
Meeting of the Development Control Committee 13th April 2022

Report of the Director of Regeneration and Enterprise

Publication of the final Conservation Area Character Appraisals and Management Plans for the Lutley Mill Conservation Area and the Coppice Conservation Area

Purpose

1. The purpose of this report is:
 - a) To report to Committee the results of the public consultation exercise undertaken in respect of the Draft Conservation Area Character Appraisals and Management Plans for the Lutley Mill Conservation Area and the Coppice Conservation Area (**Appendix A** and **B** appended to this report).
 - b) To seek approval for the publication of the now finalised Conservation Area Character Appraisals for the Lutley Mill Conservation Area and the Coppice Conservation Area (located in the Members Library and circulated with this report for Development Control Committee Members only).
 - c) To request that Development Control Committee recommends to the Council's Cabinet Member for Regeneration and Enterprise the revised boundary to the Lutley Mill Conservation Area and the Coppice Conservation Area as delineated by the boundaries in **Appendix C** appended to this report and in line with the finalised Conservation Area Character Appraisal for Lutley Mill and the Coppice and authorise the Director of Regeneration and Enterprise to take all necessary steps to implement this proposal.

Recommendations

2. It is recommended: -
 - That Development Control Committee note the results of the public consultation exercise undertaken in respect of the Draft Conservation Area Character Appraisals and Management Plans for the Lutley Mill Conservation Area and the Coppice Conservation Area (**Appendix A** and **B** appended to this report); .

- Development Control Committee approves the publication of the now finalised Conservation Area Character Appraisals for the Lutley Mill Conservation Area and the Coppice Conservation Area (located in the Members Library and circulated with this report for Development Control Committee Members only).
- Development Control Committee recommends to the Council's Cabinet Member for Regeneration and Enterprise the revised boundaries to the Lutley Mill Conservation Area and the Coppice Conservation Area as delineated by the boundaries shown in **Appendix C** appended to this report and in line with the finalised Conservation Area Character Appraisals and authorise the Director of the Regeneration and Enterprise to take all necessary steps to implement this proposal.

Background

3. At the meeting of the Development Control Committee on the 2nd June 2021, the Director of Regeneration and Enterprise was authorised to undertake a seven-week public consultation on the two draft Conservation Area Character Appraisals and Management Plans for the Lutley Mill Conservation Area and The Coppice Conservation Area.
4. The draft Conservation Area Character Appraisals define and record the 'special interest' of the two Conservation Areas and they suggest management proposals to preserve and enhance their special character. Furthermore the appraisals re-evaluate the boundaries of the existing conservation areas and through a series of analyses, reached the conclusion that the boundaries for the two Conservation Areas be amended.
5. For the Lutley Mill Conservation Area it was recommended that the southern boundary of the conservation area be slightly extended in order to incorporate the footbridge and footpath as they provide significant access to the area and enhance appreciation of the site and its wider landscape setting (please see **Appendix C – Figure 1**).
6. For the Coppice Conservation Area it was recommended that the boundary of the conservation area be both extended (in order to incorporate additional areas that demonstrate special interest and warrant addition) but also be slightly reduced on its eastern boundary. The proposed amendments to the boundary are set out in **Appendix C - Figure 2** and are summarised below:
 - An extension of the boundary to the west end of Turls Hill is proposed to include a group of semi-detached houses on the north side of Turls Hill Road, along with a section of bridle path, an outlying house and a small portion of woodland of Hurstill Wood.
 - A small reduction of the boundary is proposed at the eastern end of the Conservation Area. The original boundary was drawn to include the garden plot belonging to the Hurst Hull Tavern Public House. Since then the Tavern has closed and the pub and its land has converted into residential use and new housing plots erected in its curtilage.

Public Consultation

7. In accordance with statutory requirement, a seven-week consultation was undertaken on the two draft Character Appraisals and the proposed boundary changes, running from 28th June to 13th August 2021. During that time the documents were made available to be viewed on the Council's website where there was also available an online questionnaire for the public to complete.
8. Hard copies of the document were also made available in Dudley Council Plus offices as well as at all the main town libraries. Notification of the consultation was sent to statutory consultees and key stakeholders and to all properties located within the Conservation Area.
9. The documents were also available on the Committee Management Information System (CMIS) and paper copies provided in the Members Room. Due to the Covid restrictions, face to face sessions could not be provided however copies of the document were posted out directly to residents who requested it.
10. To assist the public in expressing their views on the draft Appraisals a questionnaire was provided which included a map illustrating the proposed boundary changes. Five specific questions were posed in the questionnaire which allowed quantitative assessment of the results. Respondents were asked to state 'yes' if they were in support or 'no' if they were not in support of various propositions posed by the Draft Character Appraisal proposals. They were also able to indicate if they had 'no opinion'. Space was also provided on the questionnaire for people to make additional comments.
11. By the end of the consultation period 21 completed questionnaires had been received for the Lutley Mill Conservation Area and 16 completed questionnaires received for the Coppice Conservation Area. For a full summary of the results of the public consultation please refer to the separate Public Consultation reports appended at the end of this report as **Appendix A** and **B**.
12. The questionnaire responses received back demonstrated that there was substantial support for the proposed boundary changes to the two Conservation Areas and support for the contents of the appraisals, including the conservation area management proposals. From the representations received it was clear that the public were both aware and very keen to preserve and enhance the special character of the two conservation areas and were very much in favour of the revised conservation area boundaries.
13. The results of the public consultation exercise and all representations made during the consultation period were carefully considered and taken into account and incorporated in the final Character Appraisals as appropriate and are commended to Development Committee for formal approval.

Finance

14. The publication of the Conservation Area Character Appraisals for Lutley Mill and the Coppice is allowed for within existing budgets and resources dedicated to the production of Development Plan Documents and other statutory planning documents.

Law

15. The power to designate and amend Conservation Areas is contained in section 69 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 69 of the 1990 Planning (Listed Buildings and Conservation Areas) Act imposes a duty on Local Planning Authorities to designate as Conservation Areas “*any areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.*” The Act also places a duty on local authorities to designate conservation areas where appropriate and from “*time to time*” to review the extent of conservation area designation within their districts.
16. In addition, Section 2 of the Local Government Act 2000 allows the Council to do anything that it considers is likely to promote or improve the economy or environment in the Borough. In respect of the Council’s Constitution, C40 states that the Cabinet Member for Regeneration and Enterprise, in consultation with Development Control Committee, designates Conservation Areas.

Risk Management

17. The proposals contained in this report do not have any identified “material” risks associated.

Equality Impact

18. The proposals contained in this report will be compliant with the Council’s Equality and Diversity Policy and with the Equality Act 2010. This is an inclusive project which will be accessible to all sectors of the community.

Human Resources/Organisational Development

19. The proposals contained in this report do not have any implications for Human Resources/Organisational Development.

Commercial/Procurement

20. The proposals contained in this report do not have any implications in respect of trade or customer base. There are no commercial or procurement implications relating to this report.



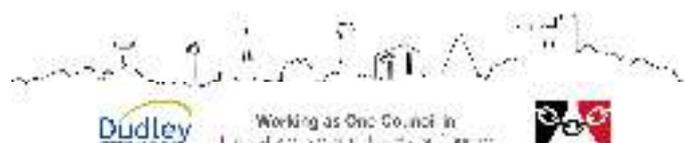
Council Priorities

21. The proposals contained within this report will help deliver all of the 7 aspirations of the Borough Vision, in particular vision 1 '*Home of rich heritage, inspiring a unique visitor destination*' and it is in full accordance with the Council Plan and Future Council Programme.
22. Vision 1 for 2030 is '*A place to **visit and enjoy** that drives opportunity, contributing to its ambitious future while celebrating its pioneering past*'. By 2030 Dudley will have
 - Internationally known attractions that give Dudley a clear identify
 - Protected heritage, affordable for people to enjoy
 - An attractive offer with a rich industrial, historical and geological focusThe proposals contained within this report will strongly contribute to the delivery of this vision.
23. The proposals contained in this report do not have any implications for existing communities, the local infrastructure of schools, GP and health provision, public transport connectivity, local housing needs, local deprivation, green spaces and the safety of the community.
24. The proposals contained in this report do not have any environmental implications and will not impact on the Council's carbon reduction strategy and its aim to reach net zero by 2041.
25. The proposals contained in this report do not have any implications for the following corporate issues:
 - Corporate Parenting
 - Crime and Disorder
 - Human Rights
 - Asset and Property Management
 - Digital and Information Technology (including Data Protection).
26. In terms of Health, Wellbeing and Safety the proposals contained within this report will have a positive impact on the health, wellbeing and safety of the Borough citizens. This is consistent with the building of stronger, safer and more resilient communities in line with the Dudley Vision and to protect our residents' physical and emotional health for the future.



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Appendices

Appendix A - Lutley Mill Conservation Area Character Appraisal Public Consultation Report (November 2021)

Appendix B - The Coppice Conservation Area Character Appraisal Public Consultation Report (November 2021)

Appendix C – The Finalised boundaries of the Lutley Mill and The Coppice Conservation Areas.

Appendix D - Lutley Mill Conservation Area Character Appraisal and Management Plan (April 2022) – provided to Development Control Committee Members only

Appendix E - The Coppice Conservation Area Character Appraisal and Management Plan (April 2022) – provided to Development Control Committee Members only

List of Background Documents

Development Control Committee Report dated 24th February 2015 – Appendix 10
<http://cmis.dudley.gov.uk/cm5/Meetings/tabid/116/ctl/ViewMeetingPublic/mid/543/Meeting/4712/Committee/449/Default.aspx>

Development Control Committee Report dated 2nd June 2021 – Appendix 10 -
<http://cmis.dudley.gov.uk/cm5/Meetings/tabid/116/ctl/ViewMeetingPublic/mid/543/Meeting/6250/Committee/483/Default.aspx>

Department for Communities and Local Government ‘National Planning Policy Framework (NPPF)’ (July 2021) – In particular Section 16 (Conserving and Enhancing the historic environment)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

Historic England Advice Note 1 ‘Conservation Area Appraisal, Designation and Management’ 2019. - <https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/>

