

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**CABINET – TUESDAY, 6 FEBRUARY 2018**

Title of report	<b>DESIGNATION OF KEGWORTH CONSERVATION AREA</b>
Key Decision	a) Financial No b) Community Yes
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Purpose of report	(a) To consider responses to the recent public consultation; (b) To approve designation of the Kegworth conservation area.
Reason for Decision	<p>Designation of the Kegworth conservation area would:</p> <p>(a) support the aims of the Council Delivery Plan relating to sustainable development and growth and people feeling proud of their homes and communities and</p> <p>(b) support the Council in fulfilling its duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the 1990 Act”) relating to the designation and review of conservation areas.</p>
Council Priorities	<p><b>Business and Jobs</b>            Designation of the Kegworth conservation area would contribute toward achieving the Council’s aim of supporting sustainable development and growth.</p> <p><b>Homes and Communities</b>            Designation of the Kegworth conservation area would contribute toward achieving the Council’s aim of people feeling proud of their homes and communities.</p>

Implications:	
Financial/Staff	In a conservation area, householders would need to apply for planning permission for some works that would otherwise constitute 'permitted development'. In some circumstances a planning application would not attract an application fee. See paragraph 2.1ff below.
Link to relevant CAT	Not applicable.
Risk Management	Not applicable.
Equalities Impact Screening	Not applicable.
Human Rights	Not applicable.
Transformational Government	Not applicable.
Comments of Head of Paid Service	Report is satisfactory
Comments of Deputy Section 151 Officer	Report is satisfactory
Comments of Monitoring Officer	Report is satisfactory
Consultees	Public consultation was carried out between 14 November and 22 December 2017, as detailed in section 3 of the report below.
Background papers	Draft character appraisal Draft boundary map <a href="http://www.nwleics.gov.uk/kegworth">www.nwleics.gov.uk/kegworth</a>
Recommendation	<b>IT IS RECOMMENDED THAT CABINET APPROVES DESIGNATION OF THE KEGWORTH CONSERVATION AREA.</b>

## **1 BACKGROUND**

- 1.1 A conservation area is an area of “special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance”, as defined by section 69 of the 1990 Act.
- 1.2 Kegworth’s historic core is extensive and includes land on High Street, London Road, Market Place and Nottingham Road. Council officers believe that the historic core meets the definition of a conservation area and should be considered for designation.

## **2 IMPLICATIONS**

- 2.1 Inclusion of a property in a conservation area would mean that planning permission would be required to demolish a building (depending upon its volume) or to demolish a boundary treatment (depending upon its height and its location). An application for ‘relevant demolition in a conservation area’ would not attract a fee. This requirement does not apply to listed buildings, for which separate legislation applies.
- 2.2 Inclusion of a property in a conservation area would mean that planning permission would be required for the following works. A planning application would attract the householder application fee, which is currently £172.
  - Extending beyond the side elevation of a dwelling;
  - Extending beyond the rear elevation of a dwelling, if that extension would be more than one storey;
  - Enlarging a dwelling via an addition or alteration to the shape of its roof;
  - Cladding or rendering any part of a dwelling;
  - Erecting a building or enclosure beyond the side elevation of a dwelling;
  - Installing a chimney, flue or vent pipe on a dwelling, in certain circumstances;
  - Installing a satellite dish on a dwelling, in certain circumstances.
- 2.3 Anyone intending to cut down, top, lop or uproot any tree in a conservation area must give the District Council six weeks’ notice of their intention to do so. A notification of this kind would not attract a fee. This requirement does not apply to trees subject to tree preservation orders, for which separate legislation applies. Nor does it apply to trees that are less than 75mm in diameter when measured at 1.5m above ground level.
- 2.4 The District Council may remove certain permitted development rights from dwellings in a conservation area, through the service of an Article 4 Direction. An application for planning permission arising from the service of an Article 4 Direction would not attract a fee.

### **3 CONSULTATIONS**

3.1 Between 14 November and 22 December 2017 the following people and organisations were consulted on the proposed conservation area:

- District Councillors Trevor Pendleton and Alison Smith;
- Leicestershire County Council;
- Kegworth Parish Council;
- Kegworth Museum and
- Historic England and the seven National Amenity Societies.

3.2 Eight publicity posters were displayed in the proposed conservation area, as follows:

- On Derby Road, at the junction with Borough Street;
- On High Street, at the junction with Pleasant Place;
- On High Street, at Kegworth Museum;
- On London Road, at the Parish Council offices;
- On London Road, at the junction with Whatton Road;
- On the west side of the Market Place;
- On Nottingham Road, at the junction with Dragwell and
- On Packington Hill, near the Yew Lodge Hotel.

3.3 The proposed conservation area was publicised on the District Council and Parish Council's websites:

- [www.nwleics.gov.uk/kegworth](http://www.nwleics.gov.uk/kegworth)
- [www.nwleics.gov.uk/news/2017/11/15](http://www.nwleics.gov.uk/news/2017/11/15)
- [www.kegworthparishcouncil.co.uk/news/2017/11/kegworth-conservation-area](http://www.kegworthparishcouncil.co.uk/news/2017/11/kegworth-conservation-area)

3.4 The District Council's conservation officer met with the Parish Council on the 4 December to discuss the potential conservation area.

3.5 Appendix 3 records the consultation responses received; it explains how officers have taken these responses into account in deciding whether to recommend the designation of Kegworth as a conservation area.

### **4 PUBLIC CONSULTATION RESPONSES**

4.1 17 consultation responses were received. 13 respondents (76%) were in favour of the proposed conservation area. Three respondents were neither for nor against it. One respondent was against the proposed conservation area, as they believed it would effectively take the area's trees into public ownership.

4.2 5 consultation responses were received from property owners affected by the proposed designation; all of these respondents were in favour of designation.

4.3 Respondents recommended that the boundary should be extended to include (i) properties at the north end of Borough Street, (ii) properties on Derby Road and (iii) properties on the east side of Packington Hill. Having taken these recommendations into account, we do not intend to vary the boundary of the proposed conservation area.

- 4.4 The proposed conservation area boundary reflects best practice as set out in Historic England (2016) *Conservation area designation, appraisal and management*. The proposed boundary takes appropriate account of the comments received during the public consultation period. It is recommended that Cabinet approves designation of the Kegworth conservation area.

## **APPENDICES**

- Appendix 1 Kegworth character appraisal  
Appendix 2 Proposed conservation area boundary  
Appendix 3 Summary of public consultation responses