

Executive Report

Delegated Decisions - 19 March 2024

CONSERVATION AREA REVIEWS

Name of Cabinet Member	Councillor Pete Marland (Leader of the Council)
Report sponsor	Paul Thomas Director of Planning and Placemaking
Report author	Simon Peart Conservation and Archaeology Manager
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Exempt / confidential / not for publication	No
Council Plan reference	Not in Council Plan
Wards affected	Olney Ward

Executive Summary

The Planning (Listed Buildings and Conservation Areas) Act 1990 places statutory duties upon us to designate conservation areas and review them to ensure that they continue to justify designation.

The current designations and supporting information for some conservation areas are considered out of date. The review documents and revised boundaries to be adopted reflect these areas as they now exist, fulfilling our statutory duties and creating a sound basis for future planning decisions.

1. Proposed Decision(s)

- 1.1 That the conservation area review documents and maps, as set out in **Annexes A to E** to the report (including character statements, management plans and principal features map including boundary changes) for Emberton, Ravenstone, Sherington and Weston Underwood, be adopted.
- 1.2 That authority be delegated to the Director of Planning and Placemaking, in consultation with the Leader of the Council) to make minor grammatical, formatting, and photographic changes to the final documents as necessary, following the decision.

2. Reasons for the Decision

- 2.1 A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance (section 69(1), Planning (Listed Buildings and Conservation Areas) Act 1990) (the Act).
- 2.2 Alongside the Act, both the National Planning Policy Framework (NPPF) and Planning Practice Guidance advise us to ensure that our conservation areas still have sufficient special architectural or historic interest to justify their designation. Conservation area reviews and appraisals are the process by which this is achieved.
- 2.3 The conservation areas that are the subject of this decision were designated between 1969 and 1973. Over 50 years of development has since taken place within these areas and, as such, reviews of their boundaries and their special interest are now required. Alongside these aspects the reviews set out management plans for the areas.
- 2.4 Producing and adopting up to date conservation area reviews:
 - Discharges the statutory duties referred to above.
 - Contributes to the NPPF requirement for us to set out a 'positive strategy' for the historic environment.
 - Provides a sound basis on which to make decisions on relevant planning applications.

3. Background to the Decision

- 3.1 As part of each review an initial site visit was undertaken with local stakeholders, local history groups and parish councillors. Material feedback given at these visits informed the production of the draft review documents.
- 3.2 There is no legal requirement to consult on conservation area reviews. However, the draft conservation areas reviews underwent a six-week consultation ending 22 December 2023. Ward members and parish councils were notified directly. Notices were posted around each of the conservation areas and hard copies made available at Olney Library. Owners whose property was proposed to be newly included within, or excluded from, the conservation area were notified of the consultation by letter.
- 3.3 Comments received from the consultation are set out in **Annex E**. Where further clarification is required, typically in relation to proposed boundary changes, those parties have been engaged to discuss and resolve any issues.
- 3.4 Producing up to date review documents and revised boundaries acknowledges the current day position, ensuring only those properties that justify inclusion are included. Being within a conservation area means that some 'permitted development' rights are restricted compared to properties outside them.

Additionally, demolition of buildings over 115 cubic metres will now require planning permission and works to trees will require notification to us beforehand.

- 3.5 These additional controls will enable us to protect the positive character or appearance of designated conservation areas. Where proposed development is not deemed to have a harmful impact, or enhances the conservation area, planning permission will normally be granted.

4. Implications of the Decision

Financial	N	Human rights, equalities, diversity	
Legal	Y	Policies or Council Plan	
Communication		Procurement	
Energy Efficiency		Subsidy	
Workforce		Other	

(a) Financial Implications

The boundary revisions proposed are minor, as such there are no additional financial implications anticipated through the application of additional controls.

(b) Legal Implications

The Council has a statutory duty under Section 69(1)(a) of the Act to *“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”*.

Section 69(2) of the Act further requires The Council to *“review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly”*.

In determining planning applications within a conservation area, Section 72(1) of the Act requires that *“special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”*.

5. Alternatives Considered

To Not Adopt the Conservation Area Reviews

- 5.1 The original boundaries and information accompanying the designations are now some 50 years old. This means that: some properties that should be within the conservation area are currently excluded, others are included that should not be, and some boundaries run through the middle of buildings that did not exist at the time of initial designation. These instances undermine the credibility of the existing conservation area boundaries.

5.2 The current designations are significantly out of date and do not provide an optimum basis for development management (planning) decisions. A weak evidence base can undermine planning decisions taken and the ability to successfully defend planning appeals. Failure to adopt the new conservation area reviews would perpetuate this situation. This action is therefore, not recommended.

6. Timetable for Implementation

6.1 Following a decision to adopt the updated conservation area reviews, we will undertake the required steps set out in section 70 of the Act, to advise the Government and Historic England and to publicise the decisions in the local press and London Gazette. Following this, our website will be updated to reflect the new documents and new boundaries.

List of Annexes

Annex A	Emberton Conservation Area Review Document and Map
Annex B	Sherington Conservation Area Review Document and Map
Annex C	Ravenstone Conservation Area Review Document and Map
Annex D	Weston Underwood Conservation Area Review Document and Map
Annex E	Schedule of Consultation Responses

List of Background Papers

Existing conservation area boundaries can be found the Council's website:

<https://www.milton-keynes.gov.uk/planning-and-building/conservation-and-archaeology/conservation-areas-milton-keynes>