

WEST NORTHAMPTONSHIRE COUNCIL PLANNING POLICY COMMITTEE

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Report Title **Brockhall Conservation Area**

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Contributors/Checkers/Approvers

West S151	Martin Henry	Approval email received 4/10/2022
Director	Stuart Timmis	Consulted on 22/09/2022
Communications Lead/Head of Communications	Becky Hutson	Approval email received 26/09/2022
Legal	Neil Weeks	Consulted on 23/09/2022

List of Appendices

Appendix A – Draft Brockhall Conservation Area Appraisal and Management Plan 2022

1. Purpose of Report

To seek agreement to consult on the draft Brockhall Conservation Area Appraisal and Management Plan (2022).

2. Executive Summary

2.1 The report contains background information on the process of reviewing the Brockhall Conservation Area and the requirements regarding public consultation on the draft Brockhall

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 Planning Policy Committee:

- a) Agrees that public consultation be undertaken on the draft Brockhall Conservation Area Appraisal and Management Plan SPD (appendix A), which includes proposed changes to the conservation area boundary
- b) Agrees that public consultation be undertaken on proposed Article 4(1) Direction controlling development with regards to:
 - Alteration of windows
 - Alteration of doors
 - Alterations to roofing
 - Alterations to walls, gates or fences
 - Addition of roof lights or skylights.
 - Laying of hardstanding

4. Reason for Recommendations

To accord with the council's Consultation and Engagement Framework, the Statement of Community Involvement (SCI) for the Daventry area 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. Brockhall was first designated as a conservation area in 1976 and was last reviewed in 1999. It 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 (1999) covers the whole village, excluding recent agricultural buildings northwest of Manor Farmhouse. It includes Brockhall Hall, its gardens and parkland, which are designated as a Registered Park and Garden, as well as areas of enclosed pasture on the northwest and southeast sides of the village. It is proposed to amend the conservation area boundary in four areas; to include an area of ridge and furrow earthworks and a small spinney on the southeast side of the village; to include a 19th century cart shed and a small spinney on the northeast edge of the conservation area; to include a belt of trees on the northwest edge of the conservation area called Gazewell Spinney, parts of which date back to the 19th century; and to include a small woodland called Rectory Spinney, parts of which date back to the first half of the 19th century.

A draft conservation area appraisal and management plan has been prepared for Brockhall 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 Planning Policy Committee. This report would set out the responses received and suggest any changes resulting from the consultation and recommendations. Should committee 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 Brockhall 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 conservation area. Some of these, however, could be changed under national permitted development rights. The appraisal and management plan therefore contains initial proposals for a non-immediate Article 4(1) Direction. Such Directions can be used to remove permitted development rights for prescribed matters where this is considered necessary to protect local amenity or the well-being of the area. 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 they would require planning permission.

There is a formal procedure for making an Article 4 Direction. At this stage it is proposed that public consultation is undertaken on the principle of introducing an Article 4 Direction and the results of that consultation will be reported back to Planning Policy Committee.

A draft conservation area appraisal and management plan has been prepared for Brockhall, 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 Brockhall 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 Brockhall 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 Brockhall 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 Brockhall.

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 made under Article 4 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (No. 596) (as amended) 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 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 a 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 7 September and was attended by 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 six 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 and Consultation 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](#)