

<b>Key Decision</b>	<b>No</b>
<b>Listed on Forward Plan</b>	<b>Yes</b>
<b>Within Policy</b>	<b>No</b>
<b>Policy Document</b>	<b>Milton Keynes Local Plan</b>

## LITTLE BRICKHILL: PROPOSED CONSERVATION AREA

Accountable Cabinet Member: Councillor G Mabbutt

Contact Officer: Martin Ellison (Conservation Officer) - 01908 252501

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### 1. Purpose

- 1.1 This report seeks Cabinet's approval to undertake public consultation on the proposed designation of a conservation area in Little Brickhill.

### 2. Recommendations

- 2.1 That approval be given to consult with residents, local community groups, local businesses and other relevant organisations on the designation of a conservation area in Little Brickhill.

### 3. Issues and Choices

- 3.1 Local Planning Authorities have a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate as a conservation area any area that is deemed to be of special architectural or historic interest.
- 3.2 The Council is required to designate new conservation areas, review existing conservation areas and publish management proposals for conservation areas under national performance criteria (Key Performance Indicators).
- 3.3 Paragraph 5.19a of the Milton Keynes Local Plan (Second Deposit Draft) October 2002 identifies Little Brickhill for consideration and possible designation as a conservation area.
- 3.4 Little Brickhill has been appraised by the Council's Conservation Officer and is considered to have sufficient special historic and architectural interest to warrant designation as a conservation area (see Draft Village Appraisal

(attached as **Annex A** to this report) and Draft Village Character Statement (attached as **Annex B** to this report)). The final extent of the conservation area boundary will form part of the consultation process.

- 3.5 National guidance on the designation of conservation areas gives consistent emphasis to community consultation. Conservation area designation presents important opportunities to a community, particularly in terms of shaping the nature of new development in and around a designated locale. It is therefore vital that the additional historic environment considerations that the planning system is required to take into account following designation are properly understood by the people it will affect. The limitations of conservation area designation will also need to be understood locally and the need for additional constraints (Article 4 Direction) see below decided upon.
- 3.6 The possibility of additional constraints for those operating businesses in the conservation area need also need to be communicated effectively as permitted development rights for those businesses would be automatically curtailed by conservation area designation. Permitted development constraints may also be extended to private dwellings, should it be deemed appropriate, through an 'Article 4 Direction'. The reasoning and opportunities for such a designation would need to be clearly explained to the local community. It is stressed that at present no conclusions have been drawn on the need for an Article 4 direction. It is anticipated that the need and, ideally, local agreement for such a constraint may be forthcoming through the consultation process.
- 3.7 Communication with the local community is likely to be through a temporary exhibition, the Council's website, Libraries and leaflet distribution to each affected household. Officers will also seek to make contact with key community groups and businesses. There will be a 21 day consultation period commencing mid-February. Should the consultation process confirm a favourable response to designation there will be a period in which the Draft Appraisal and Draft Management Plan are amended before reporting back to Committee for permission to commence the formal process of designating the conservation area.
- 3.8 This report seeks permission for officers to undertake consultation with those likely to be affected by designation. No judgement is being made on the likely outcome of that consultation. The findings of the consultation process will be reported back to Council and progress to the next stage of the project confirmed.

#### 4. **Implications**

##### 4.1 Policy

No policy implications arising out of this report. Paragraphs 5.19 to 5.21 in the Local Plan (Second Deposit Version) Oct '02 are relevant to this report.

##### 4.2 Resources

There will be no staff resource implications arising from conservation area designation and there should only be a minimal impact with regard to the

ongoing management of the conservation area. The cost of producing up to 50 Draft Village Appraisal and Character Statements will be no more than £450.00 and will be found from within existing budgets.

#### 4.3 Legal

The statutory powers under which the proposed consultation will take place is provided by the Planning (Listed Buildings & Conservation Areas) Act 1990. However, there is no formal Designation Procedure and the designation itself takes effect from the date of the appropriate resolution of the Authority, which then requires notification. There are several consequences of designation, notably:

- (a) The demolition of certain buildings will require consent.
- (b) It becomes an offence to cut down, top, lop, uproot, or to damage or wilfully damage or destroy a tree without the consent of the Planning Authority.
- (c) The Authority is under a duty pursuant to **Section 71** to formulate and publish proposals for the enhancement and preservation of the area.
- (d) There is a duty to pay special attention to a Designated area when exercising powers under the Historic Buildings & Ancient Monuments Act 1953.
- (e) Those planning applications that affect the character or appearance of the conservation area, must be given publicly.
- (f) Certain permitted development rights are more restricted.
- (g) Specific statutory duties are imposed on telecommunication operators.
- (h) The right to display certain types of illuminated advertisement is excluded.
- (i) Grants and loans for the preservation or enhancement of conservation areas are available.

#### 4.4 Other Implications

There are no other implications arising out of the proposed conservation area designation consultation process.

Background Papers: Little Brickhill: Proposed Conservation Area - Draft Village Appraisal and Draft Character Statement, Milton Keynes Council, Unpublished (2005)  
Planning Policy Guidance Note (PPG) 15: Planning and the Historic Environment (1994)