



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Council


22 September 2022

Report of Councillor Nick Robins
Portfolio Holder for Planning and
Planning Policy

Horbling Conservation Area

Report Author

Patricia Craggs, Principal Conservation Officer

 patricia.craggs@southkesteven.gov.uk

Purpose of Report

To consider whether the Council should designate the Horbling Conservation Area and adopt the Horbling Conservation Area Appraisal and Management Plan (September 2022)

Recommendations

That Full Council:

- 1. Approves the formal designation of the Horbling Conservation Area boundary as shown in Appendix C to this report.**
- 2. Approves the adoption of the Horbling Conservation Area Appraisal, as part of the Development Plan evidence base and as a material planning consideration; and**
- 3. Delegates the decision making to the Assistant Director of Planning to make minor changes, typographical corrections or non-material amendments to the Horbling Conservation Area Appraisal and associated documents prior to formal publication and to undertake the necessary statutory actions to implement agreed recommendations.**

Decision Information

Is this a Key Decision?	No
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Growth and our economy Housing that meets the needs of all residents Clean and sustainable environment
Which wards are impacted?	Toller

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1. The main cost arising from this proposal is the cost of officer time. There are no other significant financial implications.

Legal and Governance Implications

- 1.2. The Council is placed under a statutory duty by the Planning (Listed Buildings and Conservation Areas) Act 1990 to undertake periodic reviews of Conservation Area Appraisals, which are also required by national planning policies set out in the National Planning Policy Framework. There are no data protection issues arising from these proposals and all third-party representations on these proposals will be dealt with in accordance with the Planning Service's privacy statement.
- 1.3. Section 70 (5) of the Act requires the council to notify the Secretary of State and Historic England of any new designations, and to advertise the designation in the London Gazette and a local newspaper.

Risk and Mitigation

- 1.4. There is a reputational risk if the Council does not actively monitor and evaluate its designated Conservation Areas. There is a risk of harm to the special qualities of the District's Conservation Areas if they are not actively monitored and up to date Conservation Area Appraisals are not in place.

2. Background to the Report

- 2.1. One of the key ambitions at South Kesteven District Council is to build on, and celebrate, the rich heritage and culture of the District. The contribution historic areas make to quality of life is widely recognised. There are currently **47** conservation areas in South Kesteven. Conservation Areas are a link to the past that can provide a sense of continuity and stability and have the reassurance of the familiar which can provide a point of reference in a rapidly changing world. The way building traditions and settlement patterns provide local distinctiveness can deliver a catalyst for regeneration and inspire well-designed new development which brings economic and social benefits valued by everyone.
- 2.2. By deciding to designate the Conservation Area, the Council would be setting the boundaries of the Conservation Area; this is defined on a map at Appendix A. The Conservation Area Appraisal sets out the special qualities of the area to be designated. The Management Plan sets out how the conservation area can be improved along with local priorities for enhancements.
- 2.3. Building Healthy and Strong Communities is a key aspiration of the Council's Corporate Plan. In particular, the plan seeks to ensure that the Council builds on, and celebrates, the rich heritage and culture of the District; this includes seeking to enhance the history of the District.
- 2.4. The Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") requires local planning authorities to draw up and publish proposals for the preservation and enhancement of conservation areas in their districts. Such areas are defined as "areas of special architectural or historic interest, the character of appearance of which it is desirable to preserve or enhance".
- 2.5. The National Planning Policy Framework (NPPF): <https://www.gov.uk/guidance/national-planning-policy-framework/16-conserving-and-enhancing-the-historic-environment> advises that heritage assets should be conserved in a manner appropriate to their significance (paragraph 189). The guidance goes on to state that local planning authorities should ensure that a conservation 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.
- 2.6. Horbling is a village and civil parish in South Kesteven. At present there is no conservation area at Horbling. Should Horbling secure Conservation Area status, this would be the first comprehensive document defining its special interest and putting forward proposals for enhancement. It would provide a thorough and robust evidence base intended to be used to inform the development management process. The Appraisal should be used to manage positive change within a designated conservation area or its setting.
- 2.7. The District Council was asked to consider designating a Conservation Area at Horbling by the Parish Council and the former local Ward Member.

- 2.8. Consultation has been carried out in accordance with the requirements set out in the Legislation in 2018 and more recently from 20 May to 1 July 2022. A summary of responses received as part of the public consultation are set out in Appendix B

3. Key Considerations

- 3.1. The benefit of designating Horbling as conservation area is that it will support safeguarding our historic environment for all to appreciate in the future. It will also help achieve the Council's aspirations in the Corporate Plan.
- 3.2. The appraisal document produced as part of the designation process forms part of the evidence base for the Local Plan and is a key document used in the development management process. It is used to manage positive change within the designated conservation area and its setting. This will help minimise harm and encourage preservation and enhancement of our heritage assets.

4. Other Options Considered

- 4.1. The alternative option considered is that the Council does not designate the Conservation Area which would fail to preserve or enhance the historic interest and character of the conservation area as identified in the appraisal. Conservation Areas are defined as "designated" heritage assets in the NPPF for the purposes of local plan making and development management. Designated heritage assets are afforded considerably more protection both in planning policy but also in legislation than non-designated heritage assets.
- 4.2. The designation of Horbling as a conservation area and the adoption of the associated appraisal document and management plans will allow for the positive management of development whilst safeguarding historic character and appearance.

5. Reasons for the Recommendations

- 5.1. Section 69(2) of the 1990 Act requires local planning authorities (LPAs) to determine which parts of their area possess special architectural or historic interest and to designate them conservation areas.
- 5.2. The review of the conservation area may also highlight areas where designation may no longer be justified through degradation of all or part of the conservation area. Conversely, the existing boundary may have been drawn too tightly, omitting areas now considered of special interest. This may include historic rear plots with archaeological interest, later phases of development (such as twentieth century housing) and parks. In such cases the existing boundary may need to be extended.

6. Consultation

- 6.1. The proposed designation of the Conservation Area and associated appraisal and management documents was originally consulted on in 2018. Given the passage of time officers have undertaken a new consultation in line with the legislative requirements. This consultation took place for a period of six weeks between 20 May and 1 July 2022.
- 6.2. All properties that would be within the proposed Conservation Area were sent a consultation letter (see map in Appendix A for the boundaries).
- 6.3. Consultations were also sent to the Parish Council, Ward Member/s, Historic England, Heritage Lincolnshire and addresses within the proposed Conservation Area. There were no objections received from these organisations.
- 6.4. A total of eight responses to the public consultation were received. Of those responses, six were supportive of the designation however five of these did object to the inclusion of the modern developments and open spaces on Donington Road. A further two presentations objected to the proposed designation. A summary of these consultation responses along with officer comments is produced in Appendix B.
- 6.5. As already indicated the main objections received were in relation to the inclusion of the more modern developments and open spaces on Donington Road. Careful consideration has been given to whether or not these areas should be included within the Conservation Area. Although the properties are more recent additions, they chart the development of the village over time and the open spaces identified in appraisal document and associated map (see Appendix A and C) are vestiges of the open fenland fields which contribute to the overall character and appearance of the conservation area.

7. Appendices

List any Appendices:

Appendix A - Boundary Map

Appendix B - Table of Public Consultations received and officer response

Appendix C - Horbling Conservation Area Appraisal and Management Plan