

Agenda Item No. 8

Wards Affected:

Brierley Hill

Brierley Hill Area Committee – 4th of December 2008.

Report of the Director of the Urban Environment

Proposed Brierley Hill High Street Conservation Area- Results of Public Consultation and Conservation Area Management Proposals.

Purpose of Report

1. To provide feedback to Brierley Hill Area Committee upon the results of public consultation undertaken in relation to the draft Conservation Area Character Appraisal for Brierley Hill High Street and on the subsequent formulation of Management Proposals for the proposed new Brierley Hill High Street Conservation Area (see **Figure 1** at the end of this report).

Background

2. The Brierley Hill High Street Character Appraisal and Management Proposals sits within the context of a wider Urban Historic Landscape Characterisation Study carried out in order to inform the Brierley Hill Area Action Plan (BHAAP) and contribute to its' Evidence Base. The BHAAP Preferred Options report is currently being prepared for submission.
3. At the meeting of the Development Control Committee on 5th November 2007 the Director of the Urban Environment was authorised to produce a draft Conservation Area Character Appraisal for Brierley Hill High Street and to undertake public consultation.
4. The Conservation Area Character Appraisal was carried out on behalf of the Council by consultants "The Conservation Studio" and their analysis concluded that Brierley Hill High Street and its' environs possessed sufficient special architectural or historic interest to justify Conservation Area designation.

5. Character Appraisals, not least in order to carry full weight in planning appeals, need to be subject to effective public consultation of which a report and presentation to Area Committee on 3rd April 2008 formed a very significant part. A presentation was also made to Brierley Hill Community Forum on the 2nd of April 2008. More widespread consultation was undertaken between 17th March 2008 and 28th April 2008 in conformity with the Council's adopted procedures and with the Directorate of the Urban Environment's own Consultation Strategy.
- **A copy of the Brierley Hill High Street Conservation Area Character Appraisal along with a small exhibition and survey questionnaires were located in:-**
 - Brierley Hill Library,
 - "Signpost", 175, High Street, Brierley Hill,
 - 3 St James's Road, Dudley (Reception),
 - It could also be accessed on the Council's Web Site at <http://www.dudley.gov.uk/planning>; where there was a questionnaire/feedback form for those wishing to make comments.
 - In addition a letter and explanatory leaflet with questionnaire was sent to around 2,500 individuals and organisations who had expressed an interest in Brierley Hill as part of the Area Action Plan process.
 - Detailed "one to one" consultation sessions were also held with key stakeholders and organisations such as:
 - Brierley Hill Traders Association
 - Brierley Hill Regeneration Partnership
6. Through the questionnaire survey (which yielded 111 returns) four particular questions were posed and people were asked to indicate their support or otherwise in relation to:
- *Do you support the views expressed in the Conservation Area Character Appraisal that Brierley Hill High Street has a special character today that should be conserved and enhanced for the future through conservation area designation?*
 - *Does the Conservation Area boundary shown on the plan provided have your support?*
 - *Do you support the Council in applying an Article 4 Direction to help protect the locally distinctive details of the areas residential property?*
 - *Do you support the proposition that a Conservation Area Character Appraisal should be carried out for the area of Brierley Hill centred on Bank Street?*

7. **The overall total response to all four questions revealed that 86% of the respondents supported the proposals thus leaving 12% with no opinion and only 2% opposing.** The questionnaire responses therefore demonstrate substantial public support for the conclusions of the Conservation Area Character Appraisal for Brierley Hill High Street and for the proposal to designate a new Brierley Hill High Street Conservation Area. They also demonstrate support for the making of an Article 4 Direction to better control changes to the Conservation Area. Support was also shown for the future provision of a Conservation Area Character Appraisal to be carried out for the area centred on Bank Street (Figure 1). The key survey results are broken down and depicted graphically at Appendix 1 to this report.
8. The responses received did, however, point to the need to slightly extend the suggested boundary of the Brierley Hill High Street Conservation Area at the southwest corner to encompass a number of historic buildings on Church Street. The finalised proposed boundary is now, therefore, as shown on **Figure 1**.
9. The results of public consultation allowed the concerns and suggestions of local people, businesses and other organisations to be taken into account in the formulation of Management Proposals for the new Conservation Area. These set out a programme of actions designed to preserve or enhance the areas character or appearance. The “headline” proposals for future management are as set out in **Appendix 2** of this report. *(A short presentation at the meeting will expand somewhat upon these).*
10. Of the whole range of proposals those relating to the intended adoption management of the Conservation Area are particularly key. Now that the parallel route has opened so too are current partnership proposals to prioritise environmental enhancement and improve the quality of the Public Realm in the High Street.
11. Dudley MBC, Advantage West Midlands (AWM) and its partners are accordingly striving to achieve the adopted “Vision for Brierley Hill” (section 4 spatial vision) taking an approach that recognises, respects and enhances local distinctiveness and the built heritage so that Brierley Hill and its’ High Street will in future be recognised as having a high quality built and natural environment.
12. A scheme is actively being developed and is due to be submitted to AWM for funding approval early in the New Year. Its’ implementation will mean the High Street having safe pedestrian movement via locally widened pavements and improved crossing facilities. The Scheme will offer vibrancy for the town, locking the past with the present and future and achieving a streetscape of high quality in materials appropriate to the Conservation Area, with tasteful seating and accompanying complementary street furniture. A fitting approach to the southern entrance to the Conservation Area is also proposed involving refurbishment of the existing war memorial and the associated walls that surround it along Church Street and Church Hill, parts of which are showing signs of deterioration. In addition, the same improvements to the streetscape will extend to this gateway.

Plans of the High Street and Southern Gateway proposals will be displayed at the meeting.

13. It is now intended that a full Public Consultation Process Report and the finalised Brierley Hill High Street Conservation Area Character Appraisal with Management Proposals document will be submitted for consideration by the Council's Development Control Committee at their December 2008 meeting. As appropriate this will be accompanied by a report containing proposals for the publication of the document, the formal designation of the Brierley Hill High Street Conservation Area and the adoption of the Management Proposals, including the making of an Article 4 Direction.

Consideration will also be given as to whether to seek approval from Development Control Committee for the carrying out in future of a further detailed Conservation Area Character Appraisal for the Bank Street area.

Finance

14. The publication of the proposed Conservation Area Character Appraisal with Management Proposals and its' implementation is allowed for within existing work programmes and budgets.

Law

15. 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. Section 69 also imposes a duty on local planning authorities *"from time to time, to draw up and publish proposals for the preservation and enhancement of conservation areas in their districts and to consult the local community about these proposals"*.

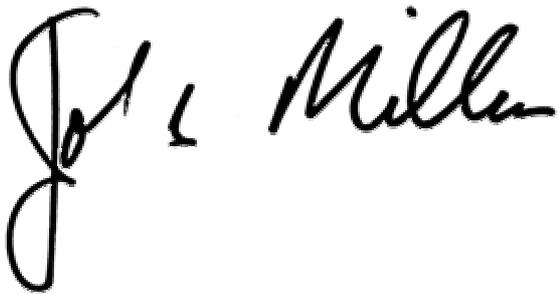
Equality Impact

16. The proposals contained in this report are in full accordance with the Councils equal opportunities policies and should in no way have any impact on different racial groups, disabled people, children and young people, both genders and/or other relevant groups.

Recommendation

17. It is recommended that:-

- 1) Area Committee notes the proposal to formally designate the Brierley Hill High Street Conservation Area and to adopt proposals for its' future management.



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John B Millar
Director of the Urban Environment

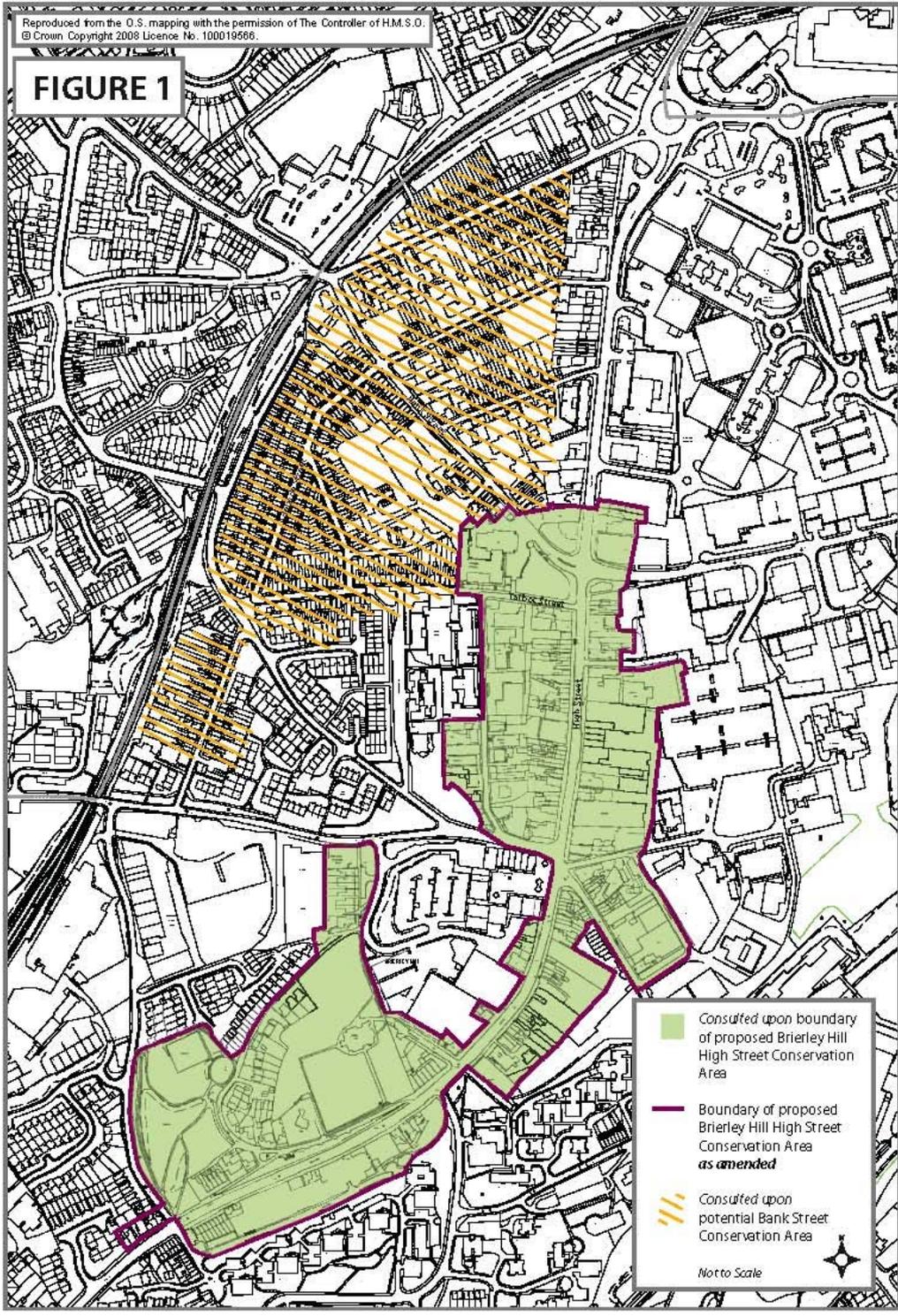
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List of Background Papers

- Cabinet Report dated 13th June 2007, '*Progress on the Brierley Hill Area Action Plan*'.
- Brierley Hill Area Action Plan, Issues and Options Report, July 2007, Dudley MBC.
- Development Control Committee Report dated 5th November 2007.
- Brierley Hill Urban Historic Landscape Characterisation, November 2007, Dudley MBC.
- Brierley Hill High Street Conservation Area Character Appraisal, Consultation Draft, February 2008, Dudley MBC.

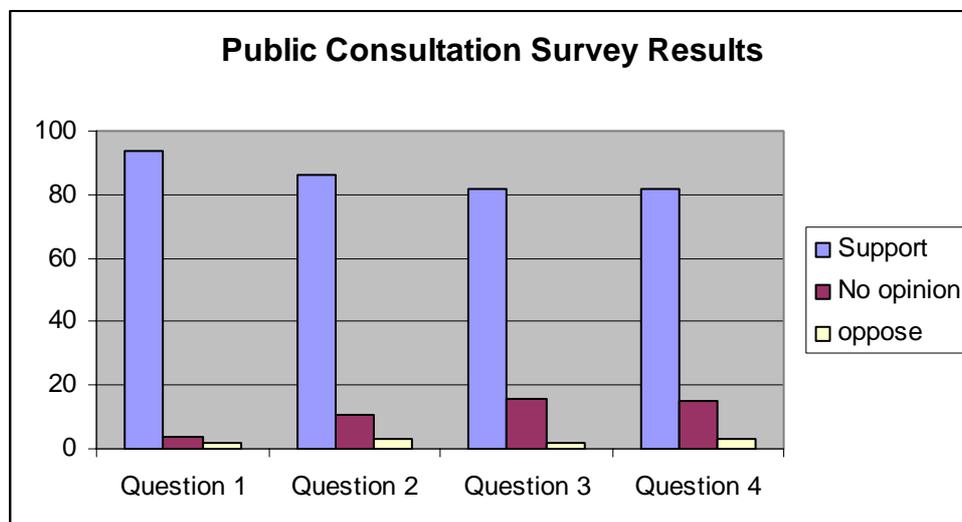
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FIGURE 1



APPENDIX 1
RESULTS OF PUBLIC CONSULTATION QUESTIONNAIRE SURVEY

Figure 1: Bar Chart and table showing how many people responded to each question



Totals	Support	No opinion	oppose
Question 1 <i>(Do you support the views expressed in the Conservation Area Character Appraisal that Brierley Hill High Street has a special character today that should be conserved and enhanced for the future through conservation area designation?)</i>	94	4	2
Question 2 <i>(Does the Conservation Area boundary shown on the plan provided have your support?)</i>	86	11	3
Question 3 <i>(Do you support the Council in applying an Article 4 Direction to help protect the locally distinctive details of the areas residential property?)</i>	82	16	2
Question 4 <i>(Do you support the proposition that a Conservation Area Character Appraisal should be carried out for the area of Brierley Hill centred on Bank Street (as shown on page 2 of leaflet?)</i>	82	15	3

APPENDIX 2
KEY PROPOSALS FOR CONSERVATION AREA MANAGEMENT

- * **Improving the Environment of Brierley Hill**
 - The public realm and enhancement
 - Poorly defined open space at Bank Street/High Street/Level Street junction
 - Trees
 - Traffic
 - Highways signage
- * **Arresting the Loss of Distinctiveness**
 - Buildings in need of repair and maintenance
 - Protecting key historic buildings
 - Former industrial buildings and public houses
 - Historic shop fronts and advertising
- * **Integrating New Development**
 - Negative buildings
 - Negative sites
 - New development, alterations and extensions
 - Views and the setting of the conservation area

PLANNING CONTROLS & GENERAL SUPPLEMENTARY ACTIONS

- * **Adoption of a coordinated approach to the management of the Brierley Hill High Street conservation area;**
- * **Revision of statutory list within the conservation area**
- * **Alterations and loss of locally listed and buildings of positive contribution**
- * **Erosion of character and additional planning control**

DELIVERING ACTION

- * **A Vision for the future of the Brierley Hill Conservation Area**
- * **A Strategy to deliver this future**
- * **Brierley Hill High Street Conservation Area Action Plan**