

Management Plan and proposals

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The Purpose of the Management Proposals

The purpose is to provide a framework for further actions which although primarily the responsibility of the Borough Council, will also depend on the cooperation and enthusiasm of local people and local organisations.

The Conservation Area in Madeley has been existence for over 30 years and the effectiveness of the designation depends on the way it has been managed in the past by the Borough Council, the Parish Council, local businesses residents and community groups.

Government policy has made it clear that Conservation Areas are not areas of preservation and that change is an inevitable fact of modern life. The challenge is therefore to manage that change in a manner which respects the special historic and architectural qualities of a place.

Local authorities are required by law to review their Conservation Areas and the preparation of management plans and conservation area appraisals form part of this obligation. The involvement of the local community in the formulation and delivery of these documents helps to strengthen their status and impact. The Appraisal has been completed in conjunction with the Madeley Conservation Group on behalf of the Parish Council and a full period of consultation will take place with the documents to provide opportunities from the local community to input further into the documents.

Both documents will be of use to the Borough Council when determining planning applications for change within or on the edges of the Conservation Area, and for property owners and their agents when considering schemes for alteration or new development.

The Madeley Conservation Area Appraisal

The Character Appraisal which has been prepared has identified the principal positive and negative features of the Conservation

Area and provided an outline of the main issues (see Appraisal document).

2. Legislative Background

The implications of Conservation Area designation.

Designation as a Conservation Area brings a number of specific statutory provisions aimed at assisting the “preservation and/or enhancement” of the area.

- The local authority is under a general duty to review designations ‘from time to time’ and to ensure the preservation and enhancement of the Conservation Area. There is a particular duty to prepare proposals (such as Conservation Area appraisals or grants schemes) to that end.
- In the exercise of any powers under the Planning Acts, in respect of land or buildings in a Conservation Area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area.
- Extra publicity must be given to planning applications affecting Conservation Areas. This is usually achieved through the use of advertising the local newspaper.
- Conservation Area Consent is required for the demolition of any unlisted building in a Conservation Area and the local authority may take enforcement action or consider criminal prosecution if consent is not obtained.
- Written notice must be given to the Borough Council before works are carried out to any tree in the area.
- The display of adverts may be more restricted than other areas.
- The Borough Council may take steps to ensure that a building in a Conservation Area is kept in good repair through the use of Urgent Works Notices and Amenity Notices.
- The energy conservation expectations of the Building Regulations (Part L) do not necessarily apply to buildings within a Conservation Area.
- Powers exist for local authorities, English Heritage or the Heritage Lottery Fund to provide financial grant schemes to help with the upkeep of buildings in Conservation Areas, if the area is economically deprived.

The control of development and change

Certain works to houses within a Conservation Area are considered “permitted development”. In summary:

- Planning permission is needed for extensions to family houses in Conservation Areas if it extends the side wall of the house or if it has more than one storey to the rear.
- Planning permission is needed for external cladding to houses using stone, artificial stone, pebble dash, render, timber, plastic or tiles.
- Planning permission is needed for any alteration to the roof of a house in a Conservation Area.
- Planning permission is needed for the erection of any structure within the curtilage of a house in a Conservation Area if the structure proposed would be on land to the side or front of the house. This is especially important for sheds, garages and other outbuildings in gardens.
- With commercial properties, such as shops and pubs, planning permission is generally required for alterations to these buildings.

Where a building is listed separate legislation applies to all internal and external alterations which affect the special architectural or historic interest of the building and will require Listed Building Consent. Planning permission is also needed for all proposed buildings in the garden of a domestic listed building including gas/oil containers.

Satellite dishes

Satellite dishes and antennas in conservation areas are not permitted without planning permission if they are mounted on a chimney, wall or roof slope which faces onto and is visible from a highway or a building which exceeds 15 metres in height. In these cases, planning permission would not normally be approved.

Generally for listed buildings, Listed Building Consent is practically always required for the installation of `antennas` and if the Borough Council considers that the installation will have an adverse effect of the special interest of the building, consent will usually be refused.

Conventional TV aerials and their mountings and poles are not considered to be `development` and therefore planning permission is not required.

Micro-generation and green energy

The government has relaxed the rules for the installation of solar PV or thermal equipment on houses, but in Conservation Areas, equipment needs planning permission if it is to be located on a wall or roof slope of the main or side elevation of the main house or outbuilding or on a Listed Building or a building in its garden.

Trees and Landscape

Within Conservation Areas, lopping or felling a tree greater than 75 mm. diameter at 1.5 metres above the ground requires six weeks' notice to be given to the Borough Council before starting the work. This provides the Borough Council with an opportunity of assessing the tree to see if it makes a positive contribution to the character or appearance of the conservation area, in which case a Tree Preservation Order may be served. This protects the tree from felling or inappropriate lopping.

The tress and the area around the Pool including the footpaths, bins grass and poolside planting are managed by the Borough Council. Whilst there is no formal management plan in place now one is expected to be adopted later in Summer 2012. For information on this matter contact the operational services section of the Council.

National Policy and Guidance

Government policy guidance on Conservation Areas is contained in National Planning Policy Framework, where the government is still promoting informed and

evidenced based conservation. It considers that parts of the environment which have significance due to their historic, archaeological, architectural or artistic interest are called heritage assets. These assets promote a sense of place and contribute towards the aims of sustainability. The context for these policies are provided by the Local Development Framework (LDF) and the Core Spatial Strategy.

3. The Development Control Process

Local authorities have many controls available through their planning powers but much can depend on interpretations and implementation. Material changes to the external appearance of a property can affect what requires planning permission and what is 'material' is for the Borough Council to decide. A new shop front is generally considered to be material but the change of upper floor windows or change in roof materials is less certain.

Single dwelling houses have considerable permitted development rights that enable some alterations to be carried out without the need for planning permission. These can include changes to windows and doors, roofs materials or construction of minor extension. Although they may be minimal in each case, such alterations can have a cumulative effect that is damaging to historic areas. Where this kind of development is considered to be harming the character of an area, an Article 4 Direction can be considered.

Article 4 Directions

Permitted development rights are withdrawn if the Borough Council imposes an Article 4 Direction. This does not mean that development will not be possible. It does however mean that planning permission has to be sought and this allows for the merits of the proposal to be considered against the conservation interests of the area.

It has to be considered whether the exercise of permitted development rights would undermine the general aims and objectives for the historic environment in Madeley and its local distinctiveness.

An Article 4(2) Direction is accompanied by a Schedule that specifies the various changes to single houses which will require planning permission. Flats do not benefit from such permitted development neither do buildings not in residential use.

For example under an Article 4(2) Direction planning permission might then be required for

- All extensions whatever the size including porches on the front of the building
- Changing roof materials and insertion of rooflights on front-facing roofslope
- Replacing windows or doors on the front elevation
- Painting a house, and the removal or partial demolition of a chimney.
- The erection, alteration or removal of a wall, gate or fence at the front of the house can also be controlled as well as demolition. (front means facing a public highway, private road or waterway)

Action 1 The Borough Council will consider serving an Article (2) Direction within Madeley Conservation Area.

4. Actions by the Borough Council

A common complaint is that Planning decisions are inconsistent. While each has to be determined on its own merits, much can be achieved by having a clear interpretation of statutes, detailed policy and guidance and training to help elected Councillors and officers to work within these constraints. Development proposals can have an effect on a Conservation Area even when they are some distance outside it. In such cases, the duty to pay special attention to the character and appearance of the Conservation Area still applies.

Action 2 The Borough Council will adopt a consistent interpretation of what it considers to be a 'material' change.

An Enforcement Strategy.

As well as following the Cabinet Office Enforcement Concordat, which sets out best practice principles for enforcement like openness, consistency and proportionality, the Borough Council has its own local Planning Enforcement Policy and within this historic building and conservation matters are given a greater priority.

The role of Historic Environment Champions

English Heritage is keen to see Historic Environment champions to promote conservation issues in each local authority. These are preferably elected councillors, but can be senior officers whose role as defined by English Heritage, is to:

- Help unlock the untapped potential of the local historic environment,
- Provide leadership for heritage issues within the authority
- Join up policy between departments across the local authority and ensure the historic environment is taken into account in the development of all the authority's policies and forward strategies;
- Develop a close working relationship with the Design Champion, ensuring that the authority has a seamless and

coherent approach to the built and historic environment

- Identify opportunities for the authority to use the historic environment in the pursuit of its wider corporate objectives.

The Borough has had a Design and Heritage Champion since April 2005 and one of the roles is to raise awareness of conservation issues and to encourage other elected councillors to make full use of the training opportunities offered by English Heritage through its HELM initiative.

Promotion and awareness

It is important that local people should understand the significance of their surroundings if they are to play their part. There is a clear need to publish information on the history of each Conservation Area and its special qualities. This could be an effective outcome of the character appraisal process. There is also a significant role for amenity societies and other stakeholders to explain what matters, what is possible, what is expected and what has been achieved elsewhere.

Community involvement is an integral part of the Local Development Framework process. Involvement already happens in Madeley through the parish council and the Conservation Working Party, but there is sometimes scepticism as to how well the local voice is heard at the Borough Council level. To help address this problem, the Borough Council has already established a Conservation Advisory Working Party, which considers all relevant applications and acts as an important interface between local understanding and council decision making.

Some degree of change is inevitable in Conservation Areas and the issue is often not so much whether change should happen, but how it is undertaken. Owners and residents can minimise the negative effects of change by employing skilled advice when preparing development proposals and by avoiding unrealistic aspirations.

Action 3 The Borough Council has placed information on its website on Listed Buildings and on the Conservation Areas in the Borough and this information should be updated and expanded as necessary.

Action 4 The Borough Council will ensure that information is available to enable communities to understand the significance of their Conservation Areas and the consequences of living and working within them. In addition to the information on the website, this could be achieved by the production of written guidance and public meetings.

Action 5 The Borough Council will take steps to explain its planning decisions in greater detail where they are contrary to the advice of the Conservation Advisory Working Party or the parish councils.

Action 6 The Council will continue supporting the Conservation Advisory Working Party and will ensure that the Committee is given the opportunity of commenting on applications affecting the historic environment in the Borough.

Guidance notes and leaflets

Action 7 The Borough Council will consider increasing its offer of guidance and update its range of published guidance to include specific topics such as historic buildings and living in a conservation area.

4. The Control of the Historic Environment

There is an increasing emphasis in planning policy on issues relating to the historic environment and this is particularly important in Newcastle-under-Lyme with its 20 conservation areas and 365 listed building entries. It is important that this historic environment continues to be recognised and that local policies are included in future policy documents for their future protection.

Control of historic buildings

Listed Buildings

Listed Building Consent is required for the demolition alteration or extension of statutorily listed buildings. There is current guidance for owners of listed building on the Borough Councils website but this needs to be updated and expanded as necessary.

Action 8 The Borough Council will continue to assess applications for Listed Building Consent in line with policy and guidance.

Register of Locally Important Buildings and Structures

There are buildings of local significance which, although not statutorily listed, are nonetheless important to the history and character and cultural value of the Borough.

The Council produced a Register of Locally Important Buildings and Structures in 2010 and this was reviewed in 2011. The process of adding a building to the Register has been adopted as a Supplementary Planning Document to the Core Spatial Strategy which will give the Register additional weight in the making of planning decisions. The Register is evolving and it is hoped that this review will encourage suggestions for a number of other buildings within the Madeley Conservation Area which can be considered for the Register during the next review.

Action 9 The Borough Council will ensure that the Register of Locally Important Buildings and Structures is continually updated.

Positive buildings

The Appraisal has identified buildings that made a positive contribution to this character of the Conservation Area. In general, all listed buildings and those on the Council's local Register in a Conservation Area will be regarded as 'positive'. However, there are often many more that, together, underpin the special interest of a place.

Action 9 The Council will publicise the consequences of being in a Conservation Area and the presumption in favour of retaining positive buildings.

Action 10 The Council will continue to use its local planning policies, providing Character Appraisals and Management Proposals as well as considering new areas for consideration.

5. The Conservation Area Boundary Review

The Madeley Conservation Area contains buildings and features which are of different architectural styles and periods. It is fairly compact and well defined, and presents a coherent and harmonious appearance, aided greatly by the presence of the Pool, many trees, and occasional views through to the surrounding open fields and hills. The railway line in the south forms the southern boundary. The boundary is for the most part appropriate, as just outside its western and northern boundaries, buildings have a different character. Since the designation the main development has been either individual plots or backland development. As part of the Appraisal process the whole Conservation Area was inspected and the robustness of the present boundary assessed.

Local authorities are required by law to review their boundaries of existing Conservation Areas from time to time. This is to ensure that they still retain special architectural or historic interest.

Guidance on designating Conservation Area is that boundaries should be robust and defensible. As part of the Appraisal process the whole Conservation Area was inspected and the robustness of the present boundary assessed.

During the start of the Appraisal process, the community through the Madeley Conservation Group suggested that the boundary is extended in 2 locations and that a new Conservation Area is designated in Little Madeley.

Additions

1. Add terraced properties on north side of Bar Hill Road and the former farmhouse and adjacent land to the south. Because the terraces form a group and alterations may harm the character of the approach into the village and that the land adjacent to the farmhouse is open in character and should not be built on.

This area to the south is protected by local planning policies for landscape enhancement and restoration.

Conservation Area status does not prevent development. They help to manage change. Beyond the railway line to the north of Bar Hill Road is a former reservoir, now reclaimed for a wildlife haven, with 4 detached houses at the front of the site. These houses are visible from the roadside and have little architectural merit and no historic value. The character of the terraced properties has already been very much compromised with permitted development, namely altered windows, doors extensions and boundary treatments. To the south over the railway line is Manor Cottage. This is much altered and has little architectural value. The farmhouse is 20th Century and does not have special architectural or historic interest.

The railway line is the best boundary in this location, marking the start of the village. It is not proposed to extend the Conservation Area to include Bar Hill Road for the reasons above.

2. Add an area of landscape to the east of the Conservation Area behind the properties on the Holborn up to the rear of Old Hall. The edge of these fields are marked by a back lane, which further adds to the likelihood that these were former "crofts and tofts" (small cottages with small field attached).

Evidence from the Staffordshire County Council Historic Landscape Characterisation identifies this area as *Post 1880s Small Replanned Enclosure* that may represent the reorganisation of earlier field systems.

Research shows that this area is an area of former medieval or post medieval strip fields defined by curved edges to the plots implying historic ploughing. Some changes have occurred, such as the fields which have been increased in size, but the landscape can still be read and it is worth retaining these remaining plot divisions, which are significant to the history of Madeley.

In order to preserve the reminders of the past landscape still evident, this area should be included in the Conservation Area boundary.

3. Separate Conservation Area at Little Madeley

There are old cottages of considerable architectural and historic character at Little Madeley which are not designated as heritage assets. Some are visible from the main road while others are hidden behind fronting properties. These properties are close to the motorway and are potentially vulnerable. They are too far from the main Conservation Area to be included within it and the intervening dwellings do not have a character suitable for inclusion. It is proposed that a separate Conservation Area be considered the extent of which would be determined after examination on the ground.

More ground work is needed and evidence to show that this area has a distinctive architectural and historic character for designation as a separate Conservation Area.

Do not designate at this present time.

Action 11 The Borough Council will amend the Conservation Area boundary as shown on the Proposals Map and will encourage the retention of the historic landscape on land to the rear of the Holborn to ensure the historic plots are retained.

6. The setting of Madeley Conservation Area

Madeley has a large number of trees, both within and on the edges of the Conservation Area. The combined effect of the trees, shrubs, gardens, the river and the Pool, all come together to create a strong rural character, even within the village centre. These features are cherished by the local community and are generally well cared for including in private gardens, making a valuable contribution to the special character of the Conservation Area.

Action 12 The Borough Council will continue to protect and enhance the rural qualities of the Conservation Area including refusing applications for new development which would result in the removal or reduction of trees or established planting which enhances the conservation area.

The control of new development

New development must respect the historic and architectural context and should 'not necessarily copy existing styles but create sensitive, sympathetic and good quality modern architecture so that the special character and appearance of the Conservation Area is not downgraded or diluted, but reinforced, and enhanced whenever possible.

The pressure for development in Madeley is essentially for infill and backland development (usually in the gardens of existing buildings) but much of the spare land has already been developed or has permission, as for example at Waterside Close and Haywood Close off Station Road. Fortunately development is restricted by the Green Belt which surrounds the wider village of Madeley, and the Conservation Area boundary to the east and south. It is important to maintain the historic form and pattern of development so any development which is found to be acceptable must follow plot boundaries.

Action 13 New development must conform to policies within the LDF, saved Local Plan policies and national guidance, mainly PPS5.

Action 14 The Borough Council will refuse application for new development in or on the edges of Madeley Conservation Area which would result in the loss of existing garden space or would conflict with the prevailing form of historic development.

Action 15 Positive buildings, buildings on the Council's local Register and listed buildings must be retained and their settings protected from unsympathetic development.

All relevant applications should be accompanied with a design and access statement and heritage statement of significance and guidance can be obtained from the planning department. The Borough's Conservation and Urban Design Officer is happy to advise on the repair and reinstatement of historical and architectural features and help to source appropriate contractors, builders, materials, and so on. It would be advisable to contact this officer in addition to a development control officer if the proposal for development lies in or near the Conservation Area.

New development and guidelines

There will be a presumption against any new building or development which would adversely affect the setting and the special character and appearance of the Conservation Area. New buildings should follow established historic form of development, plot sizes, positioning, density, mass and access. It is important to have a good architect or advisor who understands the issues and context of Conservation Areas. New development should not increase the volume of development on the site and should be sympathetic to surrounding historic buildings in terms of scale materials and details. It should also respect views both within and into and out of the Conservation Area.

Windows and Doors

Repair rather than replacement is the preferred option, and uPVC or aluminium for windows or doors are not generally suitable materials for use in an historic context.

The alteration of doors and windows are permitted development but may be withdrawn under an Article 4(2) Direction. This additional control will seek to retain original and historic and architectural features which combine to create the Areas character.

Roofs and Chimneys

There is a presumption against the removal of chimneys even if not in use, since this is likely to adversely affect the special character and appearance of the Area. Slate or clay should be used in replacement of concrete or artificial slate.

Demolition

Conservation Area Consent is needed for demolition all buildings in the Conservation Area (over 115 cubic metres) Demolition of historically significant buildings within the Area will not be permitted unless the building to be demolished can be proven to have a harmful or negative effect. Partial demolition does not require Conservation Area Consent, but some control is exercised through the Article 4(2) Direction, particularly in relation to boundary walls.

Building Specific Recommendations

Statutory list

In Madeley there are 10 buildings and 10 tombstones on the statutory list of buildings of special or architectural interest. This list for Madeley was drawn up in 1985 and the criteria since this time has changed slightly, in that buildings which post-date 1840 are now being added to the statutory list. Additionally earlier buildings which may have been rejected before are also (even if altered) being added. It may be, therefore, that many other buildings in Madeley may be eligible for statutory listing. More detailed survey work, particularly of interiors, would be helpful.

Register of Locally Important Buildings and Structures

There is now a local Register within the Borough which includes Madeley Mill and some suggestions for further buildings in Madeley are shown on the Proposals Map.

The Supplementary Planning Document to the Core Spatial Strategy sets out the criteria and also the process for adding new buildings to the Register.

Action 16 The Borough and Parish Councils will encourage the local community to suggest buildings that might be eligible for inclusion on the Register.

7. Implementation

It is important that the Madeley Conservation Area should be a self sustaining as possible if it is to remain in its present state. Achieving this requires management to control any necessary changes so that its special character and appearance is not adversely affected. Success will require commitment by all Borough Council departments and their partners such as planning, building control, fire regulations and highways authority to ensure the sensitive exercise of controls, , in the best interests of the Madeley Conservation Area, and the sensitive deployment of any resources which may become available. Success depends on the part played by other stakeholders: property owners, residents, businesses, and amenity groups.

Those who live and work in the Conservation Area are expected to recognise the collective benefits they enjoy. For this they must understand the need to take a contextual view of proposals rather than acting in isolation. Change is inevitable in Conservation Areas but it is how rather than if it is undertaken. Employing skilled advice minimises the effects of these changes.

Communities

It is important that communities are well informed about the qualities of their Conservation Areas and of the opportunities for enhancing them. There is also a role for the Borough Council and other recognised community groups such as Madeley Conservation Group who have aided and assisted in the production of these documents.

Priorities for action

Immediate tasks – generally those not requiring additional resources.

- Formal adoption of the new Conservation Area boundary
- Encourage community involvement to select buildings for the Register of

Locally Important Buildings and Structures.

- Investigate potential breaches of development control with a view to seeking changes or enforcement.

Continuous tasks-

- Monitoring change – updating photographic records.
- Review character appraisal
- Review the management plan.

Medium-term tasks

- Consideration of the implementation of an Article 4(2) Direction.