 It is recommended that Planning Policy Committee:
- a) Agrees that the conservation area boundary as set out in Appendix B be designated and supersedes the designation that was made in 1997.
 - b) Agrees that delegated authority be given to the Interim Head of Planning and Climate Change Policy to make further minor editorial changes to the Canons Ashby Conservation Area appraisal and Management Plan to address any factual or typographical errors and to reflect the fact that the document will be in its intended final form.
 - c) Agrees that the conservation area appraisal and management plan for Canons Ashby be adopted as a supplementary planning document.
 - d) Agrees the Local List entries for Canons Ashby set out in Appendix C.
 - e) Agrees that an Article 4(1) for Canons Ashby in accordance with the proposals in the conservation area appraisal and management plan be made subject to consultation (Appendix D).

4. Reason for Recommendations

- The proposals fulfil the statutory duty of the council to review and designate conservation areas where they meet appraisal criteria.
- The proposals accord with legislation and the council's planning policies.
- The proposals will provide the council with the tools to preserve and enhance the heritage of Canons Ashby, which contributes to the historic character of the West Northamptonshire area. Without these tools the special historic interest of the village may be harmed or lost.
- The proposals are consistent with previous decisions made to designate conservation area boundaries and adopt supplementary planning documents for other towns and villages in the area.

5. Report Background

- 5.1 The council has a statutory duty under the 1990 Planning (Listed Building and Conservation Areas) Act to review its conservation areas and to designate conservation areas where they meet appraisal criteria. At its meeting on 16 March 2022, the council resolved that consultation should take place on the draft conservation area appraisal and management plan for Canons Ashby. The consultation is now complete.
- 5.2 The proposals at Canons Ashby suggested amending the conservation area boundary to include a small, wooded area and an area that contains ponds that originated as medieval fishponds and an upstanding post-medieval archaeological earthwork. The proposals also suggest amending the boundary to exclude a narrow strip of land so the conservation area boundary falls on the same alignment as that of the scheduled monument designation.
- 5.3 The proposals also identified five candidates for the Local List, all being situated in the conservation area, and proposals for an Article 4(1) Direction.

Responses to consultation

- 5.4 There was one response to the consultation, which was received by email, from the archaeological advisor to the council but it did not seek any changes to the appraisal and management plan. The response is set out in Appendix A. No responses were received via letter or the online survey.
- 5.6 Historic England did not seek any changes.
- 5.7 The draft appraisal included initial proposals for an Article 4 Direction in Section 10.2. There are no suggested changes as a result of the consultation exercise and it is suggested that an Article 4 Direction be prepared for the proposed restrictions set out in the draft appraisal.

6. Issues and Choices

- 6.1 Conservation area status and an adopted appraisal and management plan, which has the status of a supplementary planning document (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 and appraisal and management plan have been produced with the aim of providing proportionate and effective means of protecting the special architectural and historic interest of Canons Ashby for the benefit of present and future generations.
- 6.2 The alternative options would be not to endorse the designation of the conservation area boundary and the adoption of the Canons Ashby Conservation Area Appraisal and Management Plan as a supplementary planning document, not to endorse the candidates for the Local List, and not to 'make' the Article 4(1) Direction.

- 6.3 Not endorsing the boundary designation, the adoption of the appraisal and management plan, not endorsing the candidates for the Local List, and not 'making' the proposed Article 4(1) Direction would leave the council without valuable tools with which to protect and enhance the special architectural and historic interest of Canons Ashby.

7. Implications (including financial implications)

7.1 Resources and Financial

- 7.1.1 Adopting the appraisal, designating a new conservation area boundary and making Article 4 directions would have no material financial effects. Minor costs for placing adverts in the London Gazette and a local newspaper will be covered from existing budgets.

7.2 Legal

- 7.2.1 Supplementary Planning Documents (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 The SPD would supplement existing policies, predominantly the West Northamptonshire Joint Core Strategy and the Settlements and Countryside Local Plan (Part 2) 2020.
- 7.2.4 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

- 7.3.1 There are no material risks foreseen in the endorsement of the conservation area designation, adoption of the appraisal and management plan or the making of the Article 4(1) Direction.
- 7.3.2 Not endorsing the conservation area designation, adoption of the Appraisal and Management Plan and the making of the Article 4(1) Direction would be likely to weaken protection for heritage in Canons Ashby and thus increase the risk of its loss.

7.4 Consultation

- 7.4.1 The Canons Ashby Conservation Area Appraisal and Management Plan consultation document was subject to a formal six-week public consultation which began on 4 April 2022 and ended on 16 May 2022. This followed an initial online exhibition held on 18 November 2021 which was attended by the ward councillors and three members of the public. A separate meeting/site visit also took place with the property manager of Canons Ashby House (National Trust). A second virtual public meeting was organised to be held during the consultation period on 3 May 2022. Despite the meeting being publicised through the usual channels, there were no attendees. The PowerPoint presentation slides and notes were made available on the council's website.
- 7.4.2 As noted in the appraisal a separate consultation exercise is beneficial before an Article 4 Direction has effect. The process for this type of Article 4 Direction requires that they be 'made' and then consulted on. Only if an Article 4 Direction is confirmed does it have legal effect. Following consultation the matter would be brought back to Planning Policy Committee for the direction to be confirmed or not.

7.5 Consideration by Overview and Scrutiny

Not applicable

7.6 Climate Impact

- 7.6.1 The designation of the conservation area and adoption of the Appraisal and Management Plan as a supplementary planning document are unlikely to have a negative impact on the climate.

7.7 Community Impact

- 7.7.1 It is unlikely that the adoption of this document would have any material effect on crime or disorder.
- 7.7.2 The proposed course of action should not have any perceptible differential impact on people with protected characteristics.
- 7.7.3 Endorsing the designation of the conservation area boundary and the adoption of the conservation area appraisal and management plan as an SPD would assist in conserving the historic character of Canons Ashby and contribute to preserving the character of places which make up West Northamptonshire. As such, it would support the well-being of residents and those who work in or visit Canons Ashby and the wider area.

8. Background Papers

Ministry of Housing, Communities and Local Government (2021) National Planning Policy Framework

Planning (Listed Building and Conservation Areas) Act 1990

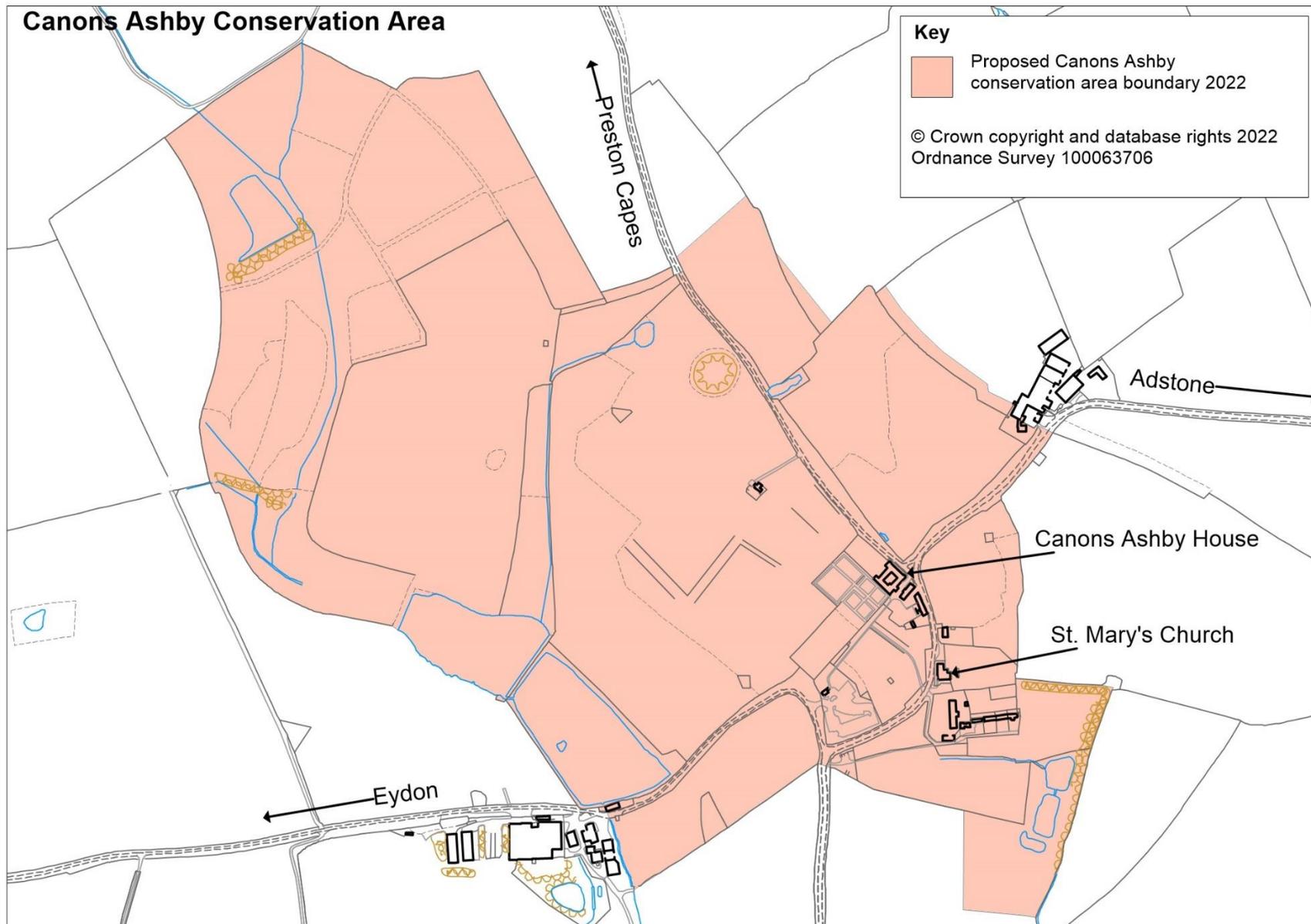
The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) Regulations 2020

West Northamptonshire Council Planning Policy Committee Report 16 March 2022 - Permission for consultation on draft Canons Ashby Conservation Area Appraisal and Management Plan and proposed boundary.

Appendix A – Written responses

Respondent	Comments	Suggested Response	Suggested Action
Liz Mordue, Archaeological Advisor to West Northants Council	Thank you for consulting the Archaeological Advisor on the above CAAMP. I can confirm that the archaeological information and recommendations are appropriate, and have no further comments to make.	Comments noted.	No change.

APPENDIX B – Canons Ashby Conservation Area Boundary Map



APPENDIX C – Local List Candidates

Banbury Road

Lodge Farmhouse

The Woodyard

Park Cottage

Field barn south of Canons Ashby House

Field barn northwest of Park Cottage

APPENDIX D – Canons Ashby Article 4(1) Direction

WEST NORTHAMPTONSHIRE COUNCIL

Town and Country Planning (General Permitted Development)

(England) Order 2015

Direction made under Article 4(1)

RELATING TO THE CANONS ASHBY CONSERVATION AREA

WHEREAS West Northamptonshire Council ('the Council') being the appropriate local planning authority within the meaning of article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015, is satisfied that it is expedient that development of the description(s) set out in the Schedule 1 below should not be carried out on the land/buildings shown coloured red on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

NOW THEREFORE the Council in pursuance of the power conferred on it by Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 HEREBY DIRECT that the permission granted by Article 3 of the said Order in respect of development of the description set out in the Schedule 1 below shall not apply to development on the said land of the description(s) set out in the Schedule 2 below.

THIS DIRECTION is made under Article 4(1) of the said Order and in accordance with paragraph 1 of Schedule 3, shall come into force when confirmed by the Council within 12 months of the date of this Direction.

SCHEDULE 1

(Descriptions of Development restricted by this Direction)

The enlargement, improvement or other alteration of a dwelling house, where any part of the enlargement, improvement or alteration would affect the principal elevation or any elevation that fronts a highway, waterway or open space being development comprised within Class A of Part 1 of Schedule 2 to the Order and not development comprised within any other Class;

Any alteration or addition to the roof of a dwelling house being development comprised within Class B or Class C of Part 1 of Schedule 2 to the Order and not development comprised within any other Class.

The construction or demolition of a porch outside any external door of a dwellinghouse where the door in question is on a principal elevation or any elevation that fronts a highway, waterway or open space being development comprised in Class D of Part 1 of Schedule 2 to the Order and not being development comprised within any other Class;

SCHEDULE 2

ALL THE land and buildings situated thereon together comprising the following properties and which are more particularly shown red on the plans attached hereto:

Banbury Road

Lodge Farm
The Woodyard
1-3 Hill View Cottages
Park Cottage

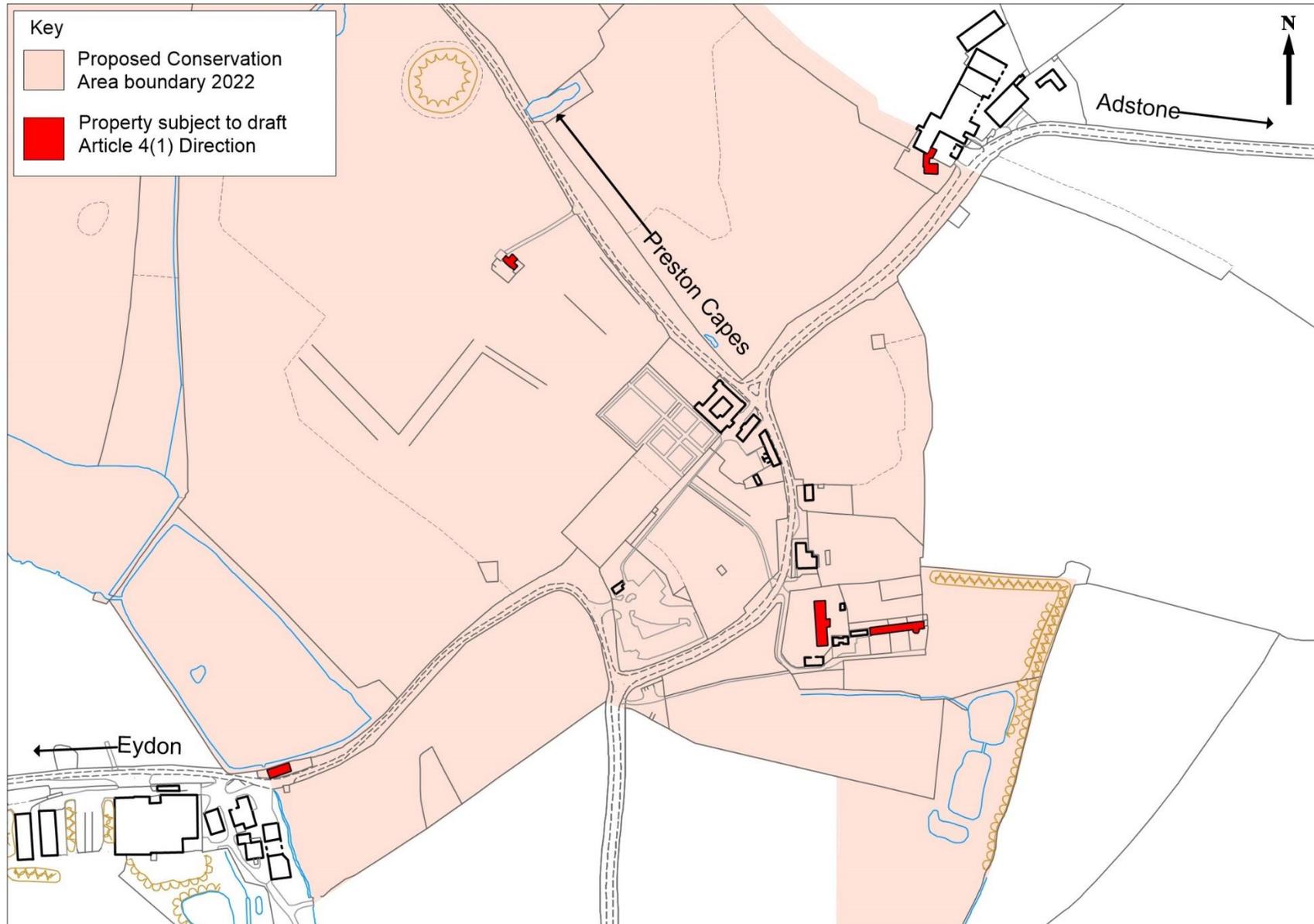
Eydon Road

South West Farm

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1)

[Land affected]



TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1)

[Land affected]

MADE under the Common Seal of West Northamptonshire Council this
day of 2022

THE COMMON SEAL of **WEST NORTHAMPTONSHIRE COUNCIL** was affixed to
this Direction in the presence of

Authorised Signatory

CONFIRMED under the Common Seal of **WEST NORTHAMPTONSHIRE COUNCIL** thisday of..... .. .2022

THE COMMON SEAL of **WEST NORTHAMPTONSHIRE COUNCIL** was affixed to
this Direction in the presence of

Authorised Signatory__