

Report to Cabinet

Subject: Bestwood Village Conservation Area Appraisal and Management Plan

Date: 12th November 2020

Author: Service Manager Planning Policy

Wards Affected

Bestwood

Purpose

The purpose of this paper is to seek Cabinet approval to publish the Bestwood Village Conservation Area Character Appraisal and the associated Management Plan (attached as **Appendix 1**), including proposed boundary changes to the Conservation Area (attached at **Appendix 2**).

Key Decision

This is not a key decision.

Recommendation(s)

THAT:

- 1) Approve the appended Bestwood Village Conservation Area Character Appraisal and Management Plan at **Appendix 1** and the recommended boundary changes therein (also attached at **Appendix 2**);
- 2) Authorise the Service Manager - Planning Policy to notify the Secretary of State of the boundary changes, publish the document and advertise the boundary changes as required by statute; and
- 3) Delegate authority to the Service Manager - Planning Policy to make any minor typographical, formatting or factual amendments to the Bestwood Conservation Area Appraisal and Management Plan as appropriate.

1 Background

- 1.1 Under Sections 69-71 of the Planning (Listed Buildings & Conservation Areas) Act 1990 (the 'ACT') there is a duty on local planning authorities to determine which parts of their areas are of special architectural or historic interest and to designate them accordingly, in order that their character or appearance may be preserved or enhanced.
- 1.2 The Bestwood Village Conservation Area was designated on 1st June 1992 and a Conservation Area Appraisal was adopted in May 2005. The format for these documents has considerably changed since 2005 as has guidance and this document re-appraises Bestwood and its Conservation Area boundary in the light of changes over time. The document sets out guidance for the preservation and control of change in a Management Plan to ensure the Conservation Area continues to retain its special architectural and historic interest.
- 1.3 The Council's Conservation and Heritage Officer has been actively involved in the preparation of the Conservation Area Appraisal and Management Plan working alongside Planning Policy. The document has also been subject to informal consultation with Bestwood Parish Council who have provided valuable comments and assistance.
- 1.4 A Conservation Area Character Appraisal seeks to highlight the specific qualities of a place that contribute to its character and which are worthy of protection and enhancement. This provides a framework against which decisions about future development can be made. The purpose of a Conservation Area is not to prevent development but rather it is to manage change in an informed manner that preserves and enhances the Conservation Area without harming its special character and appearance.
- 1.5 The Appraisal also provides the opportunity to re-assess the Conservation Area boundary to ensure it continues to have special architectural or historic interest to warrant designation and to amend the boundary accordingly and include new areas where appropriate. A number of boundary changes are proposed which are set out in this report.
- 1.6 The adopted Appraisal will be used to inform the consideration of management and development proposals within the Area. The Management Plan sets out broad planning guidance by which the objectives of preserving and enhancing the unique character and appearance of the Conservation Area can be pursued through the planning process.

1.7 The Appraisal and Management Plan have been subject to public consultation between 17th July and 20th August 2020 in accordance with the requirements of S71 of the 'Act'. A number of comments were received and addressed elsewhere in this report.

2 Proposal

2.1 It is proposed that Cabinet approves the Bestwood Conservation Area Appraisal and Management Plan attached at **Appendix 1**. (It should be noted that the Conservation Area Appraisal incorporates the boundary amendments indicated at **Appendix 2**).

2.2 The key findings of the Appraisal include:

- The general topography that affords different views through the area creating interest;
- The head stock, winding gear and adjacent former electricity substation of Dynamo House, the last remnants of the mining infrastructure now surrounded by the green and landscaped spaces of the Bestwood Country Park;
- The regimented short terraces of miners' houses built in dark red brick with slate roofs, and some having front porches and brick walled front gardens providing architectural consistency and a sense of community living, punctuated by the long narrow spaces of the roads;
- The landmark buildings created for community and private use, being former Hawthorne Primary School, St Mark's Church, The Village Hall (former Miners' Welfare club), the former offices of the Bestwood Coal and Iron Company and the former Bestwood Hotel on Park Road;
- The green spaces of The Square, the cricket field, the cemetery and Bestwood Country Park; and
- The contribution of trees and the wider countryside setting of the village.

Issues and Opportunities

2.3 Bestwood Village Conservation Area and its setting has significantly changed in the 15 years since the last Appraisal was published in 2005. Bestwood Country Park has matured and its trees and green landscaped areas have returned the former colliery site back to a more natural appearance, providing an important natural setting to the village centre.

However, the village has undergone a significant rise in housing numbers with large developments along Broad Valley Drive and High Main Drive.

- 2.4 The character and appearance of the Conservation Area has been eroded to a degree by often well intentioned home improvements not requiring planning permission. The continued loss of historic building features to existing mine workers' houses and replacement with unsympathetic modern equivalents have harmed their architectural and historic character. Poor extensions to buildings and poorly maintained gap sites present both a threat and an opportunity to the Conservation Area.
- 2.5 The Village Hall (Former Miners' Welfare building) at the corner of Park Road and Church Road has been swamped by unsympathetic extensions to its perimeter almost completely hiding the original early 20th century building. The open and now derelict land to the west of Church Road, immediately north of the Village Hall was previously used as a bowling green and tennis courts. This rectangular piece of land presents an opportunity for enhancement even though it no longer possesses the special interest to warrant continued inclusion in the Bestwood Village Conservation Area. A Conservation Brief has been prepared for this area and included as Appendix 1 to the Conservation Area Appraisal and Management Plan.
- 2.6 A Conservation Brief has also been prepared for the Land Surrounding the Recreation Ground which has significant development pressures. These include housing allocations identified in the Local Planning Document Part 2 Local Plan – The Sycamores (H11) and Bestwood Business Park (H13) – and also the Eden Lodge care home site which currently has extant planning permission for demolition and redevelopment (references 2019/0318 and 2019/0319). This Conservation Brief is attached as Appendix 2 to the Conservation Area Appraisal and Management Plan.
- 2.7 Conservation Area designation provides an opportunity to exercise greater control over issues such as design, appearance and siting. The Conservation Area ensures that any new development can be accommodated in a sympathetic manner with a considered approach to issues such as design, siting and the use of more traditional materials and the size and arrangement of window openings.

Proposed Boundary Changes

- 2.8 It is proposed to remove four areas from the Conservation Area (Areas A, B, C and E) and add one area to the Conservation Area (Area D) as shown on **Appendix 2**.

Area A – LAND NORTH OF MAYES RISE AND SCHOOL WALK

This area includes largely late 20th Century development and **is** not of sufficient special architectural or historic interest to warrant continued inclusion within the Conservation Area.

Area B – LAND BETWEEN PARK ROAD AND BROAD VALLEY DRIVE

This area comprises three separate terrace blocks of 21st century housing and associated gardens and access/parking. It also includes the car park area to the entrance to Bestwood Country Park and **is** not of sufficient special architectural or historic interest to warrant continued inclusion within the Conservation Area.

Area C – HOUSING LAND SOUTH OF THE SYCAMORES, MOOR ROAD

Allocated as housing land H11 between Moor Road, the sports ground and the industrial estate; this area is being developed for housing. Its character has changed and no longer is of sufficient interest to warrant continued inclusion within the Conservation Area.

Area D – BESTWOOD VILLAGE SPORTS GROUND

The village sports ground is shown to exist on the 1900 Ordnance Survey map for the village and was a leisure ground/cricket field for the use of the village and its workers and warrants inclusion for its historic links to the development of the mining village and as an important green space

Area E – LAND BOUNDED BY MOOR ROAD, SCHOOL WALK, CHURCH ROAD AND THE VILLAGE HALL AND BOWLING GREEN.

This is currently an unkempt area of open land and buildings that includes the community centre and land to its rear. It no longer has sufficient merit to warrant inclusion with the Conservation Area

Consultation

- 2.9 The Bestwood Conservation Area Appraisal & Management Plan has been made available on the Council's website for local residents to make comments. The COVID 19 social distancing guidelines meant that paper copies could not be made available within Bestwood Village during the consultation period that was between 17th July and 20th August 2020. However, paper copies could be viewed at the Civic Centre by appointment. Letters were sent to all households in Bestwood Village living within or adjoining the Conservation Area boundaries. Posters were put up around Bestwood Village and an officer made a presentation to Bestwood Parish Council at their July meeting. Approximately, 25

comments were received and are summarised in **Appendix 3** together with the Council's response.

- 2.10 Most of the concerns raised relate to the removal of the four areas from the Conservation Area believing that this would lead to development pressures and inappropriately designed development. Concerns also raised included the loss of protection to trees located within the areas proposed to be removed. The Parish Council noted that the Welfare and Community Centre block offers opportunities for enhancement but considered it should remain within the Conservation Area. Some respondents supported the inclusion of Area D – Bestwood Sports Ground.
- 2.11 As a general response, Conservation Area designation is not an embargo on development and it is important that Conservation Area designations only include areas of historic/architectural merit in accordance with the 1990 Act. Regardless, it will remain a planning consideration where relevant to ensure that any development is sensitive to the 'setting' of the Conservation Area. The NPPF, policies in the adopted Local Plan and Guidance from Historic England would also apply to ensure that development is sensitively designed within Conservation Areas and in their settings. With respect to the need to protect trees in areas to be removed, the trees specifically referred to at the southern end of Moor Road are protected through a group Tree Preservation Order. In addition, the protection of trees is an issue that has been anticipated and a number of provisional Tree Preservation Orders have been approved. The comments of the Parish Council about the Welfare and Community Block are noted but the area no longer has sufficient merit to warrant inclusion with the Conservation Area. However, the Conservation Area Brief sets out a number of principles to guide future development proposals for this area to ensure that development is in keeping with the design, materials, form and layout of the Conservation Area, to maintain key views and to take opportunities to better reveal the original form of the Village Hall building.
- 2.12 Other concerns were raised about the levels of housing growth provided for in the village, lack of shops and facilities, traffic and parking which are not matters which can be addressed through the Conservation Area Appraisal. Other general comments included criticism about the length of the document and that not everyone can access on-line consultation documents. The Council has produced a detailed document containing necessary information and guidance. The COVID 19 pandemic restrictions did mean paper copies could not be made available within Bestwood Village although a paper copy was available to view at the Civic Centre by appointment. The comments are summarised in **Appendix 3**

together with a detailed response. No significant changes are considered necessary as a result of these comments.

Next Steps

- 2.13 Subject to Cabinet approval, changes to the Conservation Area boundary must be notified to the Secretary of State (Communities) and advertised in the London Gazette and locally.

3 Alternative Options

- 3.1 An alternative option is not to approve the updated Conservation Area Appraisal and Management Plan. This would result in the Borough Council relying on an outdated version of the document and not meeting its statutory requirements under S69 (2) of The 'Act' to review Conservation Areas and to ensure Bestwood Conservation Area continues to be sufficiently relevant and informative, including only those areas of special architectural or historic character within its boundary.

4 Financial Implications

- 4.1 Costs associated with advertising changes to the Conservation Area boundary can be met from existing budgets.

5 Legal Implications

- 5.1 The Appraisal meets the Council's obligations required by the Planning (Listed Building and Conservation Areas) Act 1990. Under Sections 69 and 71 of the Act, the Council should review conservation area boundaries from time-to-time and formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.
- 5.2 The principal legal effect of the designation of an area as a Conservation Area is control over demolition of buildings (including structures classed as buildings in planning legislation) and less generous permitted development rights, under the Town and Country Planning (General Permitted Development) Order 2015.
- 5.3 The Act requires that the proposed boundary changes will need to be advertised in the London Gazette, locally and the Secretary of State (Communities) and Historic England will also be notified.

6 Equalities Implications

- 6.1 It is not necessary to carry out an impact assessment, as the main impact would be on the ability of people to alter or extend their property. In this

case, no new residential properties are to be included within the amended boundaries of the Conservation Area.

7 Carbon Reduction/Environmental Sustainability Implications

7.1 The document will help to protect the environment of the Conservation Area. There are no implications for climate change.

8 Appendices

8.1 **Appendix 1:** Bestwood Conservation Area Appraisal and Management Plan

Appendix 2: Map showing proposed boundary changes

Appendix 3: Summary of comments and the Council's response

9 Background Papers

9.1 None

10 Reasons for Recommendations

10.1 The reasons for the recommendations are:

- a) For the purpose of planning guidance.
- b) To comply with statutory requirements and to publicise the approved document.
- c) For the purpose of efficiently rectifying minor errors as appropriate.

Statutory Officer approval

Approved by:	Alison Ball
Date:	30 October 2020
Chief Financial Officer	

Approved by:	Francesca Whyley
Date:	16 October 2020
On behalf of the Monitoring Officer	