

Key Decision	No
Listed on Forward Plan	Yes
Within Policy	No
Policy Document	

LITTLE BRICKHILL: PROPOSED CONSERVATION AREA

Accountable Cabinet Member: Councillor Williams

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

1. Purpose

- 1.1 To see Cabinet approval to designate a Conservation Area covering those parts of Little Brickhill considered to be of special architectural or historic character.

2. Recommendations

- 2.1 That a Conservation Area, as shown on the map submitted to this meeting, be designated in Little Brickhill under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed Conservation Area Boundary is illustrated in **Annex A1**.

3. Issues and Choices

- 3.1 This report follows an initial report to Cabinet on 17 January 2006, which sought the Cabinet's permission to undertake a public consultation exercise. The process has been successful and the issues raised are set out in the following paragraphs. Cabinet's support is now sought for conservation area designation and for the attendant extension of planning controls that arise from it (see section 4.3)
- 3.2 Following Cabinet's approval to proceed with consultation a public exhibition was held on 21 February 2006. On the same evening a public meeting was also held which was well attended by local residents.
- 3.3 In addition to the public exhibition and meeting every household in the village was given an opportunity to comment using a publicity leaflet with a brief questionnaire and comments box. The aim of the leaflet was to ascertain

whether individuals supported or opposed Conservation Area designation, with reasons. The Council's Draft Village Appraisal and Draft Character Statement was made available for viewing at the public exhibition and meeting with copies being retained by the Parish Council to allow residents to read them. In the event public interest was higher than anticipated and so the Appraisal/Statement Document was reproduced in sufficient numbers by the Parish Council to allow, it is understood, a copy to be delivered to each household in the village. A copy of the Draft Village Appraisal and Character Statement was also made available on the Milton Keynes Council website.

- 3.4 A wider consultation exercise was also undertaken. This included the relevant sections of the council and external organisations with interests in Conservation Area designation. A list of consultees is attached as **Annex B**. The Duke of Bedford's Estate, which has some property interests in Little Brickhill, was omitted from the list but was notified of the consultation process by the Parish Council. Public Utility companies were not consulted but will be notified of a new Conservation Area boundary as part of the designation process.
- 3.5 67 questionnaires were returned with 49 residents voting in favour of designation and 18 voting against. No other consultees expressed a view on the Conservation Area Designation.
- 3.6 Essentially three different views were expressed as follows:
- (a) 18 replies were opposed to Conservation Area designation.
 - (b) 44 replies were supportive of designation in accordance with the Conservation Area Boundary described in the Draft Appraisal and Draft Character Statements.
 - (c) 5 replies were supportive of designation and that the boundary be extended beyond that described in the Draft Appraisal and Draft Character Statements.

Of foremost concern is the strengthening of planning controls within the conservation area boundary and a lack of clarity in the Draft Character Statement about the existing and potential new controls that would arise from designation.

- 3.7 Some of those indicating support also raised concerns including, again, exactly what precise additional controls would be established and some disappointment that Conservation Area controls are not more stringent than they actually are. The constraints established by designation were reported to Cabinet on 17 January and, to assist matters, have now been included in Appendix B of the amended Appraisal and Character Statements (circulated separately) for clarification.
- 3.8 There is a view expressed by five residents that the Conservation Area boundary proposed by officers does not extend far enough. Four residents proposed the inclusion of Wyness Avenue on the premise that the area is of historic interest, contains some mature trees and splitting the village into parts

covered by a Conservation Area whilst others were left out could be unhelpful. One respondent felt that the former Bedford Estate Model Farm to the west of the village should also be included.

- 3.9 The opposition to the designation of a Conservation Area has been consistent and there are a number of residents with very particular and firmly held views on extending planning powers. Some of the residents expressed concerns relating to additional costs and delays for those seeking to maintain or alter their properties. Despite discussion at the public meeting where officers sought to clarify and allay concerns, it is possible that some additional delays and expenditure may be brought about through the application of close planning controls. The benefits brought about by closer attentiveness to proposed development have not been accepted as a sufficient balance for any additional inconvenience, where it may arise, by this group of residents.
- 3.10 However, the historic village core and its rural setting is an area of special architectural or historic interest and hence, even if there was much stronger local opposition, without any submissions indicating otherwise, the Council would still have a duty to designate a Conservation Area.
- 3.11 Five people suggested that the Conservation Area be extended to cover Wyness Avenue to the south east and Model Farm to the west. Of these suggestions, the proposal to include Model Farm would be the hardest to accommodate. The Farm lies significantly beyond the village and is set very privately so that even if it could be argued that it lay sufficiently close to form part of the settlement its contribution to the village's special character would be muted. The historic nature of Model Farm is noted however and its interest and contribution could be incorporated into a conservation area management plan which the Character Statement recommends is produced by the village.
- 3.12 Incorporating Wyness Avenue and indeed the detached houses fronting the former A5, namely Balmacara, The Laurels and Wayside House, does appear to offer some advantages. Unlike Model Farm, the area sits on the south eastern fringe of the village. The proposed boundary included in the Draft Appraisal and Character Statement is illustrated in **Annex A1** and is designed to incorporate those parts of the village that are of 'special architectural or historic interest' and their setting. An amended boundary extended to incorporate the Wyness Avenue area is shown in **Annex A2**.
- 3.13 The boundary amendment in **Annex A2** removes the complex boundary line that weaves backwards and forwards to define the special architectural and historic quarters of the village in favour of a clearer line that follows more obvious field and garden plot boundaries.
- 3.14 It might also be argued that extending the boundary further protects the context of the village from unsympathetic development. It is also suggested that the area proposed for inclusion has some historic significance and that a number of nature trees are present along the line of Wyness Avenue.
- 3.15 Strong counter arguments exist against the proposed extension. The area that would be included comprises of buildings and road layouts that are contemporary in appearance and character. The area thus contrasts with the historic core of the village and, given that the guidance on assessing and

designating Conservation Areas in Planning Policy Guidance Note 15 (PPG15) states that “it is important that Conservation Areas are seen to justify their status and that the concept is not devalued by the designation of areas lacking any special interest” the presumption should be against designating the Wyness Avenue area.

- 3.16 To date the Council’s research has not found evidence to support the inclusion of the Wyness Avenue Area in the Conservation area. As with Model Farm, however, the management of this area and the contribution it makes to Little Brickhill could be incorporated into a conservation area management plan produced by the village.
- 3.17 The contextual argument (see 3.14 above) is not a strong one because the extra areas that would be included have either already been developed or are remote from the village’s historic centre.
- 3.18 New development to the east of Wyness Avenue, whilst not constrained by considerations of its impact on the special character of the Conservation Area, would still need to meet the design criteria set out in Planning Policy Statement 1 (PPS1) and the provisions of the new Design Statements that are now expected to be submitted alongside non-householder applications for planning permission. The provisions of PPS1 and Design Statements seek to ensure, amongst other things, that new development is appropriate in terms of its design for its context. This in turn alleviates the pressure to incorporate the partially developed field at the eastern end of Wyness Avenue into the Conservation Area.
- 3.19 The Village Appraisal and Character Statement for Little Brickhill contains some further minor modifications in addition to those described in paragraph 3.7 of this report. These include two new maps to illustrate:
- (a) important views within and out of the village in Appendix A of the document; and
 - (b) the extent of the settlement boundary in Appendix B.

Additional comments have been added to the “Character Statement” section whilst the “Conclusions and Next Steps” section has been edited to take account of progress to date. Finally, the Milton Keynes Local Plan has been acknowledged in the Bibliography.

- 3.20 This report therefore seeks permission to designate a Conservation Area following the boundary set out in **Annex A1**, which is unchanged from the draft boundary proposed in January 2006.

4. Implications

4.1 Policy

No policy implications arising out of this report. The adopted Local Plan (paragraph 5.21) states that Little Brickhill will be considered for Conservation Area designation.

4.2 Resources and Risk

The conservation area designation procedure and processing of additional applications arising from additional controls can be met from existing resources. There are 176 households in Little Brickhill about 105 of which will be affected by designation. As a result, only a small number of applications are anticipated per year.

X	Capital	X	Revenue	X	Accommodation
X	IT	X	Medium Term Plan	X	Asset Management

4.3 Legal

The statutory powers under which the proposed consultation will take place is provided by the Planning (Listed Buildings and 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 advertised 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

<input checked="" type="checkbox"/>	Equalities / Diversity	<input checked="" type="checkbox"/>	Sustainability	<input checked="" type="checkbox"/>	Human Rights
<input checked="" type="checkbox"/>	E-Government	<input checked="" type="checkbox"/>	Stakeholders	<input checked="" type="checkbox"/>	Crime & Disorder

Background Papers: Report to Cabinet: "Little Brickhill: Proposed Conservation Area" 17 January 2006

 Planning Policy Guidance Note (PPG) 15: Planning and the Historic Environment (1994)

 Little Brickhill Conservation Area - Village Appraisal and Character Statement (2006)