



Report to: Cabinet Meeting - 1 November 2022

Portfolio Holder: Councillor Rhona Holloway, Economic Development & Visitors

Director Lead: Matt Lamb, Director - Planning & Growth

Lead Officer: Oliver Scott – Senior Conservation Officer, Ext 5847

Report Summary	
Type of Report	Open, Key Decision
Report Title	Newark and Southwell Conservation Area Boundary Changes and Adoption of Appraisal Documents
Purpose of Report	To approve the proposed boundary changes to Newark and Southwell Conservation Areas and agree the adoption of the associated Appraisal document which explains what is special about that area, including management proposals which seek to preserve and enhance the character and appearance of the conservation area.
Recommendations	<p>That Cabinet:</p> <ul style="list-style-type: none"> a) approve the designation of boundary changes to Newark and Southwell Conservation Areas; b) adopt the Newark and Southwell Conservation Area Appraisal documents; and c) give delegated authority to the Business Manager, Planning Development, in consultation with the Portfolio Holder for Economic Development & Visitors to implement the designation of the boundary changes and publication of the Appraisal documents.
Alternative Options Considered	Officers consider that the proposed boundary changes accord with a rigorous methodology for assessing the special interest of existing and proposed conservation areas, as well as being subject to extensive public consultation and engagement. Alternative options have been considered and discounted throughout this process, ranging from making no changes through to a range of different amendments to the current boundary. The proposed options are considered appropriate.

Reason for Recommendations	To enable officers to carry out the Council’s legal duty in respect of section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to provide clarity to landowners, residents, and potential investors on the heritage importance of defined areas within Newark and Southwell.
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1.0 **Background**

- 1.1 Conservation Areas (CAs) are a special type of heritage asset designated for their special architectural and historic interest. The power to designate CAs falls under the Planning (Listed Buildings and Conservation Areas) Act 1990 (the ‘Act’). Section 69 (1) states: “Every local planning authority— (a) shall from time to time 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, and (b) shall designate those areas as conservation areas”. The first CAs were designated in 1967 under the Civic Amenities Act and there are now over 9,000 CAs in England.
- 1.2 The Council also has a legal duty to review existing CAs from “time to time” in accordance with Section 69(2) of the Act. The special interest of areas designated many years ago may now be so eroded by piecemeal change or by single examples of poorly designed development that parts of the area may no longer have special interest. In such cases, boundary revisions will be needed to exclude them or, in exceptional circumstances, reconsideration of the CA designation as a whole. Conversely, the existing boundary may have been drawn too tightly, omitting areas now considered of special interest such as historic rear plots with archaeological potential, later phases of development (such as more recent housing), or parks, cemeteries and historic green spaces. In such cases the existing boundary may need to be extended.
- 1.3 At the September 2018 Economic Development Committee, the Conservation Team was given delegated authority to proceed with a three-year plan to review a number of CAs within the District. The focus of the review would be delivering boundary reviews of the existing CAs in Edwinstowe, Newark, Ollerton, and Southwell. These areas were chosen for a number of key reasons, including heritage at risk priorities, perceived development pressures and lack of previous review/appraisal. This process was expanded to include Laxton following an update to the Committee in June 2019 (responding to the potential sale of the Estate). The intention was to complete this work by the end of 2021. Covid had a significant impact on work and updated timescales were given at the 17 November 2021 Committee and the 23 March 2022 Committee. This work is summarised in the table below:

Conservation Area	Boundary Review	Public Consultation Period	Approval
Edwinstowe	Complete	12.08.19 - 23.09.19	20.11.19
Laxton	Complete	07.01.22 – 18.02.22	23.03.22
Ollerton	Complete	07.01.22 – 18.02.22	23.03.22
Newark	Complete	11.02.22 – 25.03.22	1.11.22, TBC
Southwell	Complete	11.02.22 – 25.03.22	1.11.22, TBC

Newark Conservation Area

- 1.4 Newark CA was first designated in 1968 and is the second ever designated in England. Officers continually monitor the special character and appearance of Newark CA. This is often through the consideration of relevant planning applications, but also in respect of enforcement action, and the health and condition of historic buildings. Newark CA is identified on the national Heritage at Risk Register, in part due to the poor condition and vacancy of historic buildings within the town centre, but also due to the loss of architectural detailing over time. The CA review process is a formal way of capturing this information, and then formulating a Management Plan in order to promote the longer-term conservation and enhancement of the area.
- 1.5 The consultation strategy used for engaging the public is set out in the background document 'Newark Conservation Area Review; Consultation document - October 2021'. The conclusions of this process are contained within another background report Newark Conservation Area Review; Consultation Outcomes document - October 2022. The final version of the CA Appraisal is also available in the background documents.
- 1.6 The proposed boundary changes are shown in Appendix A and can be summarised as follows:
 - i) The inclusion of Newark College, as well as additional areas of Friary Road, part of Sleaford Road, Wellington Road entirely, and part of Beacon Hill Road.
 - ii) Inclusion of parts of Appleton Gate between Queen's Road and Northgate Station (principally the eastern side of the roadway), and parts of George Street, Warburton Street, and Lovers Lane.
 - iii) Inclusion of the Magnus School area, limited to the original school building on Earp Avenue, and Hatton Gardens, Winchilsea Avenue and Milner Street (being a composite example of late-Victorian/Edwardian planned housing and education).
 - iv) Inclusion of Crown Street (having good 19th century housing stock considered to contribute to the Mill Gate/Victoria Street area of the town) and Lime Grove which is an attractive tree lined avenue with good late-Victorian/early-20th century housing stock.
 - v) Removal of parts of North Gate, including the modern residential and retail development to the north of the Warwick and Richardson complex, and the modern housing on the west side of the river.
- 1.7 There has been general support for all of the proposed extensions. There has been widespread support for the removal of modern elements along Northgate such as the retail park, but resistance to the wholesale removal of the riverside, including Fidler's Elbow Bridge and the marina. As such, the final proposed boundary now keeps more of the riverside within the boundary, only excluding the retail park and modern residential development to the north of the Warwick and Richardson as well as modern housing to the rear of Waitrose.
- 1.8 A number of key messages are evident from discussions on the Management Plan. Local residents feel that management of the CA has not always been successful, and that more needs to be done to safeguard the future of the town's special historic environment. Climate change and ecological concerns also featured heavily in responses. The need to develop good local guidance on all of these matters is included within the final Management Plan.

- 1.9 Overall, the consultation process has been very productive in shaping the final proposals, and we are grateful for the involvement of local Ward Members, Newark Civic Trust, the Mill Gate Society and Town Council.

Southwell Conservation Area

- 1.10 Southwell CA was first designated in 1968. The area was last formally reviewed in 2005. The accompanying Appraisal document has been a sound and useful document during its lifetime, but much has happened in the intervening period that justifies a review, including an assessment of new developments in the town and to capture enhanced archaeological significance from the last 17 years of investigation (notably the Minster School site, the Burgage, Nottingham Road and other strategic sites).
- 1.11 The CA review in Southwell has been undertaken alongside significant public engagement and consultation, the process and findings of which are summarised in the background Southwell CA Consultation Report (2022). In summary, early engagement with key stakeholders was undertaken in August and September of 2021. This included contact with local Ward Members, the Town Council, Southwell Civic Society and the local archaeological community. This early engagement helped shape a draft revised boundary for the CA. This was subject to a formal community consultation exercise publicised between November 2021 and February 2022.
- 1.12 Early engagement has been very positive and provoked a great deal of interest. During the review process it became clear that the current CA boundary failed to reflect the full importance of landscape setting to the significance of the CA, being another area of enhanced understanding since 2005, and that the CA was under-representative of 19th and early-20th century architecture and workers' housing.
- 1.13 The proposed boundary changes are shown in Appendix B and allow for the following to be included within a revised CA boundary:
- i) Land to northeast of Greet Lily Mill, Station Road and along Normanton Road.
 - ii) 19th century workers' housing development along Dover Street and Chatham Street.
 - iii) Land south of Westhorpe Dumble, and land between Cundy Hill and Halloughton Road.
 - iv) Land south of the existing CA around Crink Lane and Park Lane.
 - v) Halam Road Edwardian villas.
- 1.14 In addition, a number of small amendments are proposed as the result of spatial mapping errors on the 2005 designation, or to address uncertainty with the precise location of the boundary. The proposals allow for the addition of the garden to 10 Westgate on corner of Lowes Wong and Westgate; the garden to 22 Queen Street; the burgage plots to the rear of 37 – 49 Easthorpe; numbers 126-128 Westgate; the plot to the rear of Trinity Cottage, Westhorpe; footpaths/roads/boundaries where they form the edge of the CA; re-inclusion of 9-11 Newark Road, 49-59 Fiskerton Road and the bank along Fiskerton Road, as well as Park Cottage on Nottingham Road. The proposals allow for the exclusion of the east end of Manor Close which is deemed to be of no special interest. Additional consultation has been undertaken in these areas.

- 1.15 Broadly speaking, this consultation process was successful. The conclusions of the consultation are contained within the background document 'Southwell Conservation Area Review; Consultation outcomes document - September 2022'. Meetings were well-attended, and a range of constructive responses were received. The Conservation Team is particularly indebted to the passion and enthusiasm of Ward Members, Southwell Town Council, Southwell Community Archaeology Group and Southwell Civic Society. The Draft Management Plan has been well-received overall, and it is proposed to develop from this specific guidance and outreach work with regards to shopfronts and advertisements with the local retail community.
- 1.16 Of the larger areas proposed for expansion, in all cases the majority of public responses were supportive. No respondents wanted areas removing from the current Southwell CA boundary. Not all areas wished-for by the community have subsequently been included in the proposed boundary revisions, but all suggestions have been properly assessed. As new information is uncovered, these areas may yet form the basis for a future review.
- 1.17 The Final Draft Southwell CA Appraisal and Management Plan (Nov 2022) is available within the background documents.

2.0 Proposal/Details of Options Considered

- 2.1 For Cabinet to approve the revised CA boundary for both Newark and Southwell and to adopt their respective CA Appraisal and Management Plan. Officers have considered a range of sites and areas for inclusion and exclusion from the existing CAs. As demonstrated in the Consultation Reports available in the background papers, officers have fully involved the local community in the review process. In some cases, the boundary has been further revised in response to consultation submissions.
- 2.2 Within the legal limits imposed by section 69 of the Act, including the review of areas previously designated, officers have considered whether no changes should be made, or much more modest changes made. The final proposals reflect their best professional judgement in accordance with good conservation practice and government advice on the proper review and appraisal of a CA. To take no action or approve a more limited change could endanger the future conservation of areas deemed to have special character and appearance.
- 2.3 In approving the revised CA boundaries, the Conservation Team requests delegated authority to implement the boundary changes, including meeting statutory obligations to advertise the changes within the London Gazette, updating the Council's website and notifying relevant organisations such as Historic England and the relevant Town Council. We also request delegated authority to publish the Appraisal and illustrate the documents with the approved boundary maps. The Appraisal and Management Plan will become a material consideration in the determination of relevant planning applications.
- 2.4 The community engagement on the CA Appraisals accords with the desire to increase participation with the Council and within local communities. It will also align with the objective that seeks to ensure the district continues to be a place where people choose to live, work, invest and spend their recreational time. The positive management of the historic environment will contribute to our well-being and sense of place.

- 2.5 Should Cabinet approve the recommendations above, the current tranche of CA reviews will be concluded. It is anticipated that a new three-year plan will be submitted to Cabinet early-2023 in consultation with the Portfolio holder.

3.0 Implications

- 3.1 In writing this report and in putting forward recommendations, Officers have considered a range of implications, including but not limited to; Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Financial Implications (FIN22-23/3574)

- 3.2 This report has no direct financial implications. The proposals are not expected to significantly impact the number of planning applications received by the Council, and it is anticipated that current officer resource within the Planning Development Team can sustain appropriate management of the affected conservation areas.

Equality and Diversity

- 3.3 There are no specific equalities implications for the District Council when designating or reviewing conservation areas. However, in accordance with the duty to publish management proposals within the affected area, and the benefit of wide-ranging public engagement, appropriate consideration has been given to consultation strategies, public meetings and access to documents (also in accordance with public expectations for consultation as set out in the Statement of Community Involvement). Consultation reports setting out how the Conservation Team has met these expectations has been published alongside each Appraisal setting out how, amongst other things, access and equality has been considered.
- 3.4 The wider CA Review Programme will continue to seek to ensure that there is equality of opportunity and that no individuals or groups are disadvantaged or discriminated against because of race, sex, disability, religion or belief, sexual orientation, gender reassignment, maternity and pregnancy, marriage or civil partnership, age, or social inequality.

Legal

- 3.5 The review process has been undertaken in accordance with the Council's legal duty under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Additional documents:

Appendix 1: Current and Proposed Newark Conservation Area Boundary Map

Appendix 2: Current and Proposed Southwell Conservation Area Boundary Map

Background Papers and Published Documents

Newark Conservation Area Review; Consultation document - October 2021

Newark Conservation Area Review; Consultation outcomes document - October 2022

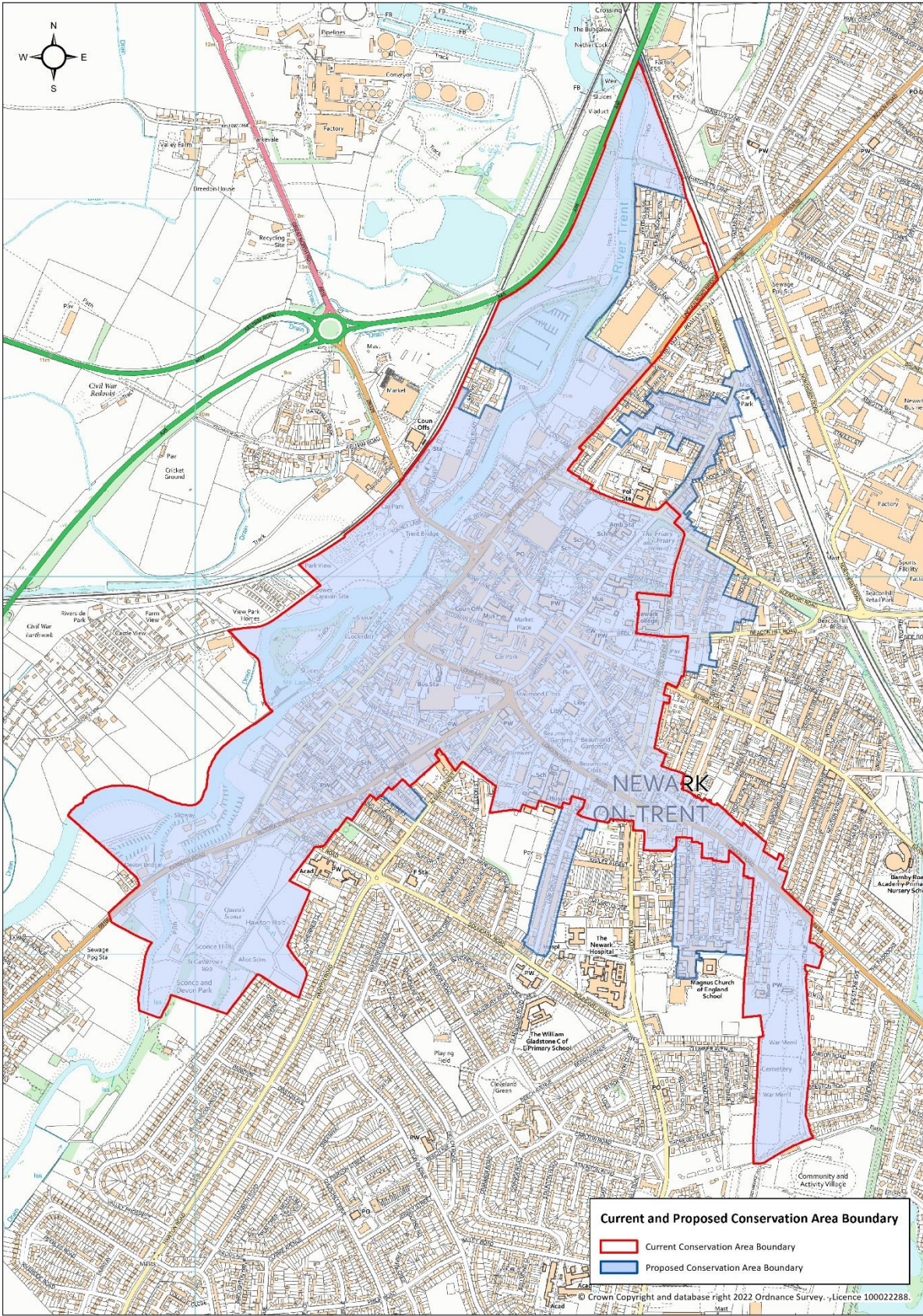
Final Draft Newark CA Appraisal and Management Plan (Nov 2022)

Southwell Conservation Area Review; Consultation document - February 2022

Southwell Conservation Area Review; Consultation outcomes document - September 2022

Final Draft Southwell CA Appraisal and Management Plan (Nov 2022)

Appendix 1: Current and Proposed Newark Conservation Area Boundary Map



Appendix 2: Current and Proposed Southwell Conservation Area Boundary Map

