

RIBBLE VALLEY BOROUGH COUNCIL

REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 14 MARCH 2024
 title: CONSERVATION AREAS
 submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING
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1. PURPOSE

- 1.1 To provide Committee within information on the Borough's Conservation Areas and Listed Buildings

2. CONSERVATION AREAS

- 2.1 Conservation areas exist to manage and protect the special architectural and historic interest of a place, in other words, the features that make it unique. Every local authority in England has at least one conservation area and there are around 10,000 in England.
- 2.2 Conservation area designation is undertaken to recognise the historic character of an area and/or in answer to the impact of development, neglect and other threats, on areas which are considered to have special architectural or historic interest. The appraisal is the vehicle for understanding both the significance of an area and the effect of those impacts bearing negatively on its significance.
- 2.3 Conservation area appraisals form part of the Local Planning Authority's Historic Environment Record, form part of the evidence base for the local plan and are a material consideration in planning decisions.
- 2.3 The power for a local authority to designate a conservation area can be found in section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. If a Local Authority determines that part of their area has special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, then the area can be designated as a conservation area.
- 2.4 Conservation area designation introduces some additional controls over the way owners can alter or develop their properties. These controls include:
- the requirement in legislation and national planning policies to preserve and/or enhance (section 16 of the National Planning Policy Framework and Historic Environment PPG)
 - local planning policies can be included within Local Plans requiring special attention to be paid to the desirability of preserving or enhancing the character or appearance of the area (policy DME4 of the Adopted Core Strategy)
 - control over demolition of unlisted buildings.
 - control over works to trees.
 - limitations on the types of advertisements which can be displayed with deemed consent.
 - restriction on the types of development which can be carried out without the need for planning permission (permitted development rights)
 - support for the use of article 4 directions to remove permitted development rights where avoidable damage is occurring.
 - clarification of archaeological interest, thereby assisting its protection

3. CONSERVATION AREAS IN RIBBLE VALLEY

- 3.1 Between 1969 and 1979 16 areas within Ribble Valley were designated as conservation areas. Following work undertaken in 2005 five new conservation areas

were proposed at Hurst Green, Sabden, Worston, Longridge – Newtown and Longridge – St Lawrence's Church. Additionally, it was proposed to extend the following conservation areas Chatburn, Chipping, Clitheroe, Gisburn, Grindleton, Longridge, Ribchester, Sawley, Waddington, Whalley and Wiswell.

- 3.2 In April 2007 Planning and Development Committee authorised the designation of the five new conservation areas, the extension of ten existing conservation areas, the adoption of thirteen conservation area appraisals and the undertaking of statutory consultation on conservation area management guidance.
 - 3.3 In respect of the Longridge Conservation Area there were suggested amendments arising from the public consultation. The extension to Longridge Conservation Area was approved by Committee in March 2008.
 - 3.4 In February 2010 a conservation area was designated for Kirk Mill near Chipping and in April 2011 an extension to the Kirk Mill Conservation Area was designated. In total there are 22 designated conservation areas in the Ribble Valley (a full list can be viewed here:
<https://www.ribblevalley.gov.uk/conservation-listed-buildings/conservation-areas>).
 - 3.5 All of the Conservation Areas (apart from Kirk Mill) in Ribble Valley have an associated appraisal and management guidance. This work was undertaken in 2005 after the Council were notified, in 2004, that there would be a new Best Value Performance Indicator (BVPI) for 2005/06 with specific regard to the percentage of conservation areas which have been subject to a character assessment or its review within the last five years as a proportion of the total number of conservation areas in the local authority area. BVPIs are no longer used to measure Council's performance.
 - 3.6 Kirk Mill was designated without full appraisal or extensive consultation however, public interest in and support for the designation suggested a need for consideration of the inclusion of additional buildings and the discreet but intrinsic archaeological features of the water-powered mills catchment area. In designating the area, it was considered that a significant and positive element of the character and interest of Kirk Mill hamlet is its containment and relative isolation resulting from topography and location within a natural bowl.
 - 3.7 A clear, comprehensive appraisal of the character of a conservation area provides a sound basis for development management matters and is material to the decision-making process.
 - 3.8 Each of the Conservation Areas in the Ribble Valley are accompanied by Management Guidance. These guidance notes are intended to assist the preservation or enhancement of each Conservation Area. They are designed for the benefit of owners of land or property, public bodies, planning officers, developers, councillors, designers, and the public and builds upon the issues and recommendations identified in the Conservation Area Appraisal.
 - 3.9 The guidance does not attempt to provide comprehensive advice; it is written in the awareness that resources are limited but can be used as a tool to encourage property owners, groups, and local businesses to enhance their properties and local environments.
- 4. ARTICLE 4 DIRECTIONS**
- 4.1 Section 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 provides powers to remove permitted development rights, known as an Article 4 direction. Historically such directions have been used to remove permitted development rights in Conservation Areas.

- 4.2 Within the Ribble Valley there are three Article 4 Directions as follows:
- Grove House, Chipping- dated 9th June 2011 (relates to residential permitted development rights)
 - 1-5 The Grove Chipping- dated 19th September 2011 (relates to residential permitted development rights)
 - Part of Clitheroe Conservation Area (ground floor level)- dated December 1991 (restricting change of use of certain premises from food and drink to offices and for the sale of food and drink on the premises).
- 4.3 Committee should also note an article 4 direction only means that a particular development cannot be carried out under permitted development and therefore needs a planning application. The revised National Planning Policy Framework requires Article 4 directions to be targeted and well-evidenced so that there is a clear justification for their introduction. Additionally, they should also only apply to the smallest geographical area possible to accomplish their objective.
- 4.4 It is only appropriate to remove permitted development rights where there is a real and specific threat and exclude properties where there is no need for the direction to apply. Article 4 directions are most used to control changes to elevations or roofs of buildings in conservation areas fronting a highway or open space.
- 5. LISTED BUILDINGS**
- 5.1 Buildings are listed acknowledging the building's special architectural and historic interest. A listed building is also afforded greater protection within the planning system. The older a building is, and the fewer the surviving examples of its kind, the more likely it is to be listed.
- 5.2 The general principles are that all buildings built before 1700 which survive in anything like their original condition are likely to be listed, as are most buildings built between 1700 and 1850. Particularly careful selection is required for buildings from the period after 1945. Buildings less than 30 years old are not normally considered to be of special architectural or historic interest because they have yet to stand the test of time.
- 5.3 Buildings are listed following an application to Historic England with the final decision made by the Secretary of State for the Department for Culture, Media and Sport.
- 5.4 There are hundreds of listed buildings in Ribble Valley. The full list, which is held by Historic England, can be viewed at <https://historicengland.org.uk/listing/the-list/> . According to Historic England Ribble Valley have the following:
- 827 listed buildings of which 19 are Grade 1, 46 are grade II* and 762 are grade II
 - 28 scheduled monuments
 - 4 registered parks and gardens
- 5.5 There are three different grades of listing within England as follows:
- Grade I buildings are of exceptional interest, only 2.5% of listed buildings are Grade I
 - Grade II* buildings are particularly important buildings of more than special interest; 5.8% of listed buildings are Grade II*
 - Grade II buildings are of special interest; 91.7% of all listed buildings are in this class and it is the most likely grade of listing for a homeowner.
- 5.6 Examples of Grade I listed building in Ribble Valley include Clitheroe Castle, Browsholme Hall, Whalley Abbey, Gisburne Park and Stonyhurst College, Old Quadrangle. Examples of Grade II* listed buildings include Dinckley Hall, Osbaldeston Hall, Oxendale Hall, Standen Hall, Downham Hall and Alston Old Hall.

- 5.7 Listing is not a preservation order, preventing change. It does not freeze a building in time, it simply means that listed building consent must be applied for to make any changes to that building which might affect its special interest. Listed buildings can be altered, extended, and sometimes even demolished within government planning guidance. Listed building consent is used to make decisions that balance the site's historic significance against other issues, such as its function, condition, or viability.

6. WORK PROPOSED

- 6.1 The majority of the assets within the Borough's Conservation Areas are privately owned and outside the control of the Council. Whilst the Local Plan Policies can be used to preserve and enhance the Borough's heritage assets during the planning process there is no specific duty on owners to keep their buildings in a good state of repair. Local authorities have powers to take action but only where a designated heritage asset has deteriorated to the extent that its preservation may be at risk.
- 6.2 This notwithstanding Committee will be aware of specific projects within the Borough's Conservation Areas as follows.
- 6.3 The highway within Clitheroe is owned by Lancashire County Council and highlighted within the Conservation Area Appraisal as a weakness for the following reasons:
- The low quality of the materials used in the environmental enhancement and traffic calming in Castle Street.
 - Red dressing to tarmac in Castle Street.
 - Poor quality concrete paving.
- 6.4 £300,000 of the Council's UK Shared Prosperity Fund has been given to LCC to enable the materials along Castle Street to be improved and address the weaknesses highlighted within the appraisal. This work will be done this year.
- 6.5 Within Longridge Conservation Area Towneley Gardens is highlighted as a strength with the maintenance and protection of Towneley Gardens identified as an opportunity. £100,000 of the Council's UKSPF has been allocated to the creation of an event space at Towneley Gardens with the aim to increase its usage and enhance this asset for the community.
- 6.6 Within Whalley the Whalley Adult Education Centre, the old Grammar School, is identified as one of the most significant listed buildings in the Conservation Area. Funding from the UKSPF has been allocated to the trust who run this facility to enable improvements to be undertaken to this asset.
- 6.7 One of the Council's most significant assets is Clitheroe Castle which is listed and within the Conservation Area. The Castle is identified as one of the strengths of the Conservation Area within the Management Guidance. In 2009 a £3.5 million restoration scheme was undertaken at the castle, which was partly funded by the Council, and included a major restoration of the keep and a complete refurbishment of the museum.
- 6.8 More recently funding for repointing of the castle is included within the Council's Capital budget. As part of this work the stage 1 survey identified some loose stonework, which whilst not at risk of immediate failure, it was advised to close the keep to the public until the repointing works are complete. A stage two survey is underway to identify the full extent of the works. An integral part of the stage 2 survey is the photogrammetry survey which is now completed. The results of this have allowed the Council to commission interim works which will open the ramparts to the public. This work is due to take place in the last two weeks of February and will open all aspects of the castle other than access to inside the Keep itself.

- 6.9 As soon as the full stage 2 survey is completed Members will be updated on the extent of the works required and whether a bid for external funding maybe required.

7. RECOMMENDED THAT COMMITTEE

- 7.1 Note the contents of the report.

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