

# Cabinet Report



Listening Learning Leading

Report of Head of Planning

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To: CABINET

Date: 28 September 2023

## **Dorchester-on-Thames and Overy Conservation Area Appraisal and Boundary Review Adoption**

### **Recommendations**

- (a) That the Overy Conservation Area boundary is adopted as per the proposed revision shown at Appendix 1.
- (b) That the joint Dorchester-on-Thames and Overy Conservation Area Appraisal and Management Plan as amended following public consultation is adopted as a Supplementary Planning Document (SPD) as part of the Development Plan evidence and is a material planning consideration.
- (c) To delegate to the Head of Planning in consultation with the relevant Cabinet Member to make minor changes, typographical corrections or non-material amendments to the joint Dorchester-on-Thames and Overy Conservation Area Appraisal and Management Plan document prior to formal publication and statutory notification requirements.

### **Purpose of Report**

1. The purpose of this report is to provide a summary of the representations received during the public consultation on the draft Dorchester-on-Thames and Overy Conservation Area Appraisal and Boundary Reviews and to detail the changes that have been made to the document as a result in order to seek formal adoption of the boundary and associated document.

## Corporate Objectives

2. The Appraisal accords with 2020-2024 Corporate Objectives 4 (Improved economic and community well-being) and 5 (Housing and Infrastructure that meet local needs). The document also forms part of the development plan evidence base supporting the preservation and enhancement of the district's historic environment.

## Background

### Purpose of the Conservation Area Appraisal and Boundary Review

3. Under Sections 69 & 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 local authorities have a duty to designate conservation areas and from time to time to review the boundaries. Such areas are defined as 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. The joint Dorchester-on-Thames and Overy Conservation Area Appraisal Document is the mechanism by which the local authority defines the special interest of the area and the boundary was reviewed during the writing of the document.
4. Dorchester Parish Council, in conjunction with their Neighbourhood Plan Review, undertook a review of the designated conservation area and updated the 2005 Appraisal and Management Plan documents for the areas.
5. Internal consultation was undertaken in September 2022 and feedback and responses received fed into the draft document that was issued for public consultation.
6. A joint document covering both Dorchester-on-Thames and Overy Conservation Areas has been produced as the two areas are intrinsically linked. However, there remain two separate Conservation Areas for Dorchester-on-Thames and Overy and they are individual statutory designations. Only the Overy Conservation Area boundary is proposed for extension.
7. Officers were satisfied that the draft document and proposed boundary extension met with the tests of Historic England's guidance for Conservation Area designation and appraisal and the draft documents were issued for a public consultation.
8. A five-week period of public consultation commenced on Wednesday 25 January 2023, closing on 1 March 2023. Hard copies of the document were provided at Dorchester Abbey and Berinsfield Library. We were assisted with the advertising of the consultation by the parish clerk, the churchwarden of Dorchester Abbey, and local residents who contributed to the creation of the document.
9. Under Section 71 of the above act, we have exercised our duty to formulate and produce proposals for the preservation and enhancement of the conservation area. The appraisal document once adopted will form part of the evidence base for the Development Plan. It should be used in the development management process to manage positive change within the designated conservation area or its setting to minimise harm and encourage preservation or enhancement.

**Statement of Consultation Methodology**

10. This SPD has been prepared and consulted upon in accordance with the Council's Statement of Community Involvement (Dec 2022).
11. Appended to this statement is a full Consultation Report (Appendix 2) which outlines the methodology for consultation in accordance with the requirements set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulation 13), the full results and how these were reviewed.
12. The Consultation Report summarises how relevant issues have been addressed and supports the proposed adoption of the Conservation Area Appraisal and Management Plan for Dorchester-on-Thames and Overy as an SPD in accordance with Regulation 14 of the above regulations.

**Summary of the Appraisal Document and alterations to the Proposed Boundary**

13. This document was edited as part of the Neighbourhood Plan review by the Parish Council and has been desktop published and further reviewed by the Conservation Team. The conservation team have reviewed draft versions of the document and advised on changes necessary to ensure the content is appropriate and compliant with current good practice for the production of appraisal and management plans as well as being consistent with council documents.
14. The Conservation Team recognise the work undertaken by Dorchester Parish Council and support the adoption of the Appraisal and Boundary Revisions.
15. The document provides a summary of the history of Dorchester and Overy and their development, an assessment of the area's historic and architectural interest by character area, a gazetteer of local interest buildings (non-listed structures) and illustrative maps showing various details of spatial and character analysis.
16. During a review of the existing Conservation Area boundary, two areas were proposed for inclusion within the designated boundary. Of these areas only one is considered to meet with the guidelines for conservation area designation as set out by Historic England in their Advice Note 1 (2<sup>nd</sup> edition 2019) on Conservation Area Appraisal, Designation and Management.
17. Therefore, it is proposed to include an area of high archaeological interest to the Overy Conservation Area. The area straddles the existing road and bridge over the River Thame into Dorchester and provides evidence for the continued occupation of this strategic river crossing from the Roman period into the Medieval Period when the settlement nucleus focussed to the north as existing (see map at Appendix 1).
18. An area of the Demense field to the east of Dorchester has not been included within the designated area at this time as there is insufficient evidence of similar archaeological or historical interest. However, this area is proposed for inclusion in the non-designated assets list as an Area of Local Importance. This would make it a material planning consideration consistent with its current designation within the Neighbourhood Plan. This is explored in more detail in the Appraisal document.

### **Proposed changes to the Designated Boundary**

19. As described above, there is only one area which is proposed to be added to the Overy Conservation Area. This is shown at Appendix 1.
20. There are no changes to the Dorchester-on-Thames Conservation Area.

### **Summary of consultation responses received**

21. In total, 18 responses were received during the public consultation period. This is made up of 16 responses via the online survey and 2 responses via email.
22. Further detail and the list of responses can be found in Appendix 2, the Dorchester and Overy Consultation Report produced by the Consultation and Community Engagement Team.
23. Overall, the responses received were generally supportive of the content of the document and proposed boundary revisions. Summaries of the changes made as a result of the comments are detailed below.

### **Proposed changes to the consultation version of the boundary and Appraisal Document**

24. The draft appraisal document will be updated to reflect the outcome of the public consultation. Specifically, Section 1 will be updated with the dates of consultation and outcome of adoption and Section 8 will be revised to identify the changes made to the boundary specifically as a result of consultation including a series of maps showing existing, consultation and 2023 adopted boundaries should Cabinet adopt the proposed new boundary.
25. In this and several other conservation area appraisal consultations we have had feedback concerning the accessibility and ease of use of some of the interactive features of the consultation draft appraisals, such as the mapping. In light of this, we have simplified these elements across all of our appraisal work, including the Dorchester-on-Thames and Overy Conservation Area Appraisal. No content will be lost as a result of these changes.
26. There are no other major changes anticipated to the document.

### **Options**

27. There are three options for Cabinet:

- 1) To find that the Overy Conservation Area as proposed to be extended *is* of special architectural and historic interest and designate the area as a conservation area and adopt the accompanying joint Dorchester-on-Thames and Overy Conservation Area Appraisal and Management Plan.
- 2) To find that the Overy Conservation Area as proposed to be extended *is not* of special architectural and historic interest and leave the boundary as existing and not adopt the accompanying Dorchester-on-Thames and Overy Conservation Area Appraisal and Management Plan.

- 3) To find that there is an area of special architectural and historic interest that extends beyond the existing boundary but that it should be different to that proposed. Having identified and justified the difference to designate that area the conservation area.

28. Based upon officers' assessment of Dorchester-on-Thames and Overy as presented in the Conservation Area Appraisal and the responses received during public consultation, it is recommended that the proposed extension to the boundary is adopted and the revised area is designated Overy Conservation Area together with adopting the accompanying joint Dorchester-on-Thames and Overy Appraisal, which is in line with Option (1) above and the recommendations made at the beginning of this report.

### **Climate and ecological impact implications**

29. There are no anticipated negative climate or ecological implications as a result of the proposed boundary revision or appraisal document.

30. The Overy management plan section of the document encourages planting of indigenous trees, maintenance of waterways and protection of local flora and fauna, elements which are key contributors to the special character of the area.

31. Conservation Area designation specifically increases protection of trees over a certain size.

### **Financial Implications**

32. Any council decision that has financial implications must be made with the knowledge of the council's overarching financial position. For South, the position reflected in the council's medium-term financial plan (MTFP) as reported to full Council in February 2023 showed that it is due to receive £644,000 less in revenue funding than it plans to spend in 2023/24 (with the balance coming from reserves), with this budget gap expected to continue in future years. However, there is great uncertainty over this caused by a lack of clarity from government.

33. The future funding gap is predicted to increase to over £8.5 million by 2027/28, based on current cautious officer estimates of future funding levels. Whilst it is anticipated that overall funding for the council will remain relatively unchanged in 2024/25, the lack of certainty on future local government funding from 2025/26 onwards means the level of funding, and the resulting estimated funding gap, could be significantly different from current officer estimates in either a positive or negative way. Every financial decision, particularly those involving long-term funding commitments (i.e. those beyond 2024/25), needs to be cognisant of the potential for significant funding gaps in future years.

34. The process of designating a conservation area entails a small cost to advertise the designation of a new boundary to meet the statutory notification requirements as described in the legal implications section below.

35. Dwellings within the proposed extension once designated would be required to apply for planning permission for certain works that no longer benefit from permitted development rights. In this case the proposed extension does not contain any dwellings but does cover a large area of arable farmland.

36. There will be some increased work to the council arising from the processing of those applications but some of the cost of processing these applications would be recovered from the planning fee. Additionally, there may be a small increase in overall workload for the service that might not be recovered because some cases will be more complex than average. However, having regard to the lack of additional properties that the extension would cover, this impact is likely to be very small relative to annual workloads.
37. The modest costs associated with the above points will be met from existing Planning budgets.

## **Legal Implications**

21. The Appraisal meets the Council's obligations required by the Planning (Listed Building and Conservation Areas) Act 1990. Under Sections 69 and 71 of the Act, the Council should review conservation area boundaries from time-to-time and formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas. This Appraisal for Dorchester and Overy forms part of the Council's rolling programme of providing conservation area appraisals for all its designated conservation areas.
22. The principal legal effect of the designation of an area as a conservation area is control over demolition of buildings (including structures classed as buildings in planning legislation) and control over works to trees. In determining applications, the council also has a duty under the Planning Acts to have regard to the desirability of preserving or enhancing the character or appearance of the area and there are less generous permitted development rights, under the Town and Country Planning (General Permitted Development) Order 2015.
23. The Act requires that the designation of a new conservation area or variation to it be advertised in the London Gazette, a local newspaper and registered as a local land charge. The Secretary of State (DCMS) and Historic England will also be notified.

## **Risks**

24. No strategic or operational risks associated with the matters covered in this report have been identified.

## **Other implications**

25. It has been confirmed that an Equality Impact Assessment is not required for this Conservation Area Appraisal document. The document is a supplementary guide to existing planning policy and statutory designation with no negative impact on associated policies, service users or employees. The document has been produced to be as accessible as possible.

## **Conclusion**

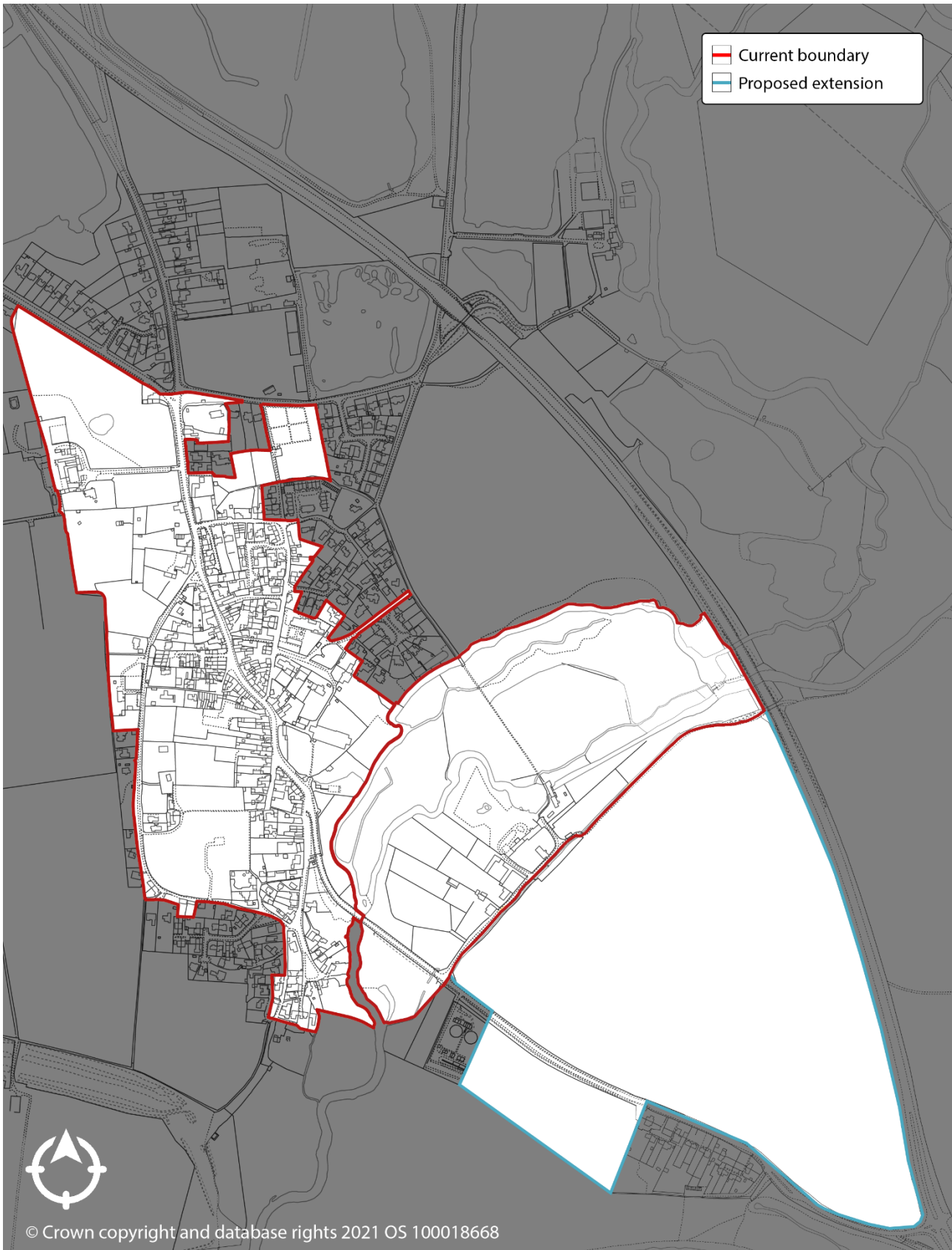
26. Having regard to the evidence collected and presented in the Dorchester-on-Thames and Overy Conservation Area Appraisal and to the responses received during consultation, it is recommended that the Overy Conservation Area boundary is amended as proposed. It is also recommended that the joint Conservation Area

Appraisal document is adopted for development management purposes in line with the recommendations made at the beginning of this report.

## **Background Papers**

- Appendix 1: Dorchester-on-Thames and Overy Conservation Area Proposed Boundary Map
- Appendix 2: Consultation Report

# Appendix 1: Dorchester-on-Thames Conservation Area Proposed Boundary Map





**Appendix 2: Consultation Report**