

**PROPOSED CHATSWORTH ROAD CONSERVATION AREA  
DESIGNATION (J000)**

---

**MEETING:** 1. DEPUTY LEADER AND EXECUTIVE MEMBER FOR PLANNING  
2. CABINET

**DATE:** 1. 23<sup>rd</sup> April 2014  
2. 6<sup>th</sup> May 2014

**REPORT BY:** DEVELOPMENT MANAGEMENT & CONSERVATION MANAGER

**WARD:** ALL

**COMMUNITY ASSEMBLY:** South and West

**KEY DECISION** Yes

**REFERENCE:** 383

---

**BACKGROUND PAPERS FOR PUBLIC REPORTS**

<b><u>TITLE</u></b>	<b><u>LOCATION</u></b>
Chatsworth Road Conservation Area Designation:	Town Hall, Chesterfield

**FOR PUBLICATION**

---

**1.0 PURPOSE OF REPORT**

1.1 To report the results of the public consultation exercise into the proposal to designate a new Conservation Area along Chatsworth Road.

- 1.2 To seek approval for the adoption of Chatsworth Road Conservation Area Character Appraisal and Management Plan document containing locally specific information about the area, and to agree on the boundary.
- 1.3 To seek approval to formally designate an Article 4 Direction

## **2.0 RECOMMENDATION**

- 2.1 That the Conservation Area Appraisal and Management Plan as amended following consultation as shown appended to this report be adopted and be communicated to all parties involved.
- 2.2 That the Chatsworth Road Conservation Area as indicated by the boundary shown on the plan appended to this report be agreed for adoption.
- 2.3 That officers prepare, consult and undertake the formal designation of an Article 4 Direction.

## **3.0 BACKGROUND**

- 3.1 Chesterfield Borough currently has eleven Conservation Areas. Officers have reviewed and produced character appraisal documents for all the 11 conservation areas. A further review of the Borough's heritage has been undertaken and, following a detailed assessment and public consultation exercise, an additional area encompassing Chatsworth Road is proposed as a new Conservation Area.
- 3.2 Also, the Council's Corporate Plan for 2013-2015 under its corporate aim, "*a Sustainable Community – Our built heritage will be protected and enhanced*" sets out a priority to establish a new conservation area for Chatsworth Road. The proposed conservation area is therefore a corporate priority for the Council.
- 3.3 The purpose of conservation area designation is not to prevent development but rather to enable its careful management. The designation of a Conservation Area at Chatsworth Road is intended not to stifle development but to encourage a sensitive approach to proposals for development.

3.4 English Heritage guidance suggests that in designating conservation areas the special interest should be identified, based on detailed analysis of the areas individual qualities. To illustrate which features are important within an area, Conservation Area Appraisals are prepared for all conservation areas. These documents provide an evaluation of the 'character' of an area and provide guidance as to what may be acceptable within the conservation area. Once adopted, they form a material consideration when considering planning applications within and adjacent to the designation.

3.5 Conservation area designation has a number of consequences:

- Control over trees of a certain size
- reduced levels of permitted development
- Control over demolitions of larger and older buildings
- Development is assessed against defined character as a material consideration

Conservation area designation has to be supported by effective enforcement of planning control. Such management of the area should result in safeguarding the special character and appearance of the area by enhancing properties by retaining or re-instating original features which generally have a positive impact on the impression of the area for those who live, work or pass through it. This can have a positive influence on property prices.

3.6 An evaluation of the area has been carried out including a proposed boundary and a draft appraisal document has been produced.

3.7 The proposed boundary of the area on which consultation has been carried out is linear and characterised by assorted late 19<sup>th</sup>/early 20<sup>th</sup> century development on either side of Chatsworth Road between the junctions to Storrs Road to the west, and Wheatbridge Road to the east. Originally a development to accommodate industrial workers housing on the west approach of Chesterfield town centre, the area grew as one of the earliest suburban developments in Chesterfield. This area which on cursory examination may appear to be

marginal in its conservation merits, on close examination is a rich historic place with late nineteenth and early twentieth century properties interspersed with surviving mill buildings.

3.8 Various factors contribute to the special character of the proposed Chatsworth Road Conservation Area. These include, but are not limited to:

- The quality, scale and form of buildings,
- The harmony created by variations in street frontages.
- Extant and historic industrial legacy representing the industrial and social history integral to the development of the area.
- Boundary treatments and patterns of enclosure.
- Characteristic buildings rich in details and features and use of a limited palette of materials.
- The contribution made by trees and green spaces.

#### **4.0 LEGISLATION AND POLICY POSITION**

4.1 Section 69 of the Planning (Listed Buildings Conservation Areas) Act 1990, imposes a statutory duty on local planning authorities to review their areas from time to time to determine which parts of their area are of special architectural or historic interest the character of which it is desirable to preserve or enhance, and shall designate those areas as conservation areas.

4.2 Following adoption of the Local Plan Core Strategy 2011 – 2031 in July 2013, Policy CS19 requires the use of conservation area appraisals and associated management plans to ensure the preservation or enhancement of the individual character of each of the borough’s conservation areas.

4.3 The National Planning Policy Framework (NPPF) identifies the protection of the historic environment as one of the elements of its drive for sustainable development. It also asks local authorities *“when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest and that the concept of*

*conservation area is not devalued through designation of areas that lack special interest” (paragraph 127).*

- 4.4 English Heritage guidance ‘Understanding Place: Conservation Area Designation, Appraisal and Management’ advises that when identifying areas suitable for designation, *‘it is important to be able to articulate the special interest and support the designation with evidence from some form of historic characterisation – ideally a conservation area appraisal.’*

## **5.0 CONSULTATION**

- 5.1 On 9<sup>th</sup> September 2013, the Deputy Leader and Executive Member for Planning agreed a report recommending a public consultation exercise on a draft appraisal of a proposed new Conservation Area at Chatsworth Road. A six week public consultation exercise was undertaken from the 4<sup>th</sup> November 2013 to 13<sup>th</sup> December 2013 and representations received, including after this date have been considered.
- 5.2 Consultation is aimed at drawing out further local knowledge which helps reinforce the special interest analysis of the area; testing local support before conservation area designation is made and support for recommendations for further action. Other reasons for consulting the public are to begin the process of raising the profile of a conservation area and to get the local community thinking about the architectural value, distinctiveness and historic development of the place in which they live, work or pass through.
- 5.3 Considerable effort was made to ensure that as many people as possible were aware of the consultation exercise. This included:
- Hand distribution of letters to all properties and businesses within the area and its immediate surroundings. The letter enclosed a summary leaflet outlining the core information from the appraisal with officer contact details, a questionnaire form, a plan showing the suggested boundary of the conservation area and a pre-paid reply envelop. 532 letters were distributed.

- A full copy of the proposed Conservation Area Appraisal and Management Plan was made available at the Customer Services Centre at New Square Chesterfield, Chesterfield Library and St Thomas Centre, Brampton.
- Details of the proposals and a full version of the draft proposed conservation area and Management Plan and a questionnaire were posted on the council's website.
- 8 letters were sent to amenity groups and relevant organizations including Derbyshire County Council, Chesterfield Civic Society, and North East Derbyshire Industrial Archaeological Society.
- Attention was drawn to the public consultation exercise at the South and West Community Assembly meetings on 19<sup>th</sup> November and 21<sup>st</sup> November 2013 respectively.

5.4 In September 2011 school children were also involved at the early stages of the project. A project aimed at development and delivery of educational fieldwork days to pupils was undertaken in collaboration with Derbyshire Urban Study Centre and the Townscape Heritage Initiative (THI) scheme. Children in Classes 6 and 7 from Brampton Primary School were involved in the project aimed at raising an awareness and understanding of conservation areas. The project investigated the history, heritage and buildings in and around Chatsworth Road and involved interviewing local people. This was followed by a presentation by the children of their findings in the Council Chamber. A 'straw vote' held by the school children showed unanimous support both from the children and adults interviewed during their survey.

5.5 Fifty one questionnaires, eight emails and two letters have been received in response to the consultation. (11.29%) The responses are set out in the attached appendix.

5.6 A range of responses have been received including comments regarding specific sites within the area suggested and others which relate to the whole area. The responses received are split 65.57% in support (40), 22.95% against

(14) and 11.48% (7) not expressing an opinion. Of those objecting the majority considered designation would hinder improvements to properties by creating an extra level of control and bureaucracy.

5.7 All objections received have been fully considered and have been taken into account in finalising the proposal to designate a conservation area. The following changes have been made:

- addition of the area of trees to the side of footpath 79;
- Addition of frontage area to west of St Thomas Church;
- Changed image on page 35;
- Boundary change to the front of Glenthorne Close in response to DCC.

5.8 The public consultation exercise has also shown that there is support for a conservation area along Chatsworth Road and that measures to control certain permitted developments, identified by the character appraisal as generally eroding or to detract from the street scene, should be introduced by the introduction of an Article 4 Direction. If the area is designated there will need to be a more thorough survey of the area to identify properties which should be covered by an Article 4 Direction and to consult the property owners directly before such a Direction is imposed.

5.9 The area is generally recognised as having a special character and appearance worth safeguarding. Public support for designation outweighs the objections. It would therefore seem appropriate to prepare the appraisal document for publication and adoption with minor changes where additional information has been revealed.

## 6.0 **IMPLICATIONS**

### 6.1 *Financial*

The cost of the proposed Chatsworth Road Conservation Area designation process is being accommodated within existing budgetary and staffing provisions.

## 6.2 *Law*

The Localism Act has the potential to increase the role of communities in determining how planning decisions are made at a local level, including those involving heritage assets. As long as they meet the requirements set out in the Act, conservation areas qualify as assets of community value.

6.3 If and when the conservation area is designated, notifications will be sent to the Secretary of State, English Heritage (Historic England) and published in the London Gazette and Derbyshire Times. All interested parties will also be notified of the designation.

## 6.4 *Risk Assessment*

Description of the Risk	Impact	Likelihood	Mitigating Action
Doing nothing	Medium	Medium	This would conflict with the Borough's policy direction set out in the adopted Core Strategy
Significant objections from owners to nominations	Medium	Medium	Clear consultation process and consideration of amendments before adoption.

## 6.5 *Equalities*

Assessment of the equalities issues has resulted in the requirement to provide access to the consultation exercise for all members of the community.

## 7.0 **RECOMMENDATIONS**

7.1 That the Conservation Area Appraisal and Management Plan as amended following consultation as shown appended to



this report be adopted and be communicated to all parties involved.

- 7.2 That the Chatsworth Road Conservation Area as indicated by the boundary shown on the plan appended to this report be agreed for adoption.
- 7.3 That officers prepare, consult and undertake the formal designation of an Article 4 Direction.

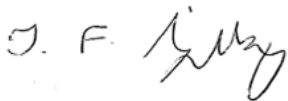
## **8.0 Reason for Recommendation**

- 8.1 To implement the Council's Corporate Plan's aims and advance the conservation of the historic environment within the borough and to fulfil the statutory procedures set out in sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require local planning authorities to determine which parts of their area are of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and to designate those areas as conservation areas.

P STANIFORTH  
DEVELOPMENT MANAGEMENT & CONSERVATION MANAGER

Further information on this report can be obtained from Jacob Amuli on 345957.

Officer recommendation supported/not supported/modified as below or Deputy Leader and Executive Member's recommendation/comments if no Officer recommendation



Signed: Deputy Leader and Executive Member

Date: 23.4.14