

BOROUGH OF KETTERING

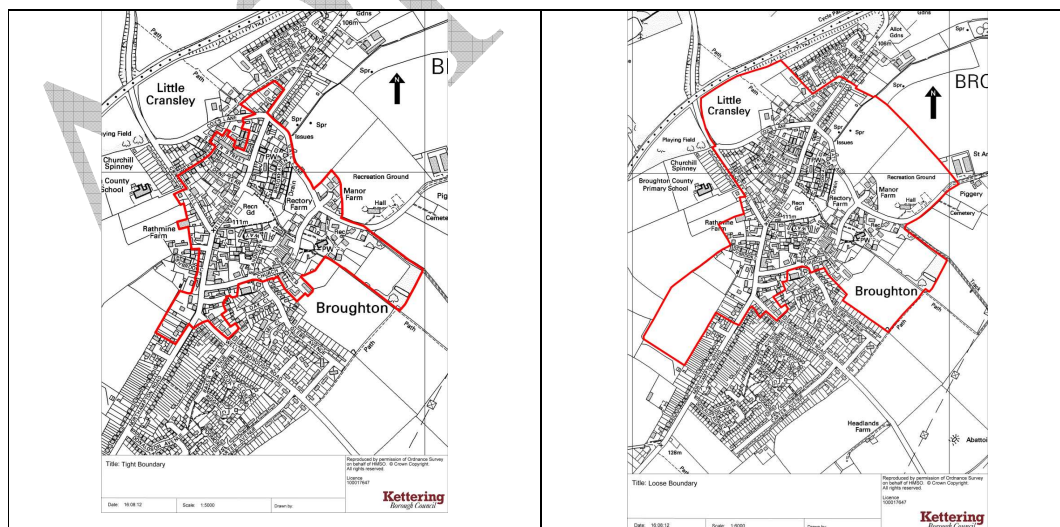
Committee	PLANNING POLICY	Item 6	Page 1 of 7
Report Originator	Head of Development Services	Fwd Plan Ref No:	
Wards Affected	Slade	20 th March 2014	
Title	BROUGHTON CONSERVATION AREA APPRAISAL		

1. PURPOSE OF REPORT

To report the responses to the final Broughton Conservation Area Appraisal consultation, and seek Members' agreement to formally adopt the appraisal and proposed boundary as the Broughton Conservation Area.

2. BACKGROUND

- 2.1 On 6th June 2013 officers sought Members' agreement to consult on the final version of the Broughton Conservation Area. This followed a review of the village, designed to determine whether any areas of the village are 'desirable to preserve or enhance', as defined by Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This final version proposes a hybrid boundary that is a combination of two distinct boundaries that were originally consulted on from 11th November 2012 until 21st December 2012.
- 2.2 This final boundary follows previously held consultation on two distinct boundary options. A 'loose' and a 'tight' boundary were proposed to act as a starting point for discussion as to what would be preferred. The 'tight' boundary identified a small geographic area at the centre of the village, whereas the 'loose' boundary was a far larger geographic including several agricultural fields surrounding the village. The purpose of the two proposed boundaries was to give local people an option to comment on, to generate interest in the proposed Conservation Area and to encourage local people to submit additional information on Broughton.



BOROUGH OF KETTERING

Committee	PLANNING POLICY	Item 6	Page 2 of 7
------------------	------------------------	-----------	----------------

- | | Proposed 'Tight' Boundary | Proposed 'Loose' Boundary |
|--|---------------------------|---------------------------|
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- 2.3 This final document has since been consulted on and an 8 week period for local residents and businesses to respond was held from 2nd December 2013 until 31st January 2014. Unlike previous consultations, no public consultation events were held. The purpose instead was to seek views from residents, businesses and statutory consultees as to whether this was the boundary they wanted and whether the document reflected their views. This report summarises the responses to that period of consultation and proposes that the final Broughton Conservation Area Appraisal is formally adopted.
- 2.4 Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a responsibility on Local Planning Authorities to 'from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance and shall designate those areas as Conservation Areas'. There is no statutory requirement for how often, or how many areas, shall be designated as Conservation Areas, but it is considered that areas which have a historic character or appearance 'which is desirable to preserve or enhance' should be included.
- 2.5 It is with this section of the 1990 Act in mind that it was decided that the village of Broughton, the largest village within Kettering Borough without an adopted Conservation Area, would be assessed. Following several years of work, including two public consultation events and three online public consultations, a final appraisal and proposed boundary has been produced. The appraisal identifies the historic areas of the village, which are considered to be desirable to 'preserve or enhance' and the boundary demonstrates which parts of the village are to be included as part of the Conservation Area. Prior to officially adopting the boundary, as required by Section 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a summary of the results of the final consultation, which included all necessary statutory consultees, are presented to Committee in this report which seeks Members' endorsement of the final boundary.

3. CONSULTATION AND CUSTOMER IMPACT

- 3.1 From Monday 2nd December 2013 until Friday 31st January 2014 the third and final public consultation on the document and proposed boundary was held. The first consultation being a fact-finding event at the village hall and the second being a public event at Broughton Primary School to invite responses on the proposed 'loose' and 'tight' boundary proposals. Whilst no public event was held for this consultation, it was widely advertised in the Evening Telegraph, on the Council's website and through the Council's online consultation portal. Those who had commented on previous versions of the document were also made aware of the final consultation. The purpose of this final consultation was to seek residents, businesses and statutory bodies' views on the proposed boundary. This consultation lasted for an eight week period.

BOROUGH OF KETTERING

Committee	PLANNING POLICY	Item 6	Page 3 of 7
-----------	------------------------	-----------	----------------

- 3.2 The Council received eleven responses to this final consultation. Most respondents supported the creation of the Conservation Area and the proposed boundary, although some responses were against certain aspects of the proposed Conservation Area. The full responses are included in the appendix to this report (Appendix A). The responses can be summarised as follows: Sport England, Natural England and English Heritage support the document. Northamptonshire County Council (Archaeology) and Northamptonshire Police required some minor alterations and most residents of Broughton who commented were also in support of the Conservation Area, although one commented that the whole of Cransley Hill plus the agricultural fields to the north should be included. The issue of Cransley Hill has been discussed previously following the second round of consultation and it was not considered appropriate to include the whole area within the boundary. It was concluded that the site at Cransley Hill was geographically separate from the proposed Conservation Area and that the existing development around Cransley Hill was not appropriate for inclusion within the boundary.
- 3.3 In addition to the above comments, responses were received from Broughton Parish Council and two agents representing landowners within the village. The submission from the Parish Council noted some typographical mistakes that have been corrected and also suggested certain minor changes to the document. The changes not to have been made to the document, but requested by the Parish Council are explained as follows:
- *The field behind Glebe Avenue should be included.* This field has been re-assessed and it has a separate and distinct character from the proposed Conservation Area. Therefore it will not be included.
 - *The maps confuse Churchill's Spinney with the School Playing Fields.* The maps used in the document are from the Ordnance Survey and this element cannot be altered.
 - *The Parish Council wanted more references to individual buildings.* The purpose of the document is to try to identify as much as possible that is of interest in the proposed area. However, best practice states that it should be a brief document and therefore cannot cover every single building. In addition, it should not read as a comprehensive document on the history of Broughton.
 - *More key views should be identified.* Again, the document cannot identify every single aspect that contributes towards Broughton's special historic and architectural interest.
 - *Each photo should be annotated.* The purpose of the photos is to give the reader a flavour of the character of Broughton. The document is not a photographic record of the buildings within Broughton at a set point in time.
- 3.4 The submissions from the two agents representing landowners in the village referred to two particular sites. The agents of the landowners of the field behind Glebe Avenue submitted a brief response supporting the document. The agents of the landowners of the land to the north of Gate Lane submitted a thorough response against the inclusion of their land within the boundary. The response

BOROUGH OF KETTERING

Committee	PLANNING POLICY	Item 6	Page 4 of 7
------------------	------------------------	-----------	----------------

was a thorough assessment of Broughton's history and evolutionary development, which sought to add to the Conservation Area appraisal. Its conclusion was that whilst the land north of Gate Lane 'makes a contribution to the setting of the Conservation Area it does not contain any aspects of special historic or architectural interest and therefore should not be included within the boundary'.

- 3.5 Advice was sought from English Heritage on this matter. Clive Fletcher, English Heritage's Principle Advisor on Historic Places in the East Midlands advised that 'it is wrong to argue that each individual element or part of a Conservation Area must be of special architectural or historic interest in its own right. To be included it merely has to contribute to the overall special interest of the Conservation Area'. The point with Conservation Areas is that they include buildings, monuments, works, trees, gardens, fields, landscapes and spaces within an area. Conservation Areas are not intended to preserve individual buildings, but rather the wider character area and therefore on this basis it is considered that the land north of Gate Lane should be included within Broughton Conservation Area as it makes a positive contribution to its character and appearance.
- 3.6 The purpose of Conservation Area designation is to require future development to preserve or enhance the character or appearance of the area as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Act is not intended to prevent development and it is not intended to be site specific – there are other designations such as the statutory listing of buildings, monuments or parks and gardens for specific heritage assets. As such, this report confirms that all representations received regarding specific sites have been fully considered and the responses are included within the appendices of this report. No further discussion of individual sites is therefore made here.
- 3.7 The final proposed boundary, taking all of the comments into account, is shown on the final page of this report.
- 3.8 Should Members agree to endorse the proposal this final boundary will form the boundary of Broughton Conservation Area, which will be advertised in the London Gazette and the Evening Telegraph to comply with Section 70(8) of the Planning (Listed Buildings and Conservation Areas Act) 1990, in order to formally adopt the appraisal and boundary.

4. POLICY IMPLICATIONS

- 4.1 There is a statutory requirement for this document to be reviewed at Local Planning Authority level as determined by Section 12 of the National Planning Policy Framework and Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.2 If Members agree to formally adopt the document and proposed boundary the Broughton Conservation Area Appraisal will be a material planning consideration in the determination of applications that fall within the boundary of the

BOROUGH OF KETTERING

Committee	PLANNING POLICY	Item 6	Page 5 of 7
------------------	------------------------	-----------	----------------

Conservation Area. Section 12 of the National Planning Policy Framework requires that such applications are determined on the basis of whether they preserve or enhance the character or appearance of the area. This Appraisal offers guidance on suitable development for the areas which will fall within the Broughton Conservation Area in terms of the overall character and appearance of the area.

5. USE OF RESOURCES

- 5.1 There are no direct financial implications related to the decision to formally adopt the final Broughton Conservation Area Appraisal and its proposed boundary. The costs related to the production of the document and the assessment of the area has been met by the Development Services budget.

6. SUMMARY OF RECOMMENDATIONS

- 6.1 A full appraisal of the Conservation Area, including the final hybrid boundary and an assessment of the qualities of the existing development within Broughton has been undertaken in order to increase the understanding of the area's special interest, prior to the proposed formal adoption of Broughton Conservation Area.
- 6.2 The proposed outcome is that the final Broughton Conservation Area Appraisal should be adopted, and advertised by Members before being formally adopted by advertising the boundary in the London Gazette and the Evening Telegraph in order to comply with Section 70(8) of the Planning (Listed Buildings and Conservation Areas Act) 1990.
- 6.3 Once formally adopted the document, including the Management Plan Principles, will become material planning considerations which seek to ensure that future development preserves or enhances the Conservation Area. The map on the final page of this report shows the final Conservation Area.

7. IMPLICATIONS FOR LAND OWNERS

- 7.1 Residential property owners will find that some of their Permitted Development rights are more restrictive than previously. However, residential dwellings will still benefit from some Permitted Development legislation and as ever, residents will be encouraged to check these limitations with Development Services before undertaking any works.
- 7.2 The document will help property owners to understand the planning principles that will affect any proposals they may submit. The appraisal describes the character and appearance of Broughton Conservation Area. Proposals must follow the scale, mass and density of the existing areas and make use of materials that are appropriate for its surrounding area.
- 7.3 The document requires high quality development within the Conservation Area. High quality development that is suitable within its context is far more likely to be

BOROUGH OF KETTERING

Committee	PLANNING POLICY	Item 6	Page 6 of 7
------------------	------------------------	-----------	----------------

granted permission than poor quality, generic development which makes no reference to the character and history of Broughton.

- 7.4 All proposed works to trees within the Conservation Area must be notified to the Local Planning Authority before works commence.
- 7.5 Historic buildings are identified in the document as being essential to the character of Broughton. New buildings which emphasise their importance and take account of the existing layout, materials and building scales are encouraged by this document. Poorly designed modern buildings with inappropriate materials will not be supported.

8. RECOMMENDATION

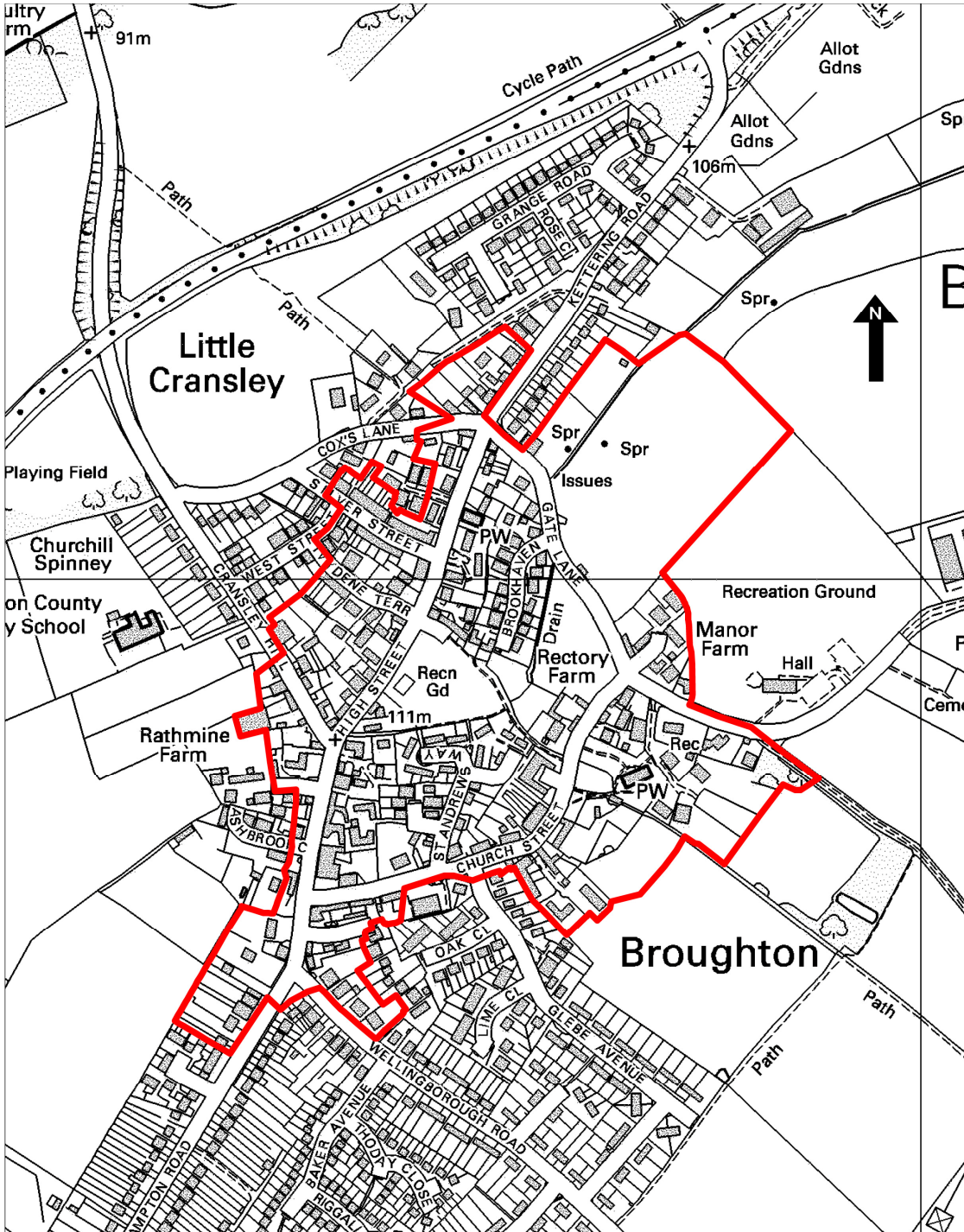
That Members formally adopt the final Broughton Conservation Area Appraisal; and agree for it to be statutorily adopted in accordance with Section 70(8) of the Planning (Listed Buildings and Conservation Areas Act 1990.

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Appendix

BOROUGH OF KETTERING

Committee	PLANNING POLICY	Item 6	Page 7 of 7
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Title: Final Boundary		Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown Copyright. All rights reserved.
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Drawn by: Drawn by:		Kettering <i>Borough Council</i>