

# PLANNING POLICY & BUILT HERITAGE WORKING PARTY

Minutes of the meeting of the Planning Policy & Built Heritage Working Party held on Monday, 23 May 2022 at the remotely via Zoom at 10.00 am

## Committee

### Members Present:

Mr A Brown (Chairman)	Mrs P Grove-Jones (Vice-Chairman)
Ms V Gay	Mr P Heinrich
Mr R Kershaw	Mr G Mancini-Boyle
Mr N Pearce	Mr J Toye

## Substitute

### Members Present:

Cllr V Holliday  
Cllr A Fitch-Tillett  
Cllr A Varley

## Officers in Attendance:

Planning Policy Manager (PPM)  
Conservation and Design Team Leader (CDTL)  
Senior Conservation and Design Officer (SCDO)  
Planning Policy Team Leader (PPTL)  
Democratic Services Officer - Regulatory

## 1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs N Dixon, J Punchard and C Stockton with Cllrs V Holliday, A Fitch-Tillett and A Varley in attendance as a substitute respectively.

## 2 PUBLIC QUESTIONS

Ms D Hyslop; Chairman of Brinton Parish Council (BPC) relayed parishioners significant concerns regarding the amendment of the designation of land parcel marked 'E' within the most recent Sharrington Appraisal. This area of land had, for the last 40 years, been listed within the Conservation Area and BPC considered it had positively contributed to the character of the settlement and to the surrounding Historic Buildings. BPC considered the land should remain open and undeveloped.

In response, CDTL acknowledged that the Public Speaker was correct in her assessment that the designation of Sharrington was a 'dispersed settlement' as it consisted of a series of pockets of buildings within a wider rural landscape. Officers made the balanced view that land parcel 'E' did not form an inherent part of the special architectural and historic interest, and concluded, with hindsight, land parcel 'E' should have been excluded from the Sharrington Conservation area in earlier iterations of the draft appraisal.

The CDTL stated under the current designation there was effectively a virtual boundary running through a field without any physical features to follow. However, guidance supplied from Historic England advised that a Conservation Area Boundary should be relevant and follow physical features. Officers did not consider that the land was not important, and acknowledged it still offered a strong landscape character in providing a buffer to buildings, and that any development within this

space would start to merge and create a ribbon form of development. He advised that in reappraising the area, Officers considered that in granting land a designated Conservation Area status, it must be considered of special architectural and historic interest. Officers contended that that land contributed to the wider setting rather than forming an imbedded part of the landscape.

The Public speaker for BPC was provided a one minute rebuttal. She affirmed the view of BPC and objecting parishioners that the land was important and formed a needed gap between historic buildings.

**3 MINUTES**

The Chairman advised that the Minutes of the April 2022 meeting would be included for consideration for the next meeting of the Working Party.

**4 ITEMS OF URGENT BUSINESS**

None.

**5 DECLARATIONS OF INTEREST**

The Chairman declared a non-pecuniary interest for Agenda Item 8, he is the Local Ward Member for all of the affected Conservation Area Appraisals, but did not consider himself to be pre-determined.

**6 UPDATE ON MATTERS FROM THE PREVIOUS MEETING (IF ANY)**

None.

**7 ANY OTHER BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE**

None.

**8 GLAVEN VALLEY VILLAGES CONSERVATION AREA APPRAISALS & MANAGEMENT PLANS 2022**

The SCDO introduced the Officers report and the recommendations contained therein and summarised the discussions arising from the last meeting. She advised that the revised report, circulated to Members incorporated Members comments and amendments.

Members Debate

- i. The Chairman acknowledged the representation from BPC, and asked Officers why the latest version of the draft appraisal had been amended, noting that prior iterations of the draft document retained Land Area 'E' within the existing Conservation Area. The Chairman affirmed that this land had been designated in 1979 when the Conservation Area for Sharrington was first established, and formed the part of the village most challenged in planning terms with several applications submitted and declined. He considered that the lands prior status had not caused a problem for the Council in defending its position. Further, the Chairman contended that had no challenge been raised during the public consultation phase, this land would have likely remained within the Conservation Area and formed part of Officers recommendations. He stated that Sharrington was unique, being the only village excluded from the Glaven Valley Rural Appraisal area, and that

there was an argument for greater protection in planning terms. Further, there was an opportunity to protect land area 'E' as part of the landscape setting, given its important role in maintaining gaps between existing heritage buildings, and whilst the boundary maybe virtual, it was no less determinable. The Chairman asked if this land could be protected under the future Rural Glaven Valley Appraisal, which would feature at a future meeting.

- ii. The CDTL advised that each piece of land needed to justify its place within a Conservation Area, and ultimately the test was whether the land was of special architectural or historic interest. The inclusion or exclusion of a specific piece of land must be for the right reasons and not act as a development management tool to prevent or support development. He affirmed that the Conservation Area Appraisal was something which assisted with decision making in the form of guidance rather than serving as a policy. In response to the Chairman's question regarding the inclusion of area 'E' within the Rural Glaven Valley Appraisal, the CDTL noted the differences between that Appraisal and the Sharrington Conservation Area, and advised this may be something Officers would be obliged to consider if the land was considered to be of architectural or historic interest to justify its place within the boundary. He commented that determining Conservation Area Boundaries was not an exact science and acknowledged that there may be a difference of opinion.
- iii. The Chairman stated that he did not agree that without a defined boundary the land could not be designated an open land area, and questioned if an area could be determined by the boundaries of adjoining properties.
- iv. The CDTL expressed potential doubts in the utilising of a virtual boundary as it implied the land was not of special architectural or historic interest. He commented that it would be challenging for the Council to defend at appeal, and whilst the land may offer an important contribution to its setting, it did not to the designation itself.
- v. Cllr N Pearce affirmed deferring this item from the last meeting had been the correct approach. He considered on balance that land 'E' should be protected, and noted the representation made by BPC who he considered were more knowledgeable about the local area. Cllr N Pearce considered the lands pertinent history and that there have been several applications submitted to develop the land, reinforcing the need to retain its designation, else it be lost. He stated as the relevant Authority NNDC were charged to protect heritage, and whilst he understood the need for development, it was a balancing act between protecting heritage and making an area economically viable.
- vi. Cllr R Kershaw commented that he was very familiar with the area, with his own ward being placed 400m away. He expressed his concern that, if left unprotected, the land would be developed upon, something he considered to be a disaster.
- vii. Cllr P Heinrich expressed his support for representations made, and agreed that land 'E' had been protected within the Conservation Area for 40 years, affirming it was there for a reason. He stated that he would rather see the boundary moved back to protect the area, noting that the views from the road form part of the overall scene of the village, to lose that would be potentially damaging.

- viii. Cllr J Toye considered going further with reference to the area marked 'F' in the Sharrington Conservation Area Appraisal, arguing that there was a case to increase the open space should it be considered important and worth protecting and preserving. This would then ensure that Boundary 'F' and 'E' aligned.
- ix. The Chairman supported the concern of residents the removal of the Conservation Area status considering it would have serious implications. He could not envisage a mechanism in which the Glaven Valley Conservation Area could expand to surround Sharrington in its designation, and in the absence of that assurances, he could not determine justification for supporting the recommendation. The Chairman outlined 4 possible outcomes:
1. That the land be retained within the Conservation Area.
  2. That the recommendation be approved, and the land be withdrawn from the Conservation Area.
  3. The land be partially removed from the Conservation Area, with the hedgerow retaining its protected designation but not the land.
  4. That the land be removed from the Sharrington Conservation area subject to its reinstation within the Rural Glaven Valley Appraisal.

He surmised that in the absence of a mechanism to protect the land, he could see no other option than to modify the Officers recommendation.

- x. In response, the CDTL advised that, first and foremost, a Conservation Area was about the built environment and the landscape provided the setting to the built environment. All permitted development rights related to existing buildings, and if someone wished to construct a dwelling on the land they would still require planning permission. He affirmed that Members decision must be informed by whether the land makes a special contribution, arguing it was not about preventing or presenting and obstruction to development, rather, consideration must be as to the validity the Conservation Area itself, which had not been formally reviewed in 40 years, and had never been properly challenged. The CDTL advised that Conservation Officers primary role was to preserve and enhance the environment and Officers would not put forward a recommendation which would cause harm to a Conservation Area. He argued that the recommendation provides a more defensible position for the Authority.
- xi. Cllr N Pearce thanked Officers for their explanation, however considered Members earlier comments and expressed his support that the area be protected within a Conservation Area.
- xii. Cllr J Toye stated the importance of preserving the character of an area, as had been established by BPC. He considered that, through the views of the Parish Council, there was a clear justification for the gap between buildings to be maintained to ensure the preservation of the village character.
- xiii. Cllr V Gay thanked Conservation Officer's for their representation but reflected on her experience that, when you value something, you need to ensure maximum protection for it. She advised she had been persuaded by Members that the land be retained within the Conservation Area.

xiv. The Chairman summarised Members comments, and stressed the importance of maintaining gaps between properties which would assist in preserving the peaceful, rural character of the village. He concluded that land parcel 'E' in the Sharrington appraisal was worthy of special consideration and proposed it be retained within Conservation Area.

xv. Cllr R Kershaw seconded.

**IT WAS UNANIMOUSLY RESOLVED** by 12 Votes for.

That, Area E, as marked on the Boundary Review Plan for Sharrington, be included within the Sharrington Conservation Area.

xvi. The Chairman suggested amendments to the Officers recommendation, following Members debate, to enable to Chairman to have sight of the final amendments to ensure they reflected Members considered views. Cllr R Kershaw proposed acceptance of the Officers recommendation with the Chairman's amendments, Cllr P Grove-Jones seconded.

**IT WAS UNANIMOUSLY RESOLVED** by 12 votes for.

1. That Working Party grants delegated authority to the Conservation and Design Team Leader, in consultation with the Chairman to make the final amendments to the text of the appraisals in line with the comments received following the previous working party on 25 April 2022.

2. That Working Party recommend to Cabinet to adopt the six Glaven Valley Village Appraisals for statutory planning purposes and for the Appraisal documents to become material considerations in the planning process.

3. That Working Party, subject to the final amendments delegated to Conservation and Design Team Leader, in consultation with the Chairman, recommend to Cabinet to agree the proposed boundary changes as recommended in the draft Appraisal documents and that they be published in accordance with the Planning (Listed Buildings & Conservation Areas) Act 1990.

4. That Working Party recommend to Cabinet to agree the proposed Local Listings as identified within the draft Appraisal documents.

**9 EXCLUSION OF PRESS AND PUBLIC**

None.

**10 TO CONSIDER ANY EXEMPT MATTERS ARISING FROM CONSIDERATION OF THE PUBLIC BUSINESS OF THE AGENDA**

None.

**11 ANY OTHER URGENT EXEMPT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE**

None.

The meeting ended at 11.07 am

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Chairman