

*Table 2: Entries on the Staffordshire Historic Environment Record (HER) within the suggested extensions to the Uttoxeter Conservation Area (see Section 8.1)*

<b>HER No</b>	<b>Grid ref</b>	<b>Name</b>	<b>Description</b>
00694	SK08593295	Findspot	Flint arrowhead, earlier prehistoric, found during the 19 <sup>th</sup> century in modern cemetery at Balance Hill.
00695	SK08543354	Findspot	Flint scraper (tool), earlier prehistoric, found in 19 <sup>th</sup> century at Mount Pleasant.
02159	SK08853303	Fishponds	Site of, shown on 1839 Tithe Map. Probably destroyed by construction of the railway and adjacent works.
02162	SK08953412	The Wharf	Canal basin, southern terminus of the Uttoxeter Canal, completed in 1811. A post-medieval lime kiln is mentioned in the HER reference as well.
02171	SK08333511	Uttoxeter Canal	Canal – this reference covers the stretch between Uttoxeter and Stramshall. PRN 05166 covers its extension north of the latter.
14315	SK08633369	Oldfields	Cricket Pavilion, Grade II listed building (the only one in the suggested extension to the Conservation Area). Built 1904 by E Forshaw of Uttoxeter for J Bamford.
40216	SK08693384	Findspot	Mid-late Bronze Age (c 1600-700BC) bronze palstave (tool) found “to the south of Uttoxeter” (but the grid reference given is to the north-west).

## **APPENDIX 2 - Summaries Of Archaeological Reports, Provided By The Staffordshire Historic Environment Record Office**

The following abstracts of information provided in reports of archaeological work carried out within the study area have been provided by Suzy Blake, Staffordshire County Council's HER Officer. We are very grateful for her help in this respect.

### **HER Source Ref ST1055**

Cherrington R H 2003, *Former Council Offices, High Street, Uttoxeter, Staffordshire: An Archaeological Evaluation* (Birmingham University Field Archaeology Unit)

An archaeological evaluation was undertaken at the Former Council Offices, High Street, Uttoxeter as part of an application for a residential development on the site. The application involved the demolition of modern buildings and the construction of a new apartment block with car parking facilities. An earlier archaeological desk-based assessment had identified the area to be of archaeological potential as it is located within an area of possible medieval and post-medieval activity. However, due to intensive 19th and 20th century structural intrusion, no deposits or features of archaeological significance were identified. The only artefacts recovered were of post-medieval origin, with the majority being of a 19<sup>th</sup> or 20<sup>th</sup>- century date.

### **HER Source Ref ST 1074**

Ferris I 2003, *An Archaeological Desktop Study of the Lion Buildings, Market Place, Uttoxeter* (Iain Ferris Archaeological Associates)

A desk-top assessment and site inspection of a proposed development site behind the Lion Buildings, Market Place, Uttoxeter was carried out in November 2003. The site lies within what would have been the medieval borough, close to the market place, where houses, shops, and their associated backplots would have been located. In the complete absence of any data from any previous archaeological work and no geotechnical survey, the assessment relied principally on cartographic and historical sources, along with a site inspection. The parts of the site to be developed include areas presently concreted-over and in use for car parking and some disused, dilapidated brick buildings. No standing structures earlier than the 19th Century will be affected by the development. If present, below ground archaeological features and deposits earlier than the 17th century are likely to have been severely truncated and/or disturbed by later buildings which, map evidence from between 1658 and the present day indicates at one time or another, covered virtually the whole site. Cellaring might also be expected towards the frontages onto Bridge Street/Schoolhouse Lane and Church Street.

### **HER Source Ref ST 1316**

Anon 2003, *Historic Building Assessment: 30-34 Market Place, Uttoxeter, Staffordshire* (M & M Archaeological Services)

A historic buildings assessment was undertaken at numbers 30-34 Market Place, Uttoxeter in July 2003 in advance of a proposed commercial development on the site.



Cartographic sources identified that buildings had existed on this site in the early 17<sup>th</sup> Century, and that Uttoxeter's town centre plan has altered little since this period. The shop fronts and frontage are 19<sup>th</sup>- and 20<sup>th</sup>-century additions, and generally the fabric and buildings to the rear are of 19<sup>th</sup> Century date. Of the listed buildings in the Market Place area, a number have 18<sup>th</sup>- to 19<sup>th</sup>-century frontages with evidence of timber framing to the rear or sides. This is similar to the subject site. Part of a timber framed structure consistent with a date before the early mapping, was identified in the rear elevation. Similar characteristics can be seen in the Old Talbot Inn, built in the late 16th century, and which is considered to be contemporary with 30-34 Market Place. Further elements of this type of structure were identified within the passageway between the buildings and at the second floor level of Number 30. It is therefore very likely that further timber framing, whilst not visually apparent, is within the present fabric of the building.

### **HER Source Ref 1368**

Ferris I 2003, *An Archaeological Evaluation and Watching Brief at the Lion Buildings Site, Market Place, Uttoxeter* (Iain Ferris Archaeological Associates)

An archaeological evaluation and watching brief were carried out at the Lion Buildings site, Market Place, Uttoxeter in November and December 2003. There was some evidence for bone and horn working having taken place on or near the site in the 18<sup>th</sup> century, as represented by waste material deposited in a very badly truncated pit. Two other isolated and truncated small pits, one of a similar date and the other possibly earlier, were also recorded. Other than this the majority of activity on the site dated to the 19<sup>th</sup> and 20<sup>th</sup> centuries.

### **HER Source Ref 1774**

Hewitson C 2004, *48-50 High Street, Uttoxeter, Staffordshire: An Archaeological Building Record, 2004* (Birmingham Archaeology)

Archaeological recording of the buildings at 48-50 High Street, Uttoxeter was undertaken in advance of the proposed conversion of the buildings to residential use. The recording and analysis revealed four main phases of construction, with the earliest relating to two surviving 17<sup>th</sup>-century timber framed trusses. The second phase involved the replacement of the southern gable with brick and alterations to the first floor in the 18<sup>th</sup> century. In the early to mid-19<sup>th</sup> century the building was converted to three stories and the façade was reconstructed. An additional bay was also added to the rear of the property. Two further wings were added in the fourth phase of construction, and later alterations were made to the ground floor in association with the commercial use of the property.

### **HER Source Ref 3606**

Bain K 2002, *48-50 High Street, Uttoxeter, Staffordshire: An Archaeological Desk-based Assessment* (Birmingham University Field Archaeology Unit)

An archaeological desk-based assessment was undertaken as part of a planning application for the refurbishment of the existing building and construction of new buildings and car parking to the rear of 48 - 50 High Street, Uttoxeter. The assessment identified the site to be of archaeological potential due to its location within an area of possible medieval activity. The standing building has an outward appearance of a mid-19<sup>th</sup>-century shop



frontage, however on closer inspection it appears to have origins as a timber -framed building of probable 17<sup>th</sup> century date. Followed by an archaeological evaluation (Source ST3609/Event ST664).

#### **HER Source Ref 3609**

Duncan M 2002, *An Archaeological Evaluation at 48-50 High Street, Uttoxeter, Staffordshire* (Birmingham University Field Archaeology Unit)

An archaeological evaluation was undertaken in advance of the proposed redevelopment of 48 - 50 High Street, Uttoxeter. The excavation of three trial trenches revealed medieval features and buried soil containing pottery of 14<sup>th</sup>-century date. An episode of levelling in the 17<sup>th</sup> century truncated some of the earlier pits and raised the level of the ground. Evidence of 18<sup>th</sup>- and 19<sup>th</sup>-century disturbance was also identified. An 18<sup>th</sup>-century property division revealed is thought to be a continuation of the sub-division of the plot noted on Lightfoote's map of 1658.

#### **HER Source Ref 3624**

Hemley S 2002, *The Cattle Market, Uttoxeter, Staffordshire: An Archaeological Assessment* (AOC Archaeology)

An archaeological desk-based assessment was undertaken in advance of the proposed construction of a supermarket, residential housing and associated car parking on land known as The Cattle Market, Uttoxeter. The assessment identified the potential for archaeological remains to exist within the site, possibly dating from the late medieval and more particularly the post-medieval periods, including the possible remains of an 18<sup>th</sup>/19<sup>th</sup>-century saw mill and two potential late medieval buildings. There is also moderate potential for prehistoric remains on the site. A suitable mitigation plan is recommended.

#### **HER Source Ref 3695**

Bain K 2002 *Former Council Offices, High Street, Uttoxeter, Staffordshire: An Archaeological Desk-based Assessment* (Birmingham University Field Archaeology Unit)

An archaeological desk-based assessment was undertaken as part of a planning application for a residential development on the site of the former council offices, next to 70 High Street, Uttoxeter. The assessment identifies the site to have archaeological potential due to its location within an area of possible medieval and post-medieval activity. Although the standing buildings on the site are of modern origin, any below ground works during the redevelopment of the site may reveal much earlier structural evidence relating to the expansion of the medieval and post-medieval town.

#### **HER Source Ref 3711**

Crowe C 2003, *Land at Bradley Street, Uttoxeter, Staffordshire: Report of an Archaeological Watching Brief* (AAA Archaeological Advisors)

An archaeological watching brief was undertaken during groundworks associated with the construction of a new toilet block adjacent to the Bus Station, Bradley Street, Uttoxeter. The proposed development area is located towards the northern extent of the medieval



settlement of Uttoxeter, but despite this location no significant archaeological features or deposits were found.

### **HER Source Ref 3999**

Frost P 2001, *Archaeological Assessment of Land Between Town Meadows Way and Bridge Street, Uttoxeter* (Archaeological Consultant)

An archaeological desk-based assessment and preliminary walk-over survey was undertaken on 1.37ha of proposed development land between Town Meadows Way, Bridge Street, Market Place and Church Street, Uttoxeter, as part of a planning application for a development on the site. The assessment identified from Lightfoote's map (dated 1629)<sup>1</sup> that from at least the 17<sup>th</sup> century the east side of Bridge Street appears to have been a street frontage. The preliminary walk-over survey identified several buildings of historic interest within the area which are likely to be affected by the proposed development. Cartographic evidence suggests that many of these existing buildings are of 19<sup>th</sup>-century date, and that some of these may be located on the site of earlier buildings. The eastern part of the development site appears to have been undeveloped meadowland until the construction of Town Meadows Way (within the last 10 years), which provides vehicle access to the rear of Bridge Street.

### **HER Mon ref 50425**

Hewitson C 2004, *48-50 High Street, Uttoxeter, Staffordshire: An Archaeological Building Record* (Birmingham Archaeology)

An archaeological building recording survey in April 2004 identified four main phases of construction for the building. The earliest related to timber framing in-filled with wattle and daub and brick, which dated from the 17<sup>th</sup> century. The second phase relates to a clear rebuild of the structure in the early 18<sup>th</sup> century. Although the plan of the building did not alter the southern gable was rebuilt in red brick (Flemish Garden Wall bond). The first floor timbers were also rebuilt at this time. In the early to mid-19<sup>th</sup> century a dramatic rebuild of the whole building, contemporary with the High Street façade, was undertaken. The height of the roof was raised and a second floor added as part of these phase three renovations. The present pitched roof also dates from this period. The northern bay appears to have been constructed in this period, and roughly contemporary with this phase is the addition of the central wing to the east. The fourth phase, in the mid to late 19<sup>th</sup> century, included the addition of two more wings to the east. In the mid to late 20<sup>th</sup> century extensive alteration of the structure at ground floor level to accommodate shop units was undertaken.

---

<sup>1</sup> The date given for Lightfoote's map varies across several of the abstracts provided in these HER entries.



## **APPENDIX3 - Recommendations For Changes To Statutory Listing**

The following properties are recommended for statutory listing at Grade II:

### **Back Lane**

Clustered range of school buildings

Balance Street

St Mary's Catholic Church

Old Brewery Cottage

### **Carter Street**

Sheard's Garage

The following property might be considered for removal from the statutory listing based on external examination from the public highway (however, there may be other factors, unknown at the time of appraisal, that justify its continued inclusion on the list):

### **High Street**

10 High Street



## **APPENDIX4 - Recommendations For Local Listing**

The following properties within the existing Conservation Area are recommended for local listing:

### **BACK LANE**

Unlisted School buildings (if not statutorily listed in due course)

### **BALANCE STREET**

30 Balance Street

40 Balance Street

Old Brewery Cottage (if not statutorily listed in due course)

42 Balance Street (Ashdon House)

46 Balance Street

48/50 Balance Street

57 Balance Street

51 Balance Street

29/31/33/35/37/39/41 Balance Street

St Mary's Catholic Church (if not statutorily listed in due course)

### **Bradley Street**

13/15 Bradley Street

24/26/28/30/32 Bradley Street

22/22a Bradley Street

### **Bridge Street**

50/52 Bridge Street

21 Bridge Street

### **CARTER STREET**

73/75 Carter Street

65 Carter Street (George & Dragon)

61/63 Carter Street

45/47/49/51/53/55/57/59 Carter Street

41/43 Carter Street

21/23 Carter Street

17/19 Carter Street

15 Carter Street

11/13 Carter Street

7 Carter Street

12/14/16/18 Carter Street

44/46 Carter Street

82 Carter Street

86 Carter Street

92 Carter Street

94/94A Carter Street

### **Church Street**

54/56 Church Street



High Croft (?52 Church Street)  
Blackshaws Old Mill  
1/3/5 Church Street

**DOVE BANK**

33 Dove Bank  
2/4 Dove Bank

**HIGH STREET**

Il Bel Paese  
The Wellington (68 High Street)  
Former cinema (Uttoxeter Pentecostal Church)  
61 High Street  
The Smithfield Hotel (35 High Street)  
48/50 High Street  
29/31a/31/33 High Street  
28/30 High Street  
26 High Street  
5/7/11 High Street  
14 High Street  
10 High Street (if removed from the statutory list)  
4 High Street  
2 High Street

**MARKET PLACE**

36/38/40/42/44 Market Place  
30/32/34 Market Place  
18/20 Market Place  
16 Market Place  
Uttoxeter Advertiser building  
1/3 Market Place  
5 Market Place  
7 Market Place  
9a Market Place  
9 Market Place  
11 Market Place  
13 Market Place  
15 Market Place  
17 Market Place  
37 Market Place  
45/47 Market Place  
49 Market Place  
51 Market Place

**MARKET STREET**

5/7/9/11 Market Street

**QUEEN STREET**

7 Queen Street (The Race Horse Gallery)

Other properties outside the existing Conservation Area also warrant consideration for local listing



## APPENDIX 5 - Demolitions & Conservation Area Consents

The rule here is “if in doubt, ASK !”

This is because the interpretation of the laws governing demolition in a Conservation Area have been the subject of several cases, and required the clarification of circular DETR / DCMS 2000 / 01, amongst other notices.

In simple terms Conservation Area consent is required for the demolition of most unlisted buildings within a Conservation Area. Listed Buildings' demolitions or partial demolitions – including structural features, internal demolitions and demolitions of listed curtilage structures are dealt with separately, by Listed Building applications.

Conservation Area consent is **not usually** required for the demolition of non listed buildings of less than 115 cubic metres volume, walls of less than 2 metres in height (or 1 metre when it abuts a highway), or agricultural buildings erected after 1<sup>st</sup> January 1914.

When considering such applications the Local Authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Account needs to be taken of the contribution made by a building to the architectural and historic importance of the area and of the wider effects of the demolition on the building's surroundings and the area as a whole. The general presumption should be in favour of retaining buildings which make a positive contribution to an area.

If demolition is acceptable in principle, the Local Authority still requires to consider what is proposed for the site following demolition. If there are no acceptable redevelopment plans, then consent will not normally be given. It is worth remembering that work which has an effect on the appearance of a building particularly in a Conservation Area (e.g. the removal of chimnies) may need planning permission. And, where development rights have been restricted ('Article 4 directions' for example) or withdrawn then changes to the appearance of the building will usually require Planning Permission



## APPENDIX 6 - Local Plan Policies Supporting Sensitive Design And The Conservation Of Character

### App.6.1

A core strategy in the Local Plan, CPS3 deals with the principles of appropriate (urban) design. These principles apply just as readily to new design in villages, in general, and in Conservation Areas in particular.

'In considering the design of development proposals the Borough Council's aim is to ensure that new development makes the maximum contribution to improving or preserving the built environment of the Borough. Such an approach will ensure the conservation of areas which are already valued and the enhancement of areas currently less valued. In considering development proposals the Borough Council will have regard to how the development relates to the following urban design objectives which are drawn from "By Design – Urban design in the planning system : towards better practice"

- character- a place with its own identity;
- continuity and enclosure – a place where public and private spaces are defined clearly;
- quality and the public realm – a place with attractive and successful outdoor areas;
- ease of movement – a place that is easy to get to and move through;
- legibility – a place that has a clear image and is easy to understand;
- adaptability – a place that can change easily
- diversity – a place with variety and choice '

### App.6.2

Built Environment policies indicate the applicability of these principles, and state:

'Although these are urban design objectives they, and the following policy are applicable to towns and villages alike. They are also applicable to both large and small developments as significant small developments can have a great impact on their surrounding area. It is recognised that situations will vary and certain objectives or policy elements will be more important in some cases than others. The production of *Village Design Statements* and the County Council's *Residential Design Guide* ..and *Planning for Landscape Change* document will provide a degree of guidance as to how the objectives and policy will be applied. The Council will provide further Supplementary Guidance to illustrate how the design of development should reflect the characteristics of particular areas. Where a site will have a significant impact on an area, either due to its large size or its prime location in a sensitive area, the Council may request a detailed design statement to be prepared by the developer indicating how the objectives set out above and the following policy have been taken into account in the design of a proposal. Where planning permission is granted for the demolition of unlisted buildings of intrinsic archaeological or historic importance, the Council encourages the carrying out of *archaeological buildings recording* prior to demolition'



**BE1** The Borough Council will approve applications for development which respond positively to the context of the area surrounding the site of the application and in themselves exhibit a high quality of design which corresponds to or enhances surrounding development. such considerations will apply equally to new development and development which involves the re-use of existing buildings. In considering whether design of development proposals is satisfactory, the Borough Council will have regard to following factors

- (a)** The layout of the development in terms of its circulation routes and arrangement of buildings and how they relate to such factors in the surrounding area.
- (b)** How elements of any open spaces, both hard and soft, in the proposed development relate to each other, the proposed buildings, the characteristics of the site and the surrounding landscape's character and appearance.
- (c)** The density and mix of the development in relation to its context and the uses to which the development will be put.
- (d)** The massing of the development in terms of the shape, volume and arrangement of the building or buildings in relation to the context of the development.
- (e)** How the height of the proposed development relates to the height of surrounding development and any vistas, views or skylines.
- (f)** What materials will be used within the development and how they interrelate with each other, their immediate context and any traditional materials used in the area.
- (g)** The detailing and construction techniques to be used in the development and how they interrelate with each other, and relate to the immediate and overall context.
- (h)** Adverse impacts on the immediate and general environment in terms of emissions and other impacts and any use of techniques or mechanisms to reduce those impacts.
- (i)** The extent to which the design of the development takes into account the safety of users and reduces the potential for crime to occur in accord with s. 17 of the Crime and Disorder Act 1998.

## App.6.3

Conservation Areas are specifically noted in the 'Built Environment' section at para 9:

9. The special character of the settlements in the Borough has evolved over centuries and the Council considers that, to safeguard and enhance this character, it is vital to ensure that the pace of change is controlled and that new development should make a positive contribution to its surroundings. This Plan includes policies for the protection of the historic features of the area and for the design of new buildings. The Council will therefore give a high priority to the objective of preserving and enhancing the character and appearance of conservation areas in considering all proposals for development, in accordance with guidance set out in PPG15.
10. One of the requirements of PPG15 is that the basis for the assessment of the character and qualities of existing or proposed areas should be set out in the Plan. The resulting assessments then form the basis for the consideration of any development proposed in a Conservation Area. As indicated by English Heritage the Council will only designate areas of real 'specialness' in the local context. The following criteria will be used as the basis of the assessment of this 'specialness':-
  - a) Origins and development of the area;
  - b) Prevailing and former uses in the area and their influences on it;
  - c) Any archaeological significance;
  - d) Historic and architectural qualities of the buildings;
  - e) Character and relationship of spaces;
  - f) Prevalent and traditional building materials;
  - g) Local details and special features;
  - h) Contribution of any natural or cultivated elements;
  - i) Setting of the area and its relationship to the landscape;
  - j) Any neutral areas or negative factors.

These criteria will also be applied when considering extensions to existing conservation areas.

**BE6 Development will not be permitted in a Conservation Area, unless it preserves or enhances the character or appearance of the Conservation Area;**

- (1) **If an application for outline permission is made within a Conservation area, the Local Planning Authority will require details of siting, design and external appearance of all buildings, under the provisions of Article 3(2) of the General Development (Procedure) Order.**
- (2) **Consent to demolish an unlisted building in a conservation area will not be granted unless it can be shown that it is wholly beyond repair, incapable of reasonable beneficial use, of inappropriate structure or design, or where its removal or replacement would preserve or enhance the character or appearance of an area.**



- (3) **Where Conservation Area Consent is granted for the demolition of structures of historic interest, the Council will seek to ensure that provision is made for an appropriate level of archaeological buildings recording to take place prior to demolition.**
- (4) **New development should respect the character of the existing architecture in scale, grouping and materials.**
- (5) **Proposals for development adjacent to Conservation Areas should be designed to be in harmony with the character or appearance of the area.**
- (6) **When considering development proposals the Borough Council will take care to ensure that views into and out of the conservation area remain unspoilt.**
- (7) **Permission will not be granted for development on sites identified in conservation area Designation and Enhancement documents which contribute to the appearance or character of the Area, even if that site is also within a development boundary.**

**BE7 The Borough Council will be prepared to consider making exceptions to other policies in this Plan where this would enhance the character of a conservation area.**

#### App.6.4

Listed buildings (many of which are sited in Conservation Areas) are covered in the Local Plan, as follows:

#### **LISTED BUILDINGS**

These buildings represent the best of the Borough's heritage, being of special architectural or historic value, and as a finite resource, once lost cannot be replaced. In accordance with the aims of PPG15, the Council will seek to retain and protect all listed buildings. This reflects the importance of protecting listed buildings from unnecessary demolition, unsuitable and insensitive alteration, and will be the prime consideration for the Council in determining an application for Listed Building Consent.

**BE8 The character of listed buildings will be protected by the following means:**

- (1) **The Borough Council recognises its statutory duty to have special regard to the desirability of preserving listed buildings and their setting;**
- (2) **Applications for alterations or extensions to listed buildings will only be granted when they relate sensitively to the original building;**

- (3) Where the demolition of a listed building is to be permitted, the Council may require by condition or seek agreement that:-
- (a) demolition shall not take place unless detailed plans have been approved for replacement buildings;
  - (b) the building is retained until such time as redevelopment takes place;
  - (c) important external and internal features of the building are salvaged and stored or reused;
  - (d) there is an opportunity for the appearance, plan layout and particular features of the building to be measured and recorded prior to demolition; and
  - (e) provision is made for archaeological investigation by appropriately qualified persons and excavation of the site where appropriate.
- (4) Where Listed Building Consent is granted for the demolition or alteration resulting in the loss of historic fabric, the Borough Council will ensure that provision is made for an appropriate level of archaeological building recording to take place prior to, or during, the commencement of works.

13. As set out in PPG15 the best way to retain listed buildings is to keep them in use. New uses will often mean modifications to the building. A balance therefore has to be struck between the need to preserve listed buildings and the requirements of other policies in the Local Plan. This means that the need for flexibility in the application of other policies in the Local Plan to ensure new uses has to be recognised.

**BE9 The Borough Council will be prepared to consider making exceptions to other policies in this Plan if this would secure the retention of a building of architectural or historic interest or enable an historic building or group of buildings to be given a new lease of life. Where new development is to provide income for the upkeep of historic buildings, a planning obligation agreement will be sought to secure that objective.**

App.6.5

Archaeological sites and scheduled monuments are generally covered by Local Plan policies BE 10 and BE11:

**ARCHAEOLOGY**



14. There are many features of historic and archaeological interest in the area. Those scheduled as Ancient Monuments have statutory protection but the Council recognises the importance of protecting not only known sites but also new ones as they are discovered. If it is necessary to permit development that could affect a site where there is clear evidence of archaeological interest, the Council will ensure that there is an opportunity for archaeological excavation and recording before development occurs.

**BE10 Sites of significant archaeological interest will wherever possible be protected from new development. Development proposals affecting sites of potential interest should be accompanied by an evaluation of the archaeological implication of the development, based on desk-based assessments and, if necessary field evaluation and by an indication of the means and resources to be made available to protect and/or record the archaeological interest of the site. Where the Borough Council has decided that physical preservation of the archaeological remains is not justified, approval may be conditional upon appropriate means and facilities being available by the developer for archaeological investigation, or a condition may be attached to any permission granted requiring such investigation before development commences.**

**BE11 There will be a presumption in favour of the physical preservation of scheduled Ancient Monuments and unscheduled archaeological remains of national importance, and development which would disturb or adversely affect any such monument or remains or its setting will not be permitted.**

#### App.6.6

Protection of open areas within settlements is covered in the Local Plan by policy NE6:

#### **PROTECTION OF OPEN AREAS WITHIN SETTLEMENTS**

11. Areas of open land within settlements can contribute to the character of a settlement. Where such sites are developed the character of a settlement or area may be harmed. Where such harm would occur it is important that such sites are protected from development. Village Design Statements, promoted by the Countryside Agency, can play a positive role in identifying and recording what is special about a village. The Council has already formally adopted several Village Design Statements as SPG. Conservation Area Character Statements may also identify relevant features in this context.

NE6 The development of open areas of land within town and village development boundaries will be allowed, subject to other policies in this plan, unless the land contributes positively to the character of the surrounding area and provides visual amenity for the community.

In settlements without development boundaries, the development of open space will not be permitted where the land contributes positively to the



character of the surrounding area and provides visual amenity for the community.

App.6.7

Restrictions on 'Permitted Development' (ref : section 8.2) are covered in the Local Plan by policy BE12:

## **THE STREET SCENE**

15. To preserve areas of particularly high aesthetic quality such as Conservation Areas the Council wishes to minimise visually and aesthetically damaging street 'clutter' such as unsightly litter bins, freestanding advertisements, signs, public utilities equipment, power supplies and communication technology. The Council will aim to remove unsightly street furniture and where necessary replace it with more appropriate structures. Furthermore, the use and appearance of shop security shutters will need to be controlled. The Council may also wish to exert greater control over development which does not usually require planning permission. The Borough Council will therefore impose Article 4(2) Directions on dwellings in Conservation Areas where it considers there is a real threat to the character and appearance of the area and in exceptional circumstances will consider seeking the approval of the Secretary of State for Article 4(1) Directions in Conservation Areas or other areas of special quality where there is considered to be a real and specific threat due to the exercise of permitted development rights

**BE12 The Borough Council will apply Directions in Conservation Areas to remove the permitted development rights for buildings in exceptional circumstances where development could have a real and specific detrimental effect on the special architectural or historic character of the area and in exceptional circumstances will apply to the Secretary of State for consent to apply Directions to other areas of special quality where there is a real and specific threat.**

App.6.8

The control of advertisements is a significant issue in Conservation Areas. The emerging Local Plan highlights general considerations:

16. Advertisements and signs are important to the proper functioning of shopping and commercial areas, but the Council considers that the display of advertisements needs to be carefully controlled to ensure that they do not have a damaging impact on the environment.
17. The Town and Country Planning (Control of Advertisements) Regulations 1992 gives powers to the Council to restrict the display of advertisements in the interests of amenity and public safety. Some categories have deemed consent by virtue of the Regulations, but most advertisements require a specific consent for which application is made to the Council. The Council also has powers to remove advertisements by the issue of a 'Discontinuance Notice'.



18. In carrying out its duty to control advertisements, the Borough Council will seek to ensure that advertisements are not unduly prominent in the street scene. Any advertisement which is likely to detract from the visual amenity of its surroundings will be refused consent. Particular care will be taken when considering the display of advertisements on listed buildings, in conservation areas and in the countryside. This will ensure that the special character of these buildings and areas is protected.

**BE13 In determining applications for consent to display advertisements, the Borough Council will consider the effect of the proposals on local amenities and public safety. The Council will not grant consent for the display of an advertisement unless it is satisfied that it:**

- (1) is well located in relation to the building or site on which it is to be displayed;**
- (2) is of a suitable size, colour and design;**
- (3) is of a design and materials that are acceptable in the locality;**
- (4) does not stand out as an inappropriate or unduly prominent feature;**
- (5) does not contribute to visual clutter in the street scene;**
- (6) does not intrude upon the amenities of immediate neighbours;**
- (7) does not adversely affect the safety of users of any form of transport and pedestrians.**
- (8) is illuminated in manner appropriate to the locality and its position on the building or site**

19. The Borough Council will expect most illuminated advertisements to be confined to commercial areas and to be at fascia level. The aim is to ensure commercial premises have no more than one fascia and one projecting sign, as then the display is unlikely to be prominent, and will not detract from amenity or public safety to an unacceptable degree, or create advertisement clutter. On petrol filling stations, particularly in rural areas, the Council will seek to minimise the total number and area of advertisements displayed to reduce clutter. Further guidance on the implementation of Policy BE 13 will be provided in Supplementary Planning Guidance.

#### App.6.9

The design of shop fronts is also given some consideration in the emerging Local Plan. Proposed policy BE14 will have an impact on many Conservation Areas:

20. Shopfronts have a considerable influence on the appearance of buildings and the street scene. They are necessary to advertise and inform and can add vitality and interest to an area. They can also detract from buildings if due regard is not had to the age or architectural character of the building or area

**BE14 The Borough Council will not grant permission for new, replacement or altered shop fronts unless they are designed to be sympathetic to the remainder of the building and to the character of the surrounding area.**





Plan 1: Existing Conservation Area



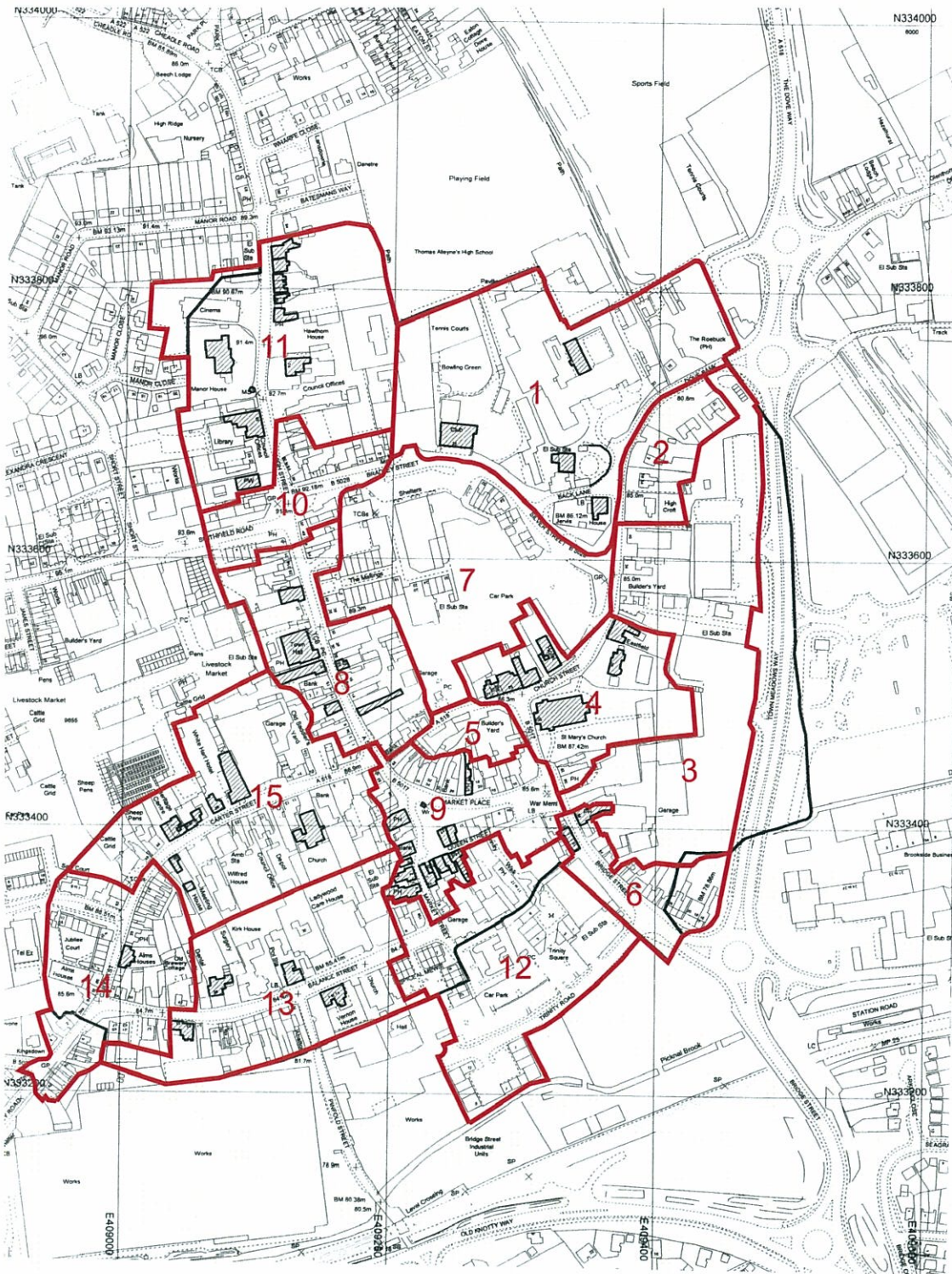


Plan 2: Listed Buildings in the Conservation Area









Plan 4: Character Zones in the Conservation Area