

CONSIDERATION OF A CONSERVATION AREA AT ASHLEY HEATH, LOGGERHEADS

Purpose of the Report

1. To seek the Planning Committee's views on a request by Loggerheads Parish Council to give consideration to the area known as Ashley Heath for designation as a Conservation Area.

Recommendation

- 1. That the designation of a Conservation Area for Ashley Heath be not agreed; and**
- 2. That the Borough Council does not carry out a consultation in respect of such a proposed designation; and**
- 3. That Loggerheads Parish Council be informed of the above decision**

Reasons for recommendation

This report addresses a request received from Loggerheads Parish Council that consideration be given to the designation of Ashley Heath as a Conservation Area. It is considered that this area does not have enough special or architectural interest to justify its designation as a Conservation Area and accordingly the carrying out of such a consultation would serve no useful purpose. The report has been prepared in the context of the Council's statutory duty to review its areas from time to time and to designate areas, which it thinks have special architectural or historic interest, as Conservation Areas.

1.0 Background

- 1.1 Members may recall that a report was considered in February 2011 for a programme of Conservation Area appraisals and Management Plans. Local Authorities have a duty to review their areas from time to time and to designate new areas which are considered to have a special character. The Conservation Officer is in the process of reviewing all of the Borough's existing Conservation Areas and the most recent reviews were Keele in 2018 and Maer in 2019. The Borough also designated a new Conservation Area at Watlands Park, Wolstanton in 2016 as a result of a request from a local residents group and consideration was given and accepted that this area was worthy of being recognised as an area of special architectural and historic interest. There are currently 21 Conservation Areas in Newcastle-under-Lyme Borough and they are found within the Newcastle and Kidsgrove town centres, the edge of the Newcastle town centre, residential areas, rural villages, country estates and industrial areas including linear canal corridors.
- 1.2 In July 2018, Loggerheads Parish Council contacted the Council and asked that consideration be given to 'Ashley Heath' being designated as a Conservation Area due to its character and appearance and evolution during the first part of the 20th Century. This had been suggested to the Parish Council by some members of the public in the consultation that was undertaken as part of the Neighbourhood Plan. As a "non-neighbourhood plan issue" which was not subject of the independent examination and subsequent referendum, the initiative of developing a case for a Conservation Area on Ashley Heath had been agreed by the Parish Council. Officers visited the 'Ashley Heath' area and felt that whilst attractive in its appearance it was not of sufficient architectural or historic interest to warrant designation as a Conservation Area given the limited information provided for the case. The Parish Council were given further time to develop their case and they have written a review of the area with additional information included and they propose that a Conservation Area is designated (and they have suggested a proposed boundary).

A copy of their review is provided as Appendix 1 to this report, and the proposed boundary is shown on a map on page 11 of that review.

2.0 Ashley Heath: the case for designation

- 2.1 Conservation Areas are defined as “areas of special architectural or historic interest the character and appearance of which it is desirable to preserve or enhance”. A key purpose of designation of a Conservation Area Appraisal is to define an area’s special interest; any review of the area will identify the issues which threaten these special qualities. Following this recommendations and guidance to manage change and suggest potential enhancements may be provided. The case sets out a proposed boundary for the Conservation Area.
- 2.2 The Parish Council proposal highlights the key characteristics and issues which are relevant in the proposed Conservation Area, namely what the Parish Council considers makes it special by the combination of its history and development, its buildings, materials, landscape setting and important views. The Parish Council describes the area as a residential area set within a largely sylvan environment. The former heathland remained largely undeveloped until the early part of the 20th Century. The northern area was a heavily wooded plantation and the southern area had a few gravel pits and quarries and was open in character. Evidence showed that this area gradually evolved as weekend escape to the countryside to provide housing in a semi-woodland setting.
- 2.3 The early plot layout began in the southern section of the Heath. Development began on this area in the first two decades of the 20th century with temporary shacks and small holiday homes accessed by informal pathways and tracks. The plots were originally generous and many remain relatively so. The Parish Council also asserts that the Second World War saw many people using the sites as safer accommodation away from bombing within the towns. Gradually the shacks have been replaced, first with bungalows and later with larger more permanent homes. There has much alteration and sub-division and larger houses built and the ratio of building to plot has increased. There are some modified original bungalows and one known as The Crescent on Pinewood Drive appears to be of its original construction. Within the first two decades of the 20th Century, map analysis shows what appears as a large Victorian style villa called Hillcrest. This was within a very large plot which is now much reduced. The house is barely visible given the tree coverage. The other properties are unremarkable houses and garages of varying degrees of size, style and taste, many of which are recently built on sub-divided plots. Very few homes could be said to have any particular architectural merit. The informal narrow road and pathway layouts relating to the early development of the area are still in existence and do enhance the character of the area.
- 2.4 Ashley Heath has an ‘area’ Tree Preservation Order made in 1966, that affects most of the Heath and the proposed Conservation Area boundary follows a similar line to this. It also has other ‘group’ Orders as well as ‘individual tree’ Orders which have been made recently on plots. The larger Area Order from 1966 does not protect the trees that were not in existence at the time the Order was made. Conservation Area status gives some protection to trees that not the subject of a Tree Preservation Order insofar as it requires 6 weeks notification of any works to trees, to enable consideration to be given by the Council as to whether the work is acceptable and it provides an opportunity for the Council to make the tree subject to a Tree Preservation Order.
- 2.5 The Parish Council draw attention to the fact that in the 1995 Newcastle Local Plan, Ashley Heath was one of a limited number of areas within the Borough whose character as low density well landscaped areas justified inclusion within a policy (R2) where additional dwellings were only to be granted planning permission if amongst other things the development would not require the loss of healthy, and visually significant trees, and the development would be of the density and character prevailing within in the area. In the later 2005 Newcastle Local Plan a policy that referred to Areas of Special Character (H7) does not refer to the Ashley Heath area, but it does refer to some, but not all, of the other areas referred to in policy R2.

- 2.6 Neither the Newcastle Local Plan 2005 Local Plan nor the Loggerheads Neighbourhood Plan 2019 contain any express area specific policies on the safeguarding of the character of the area. Both place the area beyond the village envelope of Loggerheads, to which saved policies H1 and LNPG1 apply respectively.

3.0 Discussion

- 3.1 Conservation Areas are normally designated by the Local Planning Authority – the Borough Council. The NPPF, in paragraph 186, states that 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 is not devalued through the designation of areas that lack special interest. The Planning Practice Guidance repeats this.
- 3.2 Historic England in its Advice Note No.1 on ‘Conservation Area Appraisal, Designation and Management’ (2nd Edition) recommends a staged approach to appraisal, designation and management, and it recognizes (in paragraph 11) that prior to the “appraisal” stage there is likely to be a stage when a decision will need to be taken as to the significance of an area and the likelihood of conservation area designation addressing relevant problems within the area. The purpose of this stage being to consider whether an area has
- a) sufficient architectural or historic interest for the area to be considered ‘special’?
 - b) whether this is experienced through its character or appearance? and
 - c) whether it is desirable for that character or appearance to be preserved, and what problems designation (as a Conservation Area) could help solve
- 3.3 The Advice Note goes onto indicate in a Section headed ‘Identifying potential conservation areas’ that new conservation areas may be identified in a number of ways, including local communities working on neighbourhood plans identifying areas which have a special interest and character or appearance possibly meriting consideration for designation by the local planning authority. The Note repeats the statement in the NPPF. It goes onto suggest that in those situations *where it has been determined that an area may meet the definition in the Act* (i.e. that the area is one of special architectural or historic interest the character or appearance of which it is desirable to enhance) it is good practice to prepare designation assessment to formally assess the special architectural or architectural interest the area may have and whether it is desirable to preserve or enhance is character or appearance
- 3.4 Full consideration has been given to the information provided at Appendix 1 along with further research and map analysis. Conservation Area designation gives control over demolition and works to trees but not over minor external alterations to residential properties. Such minor developments are unlikely to impact on the character of the area given many of the properties are not visible through the trees and are not of any architectural merit.
- 3.5 Consideration has also been given to the benefits of protection of the trees in the area through Conservation Area status and it would help to stop the loss of smaller and younger trees. However the Council’s Landscape Development Section who are responsible for Tree Preservation Orders and trees in Conservation Areas consider that the general character and appearance of the area can be maintained with the existing Orders which are in place and the ability to make new Orders when the need arises.
- 3.6 Your Conservation Officer’s view is that the designation of a Conservation Area is a built environment designation and the fact that there is no “special interest” in the built environment here makes it a difficult case to support. Inevitably Conservation Areas have multi-faceted and complex environments and should have local interest, but the general premise is that they are

historical sites and that the historical development of the place is reflected in the land use and the built environment. Conservation Areas can help to protect the unique character and historic interest of an area. Understanding the development of the place is essential and helps to define the significance of the area. The historic and the recent development of Ashley Heath is certainly of some interest, and it is worthy of documenting as a piece of local social history. The pathways and trackways which have evolved and some of the plots are retained but none of the shacks and temporary accommodation exist anymore. The special interest in the area has been lost to a large degree given the ad-hoc temporary building types have been replaced and the plots are also altered and reduced in size over the years. The level of change may be too much to justify Conservation Area status.

4.0 Conclusion

- 4.1 As already indicated the NPPF cautions local planning authorities to ensure that an area justifies designation as a conservation area because of its special architectural or historic interest, so that the concept of conservation is not devalued through the designation of areas that lack special interest. The Council has to ensure that the value of its Conservation Areas is not diluted by ones of lesser quality and that each one is 'has special architectural or historic interest'. If a number of the original shacks and buildings had remained on the Heath, the area would have more interest that relates to its historical evolution and the resulting land use pattern. Your Officer therefore does not support the designation of Ashley Heath as a Conservation Area. It is suggested that if the Parish Council consider that the area warrants further protection above and beyond those provided by existing policies they should consider bringing forward an early review of their Neighbourhood Plan to address this issue and that they should also consider making a submission with respect to the emerging Joint Local Plan that it both includes a development management policy that seek to protect the character of this area, in a similar manner it that currently achieved for other areas by saved policy H7. This would give some recognition and protection to the fundamental character of the area without having to rely on a particular part of the built environment, which does not exist anymore.
- 4.2 The social development of this area is interesting and could be developed and it is recommended that consideration is given to asking the National Lottery Heritage Fund for support in such a project.

5.0 Background Papers

Historic England - Advice Note No.1 on 'Conservation Area Appraisal, Designation and Management' (2nd Edition)

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