



DEVELOPMENT CONTROL COMMITTEE

Date: 26th June 2007

Report of Head of Planning and Building Control - Regeneration

Proposed extension to Church Hill and Bridge Street Conservation Areas

1. Purpose of the Report

- 1) This report seeks approval from Development Control Committee, to carry out a public consultation on the extension of Church Hill and Bridge Street conservation areas so they include additional sections of Bridge Street, Ablewell Street, Paddock Lane and Lower Rushall Street. as shown on the attached plan
- 2) This matter is not a function of the Executive

2. Recommendations

1) Committee is recommended to:

- a) Note that the area defined on the attached map has historical and architectural merit, and as such is worthy of consideration as an extension to Bridge Street and Church Hill Conservation Areas;
- b) Authorise the consultation of property owners/occupiers, and other interested parties that may be identified in this area, seeking their views on the possible extension of the conservation areas;
- c) Receive a report to a future meeting on the results of this consultation

3. Financial Implications

Within Budget – YES

There are financial implications relating to the consultation, designation and management of a conservation area. These costs will need to be met from existing, approved budgets, such as Delivery and Development Services Revenue budget.

4. Policy Implications

Within Council policy – YES

- 1) Paragraph 3.103 of the Unitary Development Plan states:
“The council has a duty to preserve or enhance the character and appearance of conservation areas. Designation alone does not ensure that the most is made of the individual features and the ‘group value’ of buildings, which form a conservation area. Guidelines and proposals are necessary. These will be provided, in part, through a phased rolling programme of re-appraisals of the existing conservation areas. Revised character statements will normally be published as a leaflet for each area and will include advice on the rights and obligations of property owners, occupiers and managers.”

5. Legal Implications

Legal Services consulted – NO

- 1) Section 69 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:
Every local planning authority –

(a) shall 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.
- 2) Section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:
It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.
- 3) Section 69 (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:
The designation of any area as a conservation area shall be a local land change.
- 4) The designation of a conservation area makes certain types of normally permitted development ‘unlawful’. In particular, the substantial or total demolition of a structure or building within a conservation area requires Conservation Area Consent, prior to work taking place. Also, notice must be served on the Council for any intended work to trees. The local planning authority must determine applications for planning permission in the light of whether or not the proposed development ‘will

preserve or enhance' the appearance or character of the conservation area.

6. EQUAL OPPORTUNITY IMPLICATIONS

- 1) The preservation and enhancement of a conservation area creates an asset that is available for all members of the community to learn from and enjoy. The existence of a conservation area, and its interpretation, can be brought to the attention of residents of, and visitors to, the Borough. A community's knowledge of an area can be improved and local identity developed and strengthened.

7. ENVIRONMENTAL IMPACT

- 1) Conservation Areas provide a local authority opportunity to preserve and enhance areas that are considered worthy of such action, through encouraging new and sympathetic design of buildings, preservation of the historic core of the area and requiring permission for the demolition of any buildings
- 2) Trees are automatically protected under Conservation Areas, with a statutory period of six weeks consultation prior to any tree work taking place.
- 3) Conservation Areas also provide Local Authorities an opportunity to bid for external heritage-based regeneration schemes, such as Townscape Heritage Initiatives and Partnership Schemes in Conservation Areas Schemes.

8. WARD(S) AFFECTED

- 1) The proposed Conservation Area will come within St Matthew's Ward.

9. CONSULTEES

- 1) It is proposed that Bridge Street and Church Hill Conservation Areas are extended. In order for such a policy to be accepted and successful, a consultation exercise on the designation of the proposed extension needs to be carried out to identify the public feeling on the matter.
- 2) The area defined by the boundary, as shown on the attached plan, incorporates sections of Bridge Street, Ablewell Street, Paddock Lane and Lower Rushall Street.
- 3) Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 emphasises that it is the quality and interest of an area, rather than individual buildings that should be the prime consideration in identifying conservation areas. Included here must be:

- The historic lay out of proposed boundaries and thoroughfares
 - Characteristic building materials
 - Vistas along streets and between buildings
- 4) The definition of an area's special interest should derive from an assessment of the elements that contribute to – or detract from – it. Conservation areas vary greatly, but certain aspects will almost always form the basis for a coherent assessment:
- The topography and its historic development
 - The archaeological significance and potential
 - The prevalent building materials
 - The character and hierarchy of spaces
 - The quality and relationship of buildings and also trees and other green features.
- The assessment should also note those unlisted buildings, which make a positive contribution to the special interest of the area.
- 5) The majority of the buildings in the proposed area are of historic value, many originally built in the nineteenth century and early twentieth century, but now suffering from lack of investment.
- 6) Conservation areas provide Local Authorities an opportunity to bid for external heritage based regeneration funding. Walsall Council has successfully bid for a THI for this Bridge Street/Ablewell Street with a budget of £1,100,000, until March 2011. At present the Council can only offer grants within the defined conservation areas; this means that, although grants can be offered under the THI for properties in Bridge Street and Church Hill conservation area, no grants can be offered in the part of THI area which is outside the Conservation Area.
- 7) In order to progress the extension of these conservation areas, it is proposed that a public consultation be carried out, involving property owners and occupiers within the proposed area. A period of a fortnight is recommended for this consultation, and is likely to take place during the first two weeks of July. If this report is approved, the results of this consultation, together with a proposed course of action, will be reported back to this Committee at the next available opportunity.
- 8) There is no statutory requirement to consult prior to designation, but it will be “highly desirable”, according to PPG15, that there should be consultation with local residents, businesses and other local interests over both the identification of areas and the definition of their boundaries. The greater the public support that can be enlisted for the area, the greater the chances that the policies will be implemented voluntarily and without need for additional statutory controls.
- 9) In Walsall Council, authority for the designation of conservation area rests with Development Control Committee.

10. CONTACT OFFICER

E. Woodhall (ext. 2198)

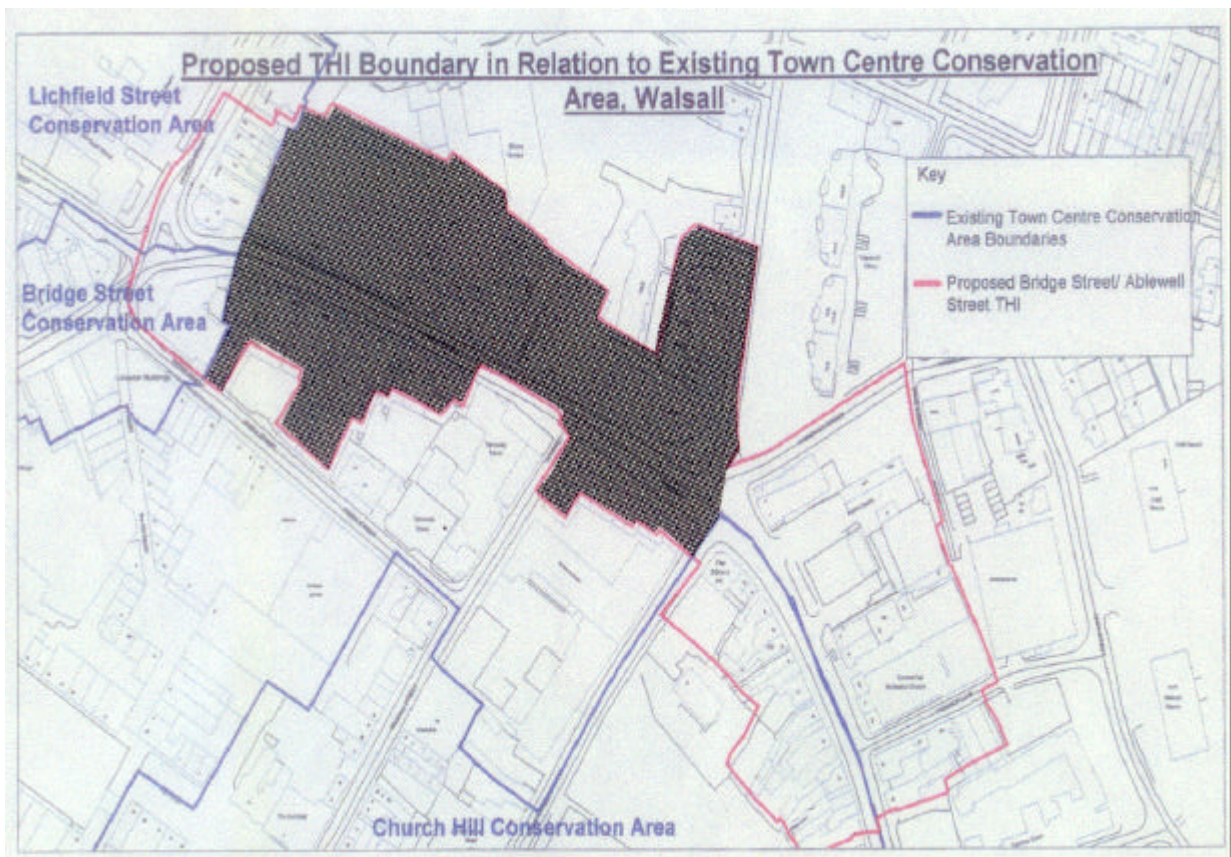
11. BACKGROUND PAPERS

- **Bridge Street/Ablewell Street Proposed THI Scheme Area Appraisal**
- **Townscape Heritage Initiative, Stage 2 Bid**

Official Map of THI Area



Proposed Bridge Street Conservation Area extension



Proposed Church Hill Conservation Area extension

