

EXTENSION TO EXISTING CONSERVATION AREA
DESIGNATION REPORT

1. The Case for Extending the Conservation Area

A conservation area is 'an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. There can be no uniform standard against which the character of an area can be measured, so it is necessary to evaluate separately the particular merits of potential conservation areas to establish whether they are worthy of designation.

The Mancetter Conservation Area was designated in 1969 in recognition of the character and attractiveness of the older part of the settlement. The land falls away towards the River Anker to the east and the Coventry canal to the west.

The area is centred around The Green, and includes such buildings as the Church, the Manor House, and two groups of almshouses which are all listed as being of Special Architectural or Historic merit. Trees in the churchyard and the Manor House grounds and important open spaces in the village add to the special character of the area.

The boundary of the Conservation Area was reviewed during the course of work on the Atherstone District Plan which was adopted on 21st May 1981. In the Plan the Council proposes that the area should be extended to include the whole of Mill Lane and the properties therein, including the round-end terrace on the corner of the lane. This area is visually united with the remainder of the older part of Mancetter and forms a link between the village green and the River Anker.

Legislation Applying to Conservation Areas

The statutory procedure for the designation of conservation areas or extensions to such is set out in Annex A.

Within conservation areas the local authority has additional powers to control development and the demolition of buildings, and to protect trees and tree groups. This helps to ensure that any development which takes place does not upset the delicate balance of elements which has evolved over many years. The legislation is intended to assist authorities in enhancing conservation areas, not merely preserving them.

Planning Policy

The Atherstone District Plan is the statutory planning document which covers the settlement of Mancetter. Atherstone and the adjoining part of Mancetter is identified as a growth settlement in the Warwickshire Structure Plan (Alterations No 3). As a result a development boundary has been defined for the town which establishes the extent to which peripheral expansion can take place. There is no objection in principle to residential infilling within the boundary, and applications will be considered on their merits. Applications for residential development on sites outside the present limits of the town will be resisted, to prevent uncontrolled peripheral expansion. This policy will be operated firmly, particularly in the Mancetter area, to ensure that the open land between the old village and the Mancetter housing estate is not built upon, and the character of the Conservation Area retained.

Several other policies in the Atherstone District Plan apply to the extended Conservation Area and these are contained in the following paragraphs and subsequent explanatory sections :

- 7.21 - Planning Applications in Conservations Areas.
- 7.23 - Planning Applications adjacent to Conservation Areas.
- 7.25 - Demolition of Buildings in Conservation Areas.
- 7.28 - Listed Buildings and Buildings in Conservation Areas.
- 7.39 - Road Signs and Street Lighting.

LEGISLATION APPLYING TO CONSERVATION AREAS
STATUTORY PROCEDURE FOR DESIGNATION

Section 277 of the Town and Country Planning Act 1971 provides local planning authorities with the power to determine which parts of their area are 'areas of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance' and to designate them as conservation areas.

The Secretary of State must be notified of such designations but his confirmation is not necessary. Notice of the designation should be published in the London Gazette and in at least one local newspaper. The date of designation is the date of the Council's resolution. The designation must also be registered in the Local Land Charges Register. As owners and occupiers of buildings in such areas do not have to be notified individually, notification to the Secretary of State and registration must be carried out as quickly as possible.

Additional Powers in Conservation Areas

(i) Control of Demolition

Section 277A of the Town and Country Planning Act 1971 empowers local authorities to control the demolition of buildings, in whole or in part, in conservation areas - ie buildings cannot be demolished without consent. Although certain buildings are excepted, their demolition is controlled by other legislation within the Act.

(ii) Enhancement Schemes

Section 277B of the Act requires that special attention be paid to the preservation and enhancement of conservation areas. The Secretary of State may direct local planning authorities to formulate and publish proposals for the preservation and enhancement of their conservation areas for submission at a local public meeting to which members of the authority, amenity groups, residents associations and the Chamber of Trade would be invited.

(iii) Protection of Trees

Under Section 61A of the Town and Country Planning Act 1971 and Section 8 of the Town and Country Planning Amenities Act 1974, trees in conservation areas are given the same protection as trees which are the subject of a Tree Preservation Order. Anyone proposing to do any work on trees in a conservation area (topping, lopping, or felling) must give the local authority six weeks notice of their intention - within which time the local authority must either make a Tree Preservation Order or give consent to carry out the work. If no decision is reached within the time limit specified the applicant can proceed. If there is a contravention then the same penalties apply as with a Tree Preservation Order.

(iv) Publicity for Planning Applications

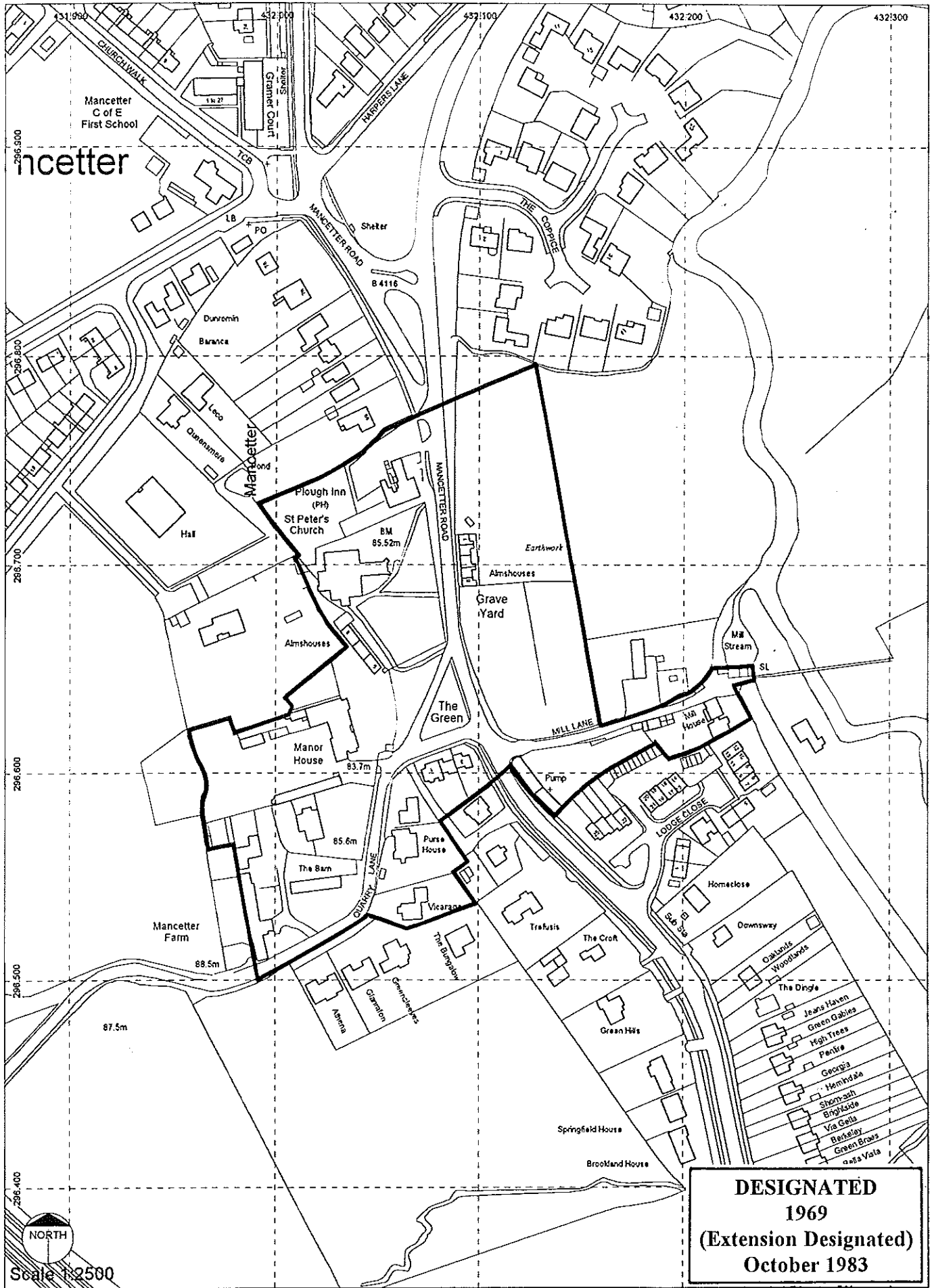
Section 28 of the Town and Country Planning Act 1971 requires the local planning authority, in the case of a planning application where the development would, in their opinion, affect the character of the conservation area to advertise the proposal both on site and by a notice in the local press.

(v) 'Permitted Development'

The Town and Country Planning General Development Order 1977 identifies 'permitted development', which is works of extension or alterations to properties which do not require planning permission, although if the building concerned is a 'listed building', listed building consent may be required. The General Development Order was revised in 1981 to extend the size limits for extensions to residential and industrial buildings, except in conservation areas already designated before 1st April 1981, where the previous limits will continue to apply. Since the date of designation of the Mancetter Conservation Area falls after 1st April 1981, the raised permitted development limits of the 1981 General Development Order will apply there.

(vi) Grants and Loans

Section 10 of the Town and Country Planning Act 1971, as amended by the Local Government Planning and Land Act 1980, enables the Secretary of State to make grants or loans for schemes to preserve or enhance conservation areas. Grants are not restricted to local authorities and can be paid to any person or organisation able to produce a scheme and demonstrate that they can execute such a scheme.



DESIGNATED
1969
(Extension Designated)
October 1983

MANCETTER CONSERVATION AREA

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North Warwickshire Borough Council