

WARDS: Castle and Priory, St James's, St Thomas's

DUDLEY METROPOLITAN BOROUGH COUNCIL

DUDLEY CENTRAL AREA COMMITTEE – 4TH NOVEMBER 2004

REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT

DRAFT CONSERVATION AREA CHARACTER APPRAISAL FOR DUDLEY TOWN CENTRE PROPOSING A NEW DUDLEY TOWN CENTRE CONSERVATION AREA AND A REVISED CASTLE HILL CONSERVATION AREA

1.0 PURPOSE

1.1 To seek the views of Dudley Central Area Committee and those attending the meeting upon the draft Conservation Area Character Appraisal for Dudley Town Centre and in particular upon the boundaries put forward therein in relation to a proposed new Dudley Town Centre Conservation Area and a revised Castle Hill Conservation Area (see **Figure 1** at the end of this report).

2.0 BACKGROUND

2.1 At the meeting of the Development Control Committee of 17th March 2003 the Director of the Urban Environment was authorised to produce a draft Conservation Area Character Appraisal for the whole of Dudley Town Centre. The draft Dudley Town Centre Character Appraisal was duly drawn together and was approved for public consultation by the Development Control Committee of 27th September 2004.

2.2 Character Appraisals, not least in order to carry full weight in planning appeals, need to be subject to effective public consultation of which this report to Area Committee forms a very significant part. The widespread consultation exercise currently being undertaken conforms to the Council's adopted procedures and with the Department of the Urban Environment's own Consultation Strategy.

A copy of the Character Appraisal is accordingly located in:-

- Dudley Central Library,
- 3 St James's Road (Reception),

- it can also be accessed on the Council's Web Site at <http://www.dudley.gov.uk/planning>; where there is a feedback form for those wishing to make comments.

Members can also access the draft Appraisal via:

- The Members library,
- a text only version available on the Membernet; and
- a summary version that was appended to Agenda Item 7 of the Development Control Committees Agenda Papers dated 27.09.04.

- 2.3 At the end of the consultation period a finalised Dudley Town Centre Conservation Area Character Appraisal, suitably amended and informed by the results of public consultation, will be put forward for consideration by Development Control Committee. As appropriate this will be accompanied by a report containing proposals for Conservation Area designation and for the adoption of the Appraisal as Supplementary Planning Guidance.

Purpose and Content of the Draft Dudley Town Centre Conservation Area Character Appraisal

- 2.4 The draft appraisal of Dudley Town Centre is intended as a re-evaluation/review of the existing Conservation Area boundaries. There are currently two Conservation Areas within Dudley Town Centre, the *Castle Hill Conservation Area* and *Priory Street Conservation Area*, both designated in February 1975. The boundary of the Castle Hill Conservation Area (as the name indicates) runs along the base of Castle Hill except for on its South side where the Conservation Area boundary projects out into the town itself encompassing parts only of Tower Street and Castle Street. The Priory Street Conservation Area is located on the West side of the Town and runs along the full length of Priory Street and encloses a small section only of Wolverhampton Street, St James's Road and Priory Road (**Figure 1**).

- 2.5 The quality of the buildings and streetscapes in the two existing Conservation Areas is undeniably evident. However, it is also quite apparent that the designation process in 1975, (understandably for its' time), focused upon identifying concentrations of "the best buildings" in the town. It therefore failed to take the more holistic approach of considering the townscape as a whole, as is now recognised as best practice. The most obvious indication of this is the failure to recognise and take into consideration the former extent of Dudley as a Medieval Planned Town. This is clearly evidenced in its' very distinctive surviving plan form that literally underpins the town's unique character.

- 2.6 The draft Conservation Area Character Appraisal therefore re-evaluates the boundaries of the existing conservation areas and through a series of analyses, the Appraisal reaches the conclusion that a strong case can be made for a new conservation area designation to cover the whole of Dudley Town Centre and for the slight amendment of the boundary of the Castle Hill Conservation Area (to follow that of the historic Castle Grounds, rather than taking in part of the town centre as at present). The precise boundaries of the proposed

conservation areas are fully explained and justified in the Character Appraisal

2.7 Detailed reference is also made to the practical effects of conservation area designation and to policies and proposals for the enhancement of the proposed Dudley Town Centre Conservation Area. Conservation Area designation requires the Council, in the exercise of all its planning powers, to pay special regard to preserving or enhancing the character or appearance of the designated area. In fact, within an overwhelmingly commercial town centre such as Dudley there would be only a very limited increase in the circumstances in which there will be a need to apply for planning permission (please see paragraphs 10.1 to 10.7 of the draft Character Appraisal). Area Committee may also wish to note that Conservation Area status is necessary in order to access certain sources of heritage based regeneration funding. The potential for Dudley Town Centre to receive external funding to achieve "regeneration through conservation" has, therefore, been a contributory factor in influencing the need to re-evaluate the existing Conservation Area boundaries.

2.8 In relation to this Development Control Committee resolved on the 16th of August 2004 to recommend to the Council's Executive that a detailed application be submitted to English Heritage for a "Partnership Scheme in a Conservation Area". It is proposed to focus this upon Dudley Town Centre to assist in the areas regeneration through grant aiding repair and enhancement works to historic buildings. The proposal was approved by the Council's Executive on the 8th September 2004 and the Council has now submitted the application, supported by the Draft Character Appraisal and is currently awaiting a formal response from English Heritage.

3.0 PROPOSAL

3.1 That the Dudley Central Area Committee makes comment upon and endorses as appropriate the draft Dudley Town Centre Conservation Area Character Appraisal and the new conservation area boundaries proposed therein (Figure 1).

4.0 FINANCE

4.1 The publication of the draft *Dudley Town Centre Conservation Area Character Appraisal* and the attendant public consultation is allowed for within existing work programmes and budgets.

5.0 LAW

5.1 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.

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6.0 EQUAL OPPORTUNITIES

6.1 The proposals contained in this report are in full accordance with the Council's equal opportunities policies.

7.0 RECOMMENDATION

7.1 That the Committee approves the proposal set out in paragraph 3.1 of this report.

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JOHN B MILLAR - DIRECTOR OF THE URBAN ENVIRONMENT

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Background Papers used in the preparation of this Report

- Development Control Committee Report dated 17.3.2003
- Development Control Committee Report dated 16.8.2004
- Meeting of the Executive 08.9.2004 - Joint Report of the Chief Executive and Director of Finance.
- Development Control Committee Report dated 27.9.2004