

Executive Board – 21 March 2023

Subject:	The Park Conservation Area Appraisal and Management Plan Supplementary Planning Document (SPD)
Corporate Director(s)/Director(s):	Sajeeda Rose, Corporate Director for Growth and City Development Paul Seddon, Director of Planning and Transport
Portfolio Holder(s):	Councillor Pavlos Kotsonis, Portfolio Holder for Leisure, Culture and Planning
Report author and contact details:	Kate Perrey (0115) 876 3964 kate.perrey@nottinghamcity.gov.uk
Other colleagues who have provided input:	Karen Shaw, Matthew Grant
Subject to call-in:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Key Decision:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criteria for Key Decision:	
(a) <input type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision	
and/or	
(b) Significant impact on communities living or working in two or more wards in the City <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Type of expenditure: <input type="checkbox"/> Revenue <input type="checkbox"/> Capital N/A	
Total value of the decision: Nil	
Wards affected: Castle, Lenton & Wollaton East	
Date of consultation with Portfolio Holder(s): 21/2/22	
Relevant Council Plan Key Theme:	
Clean and Connected Communities	<input checked="" type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input checked="" type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input checked="" type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input checked="" type="checkbox"/>
Financial Stability	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):	
<p>The Park Conservation Area Appraisal and Management Plan SPD has been prepared to guide development proposals and the ongoing management of the Park Conservation Area. The Park Conservation Area is noted for its Victorian architecture, with many listed and historical buildings. The area derives its name and origin from a royal park once attached to Nottingham Castle, and is of national significance.</p> <p>The document provides an in-depth analysis of the area's historic and architectural significance as a heritage asset (the Area Appraisal), gives guidelines for the assessment of new development proposals, and sets out a strategy and proposals for its future management (the Management Plan). The SPD was commissioned and funded by The Park Conservation Trust, in consultation with Council Officers.</p> <p>The draft SPD was consulted on for an 8-week period ending on 16 November 2022 along with a public meeting held on 7 November 2022. In total, 38 mostly supportive representations were</p>	

received as part of the consultation process from individuals, the Park Estate itself and other stakeholders including councillors. These ranged from minor factual inaccuracies/amendments to more detailed comments.

The SPD provides an analysis of the historical development and current condition of the Conservation Area including amongst other features, the layout of the estate, its landscape, setting and open space, built architecture and key landmarks and views. The SPD then goes on to set out guidance on how the Council will apply planning legislation and policy to development schemes in a way which preserves and enhances the Conservation Area's heritage significance and character. The document will be a material consideration in planning decisions relating to The Park Conservation Area.

Exempt information:

None

Recommendation(s):

1 To approve The Park Conservation Area Appraisal and Management Plan Supplementary Planning Document (attached in Appendix 1).

1 Reasons for recommendations

1.1 The SPD aims to ensure that future development preserves and enhances the special character and appearance of The Park Conservation Area for future generations. SPDs are policy guidance which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues. SPDs are capable of being a material consideration in planning decisions but are not part of the statutory development plan. They must be approved for adoption by Executive Board.

2 Background (including outcomes of consultation)

2.1 The Park Estate is a private residential housing estate to the west of Nottingham city centre with many listed buildings and historical buildings and is designated as a conservation area. The area derives its name and origin from a royal park once attached to Nottingham Castle. It is noted for its Victorian architecture, although many of the houses have been altered, extended or converted into flats and overtime there have been additional infill housing created throughout the estate. Uniquely, The Park uses gas street lighting, which is believed to be one of the largest networks in Europe. The Nottingham Park Estate Limited (NPEL) was formed in 1985 and manages the estate to protect the area and preserve its history. There are approximately 450 houses and 700 flats dotted across the estate, many of which were formed during the conversion of a number of the original large town houses.

2.2 The Draft Park Conservation Area Appraisal and Management Plan SPD has been prepared to guide development proposals and the ongoing management of The Park Conservation Area. The document was commissioned and funded by The Park Conservation Trust whose aims are "To preserve for the benefit of the towns people of Nottingham and of the nation at large, the architectural constructional and landscape heritage of the Nottingham Park Estate". The Trust have a desire to update and expand upon the existing Conservation Area Appraisal and Management Plan (CAAMP) which was adopted in 2007. The SPD has been written by an external consultant funded by the Trust, in consultation with Council Officers. If adopted as SPD, it will be a 'material consideration' in the determination of planning applications.

The Appraisal details the special character and appearance of the area and the Management Plan provides guidelines and actions intended to ensure that the area is appropriately managed.

- 2.3 Review of the 2007 CAAMP was overdue and given existing workload pressures the opportunity for increased partnership working with The Park Conservation Trust and their funding of specialist consultants to produce the updated CAAMP was welcomed and encouraged.
- 2.4 The City Council has a number of other CAAMPs for its Conservation Areas. These currently have informal guidance status and have previously been afforded significant weight by Inspectors during planning appeals proceedings. However, several other Local Planning Authorities have adopted CAAMPs as SPDs to their Local Plans. In order to give them additional weight in the consideration of planning applications, and in recognition of the national significance of The Park's heritage, it is proposed that this revised CAAMP be formally adopted as a SPD.
- 2.5 The preservation and enhancement of the City's Conservation Areas is a statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 and is considered an essential component of 'sustainable development' under the National Planning Policy Framework.
- 2.6 The SPD seeks to expand on Local Plan policy, in particular Local Plan Part 2 policies HE1 (Proposals affecting designated and non-designated heritage assets), HE2 (Caves), EN7 (Trees), HO1 (Housing Mix), DE1 (Building Design and Use), DE2 (Context and Place Making) with the aim of providing good practice guidelines for new development within the Conservation Area.
- 2.7 In summary, the SPD seeks to achieve the following:
 - Define the key characteristics of The Park Conservation Area according to five 'Core Elements':
 - Landscape – Layout, Grain and Open Spaces
 - Scenes – Streets Gardens and Gateways
 - Built Architecture
 - Landmarks and Views
 - Setting
 - Analyse the historical development and current condition of the Conservation Area.
 - Set out guidance on how to apply planning legislation and policy to development schemes in a way which preserves and enhances the Area's heritage significance and character.
 - Identify a series of future actions to secure the Area's sustainable future.
- 2.8 The SPD was approved for a period of consultation on 13 September 2022 through the Portfolio Holder. The consultation period ran for an 8-week period from 21 September to 16 November 2022.
- 2.9 A total of 38 representations were received which were generally very supportive.
- 2.10 A public meeting was held on 7 November 2022 (6.30pm) at The Park Tennis Club. This was attended by 35-40 people. The purpose of the meeting was to give an opportunity to discuss the draft SPD and to make comments. The meeting was facilitated by appointed consultants with a Team Leader from the City Council's planning team also in attendance.

- 2.11 A Report of Consultation which includes a schedule of comments and our response to these, including any amendments to the draft SPD, can be found in Appendix 2 of this report. The comments received as part of the consultation process were predominantly supportive of the aims and principles of the proposed SPD. A number of minor factual inaccuracies were identified and pertinent points raised on issues such as: the importance of trees and open space, sustainable retrofit of existing buildings (especially listed buildings and those of historical importance), accessibility to cyclists and pedestrians, light spill onto gas lit streets, hard landscaping, electric vehicle charging points and Article 4 Directions. These comments have been carefully considered and integrated into the revised version of the text as appropriate. The final version of the SPD can be found at Appendix 1.
- 2.12 The SPD is now recommended for adoption. The SPD will form a material consideration in future planning decisions relating to development proposals in the Park Conservation Area.

3 Other options considered in making recommendations

- 3.1 **To adopt the Appraisal and Management Plan as a guidance document without seeking formal SPD status.** This option has been discounted due to the desire from officers and external partners to give the document additional weight in the planning process.
- 3.2 **Not to adopt the document.** This option was discounted due to the reputational risk to the Council in not adopting up to date policy guidance and the significant damage that would be caused to our valued relationship with external partners who have provided the necessary funding to facilitate the process.

4 Finance colleague comments (including implications and value for money/VAT)

- 4.1 The decision to adopt The Park Conservation Area Appraisal and Management Plan SPD, as a guidance document for Nottingham City Council is a zero-cost exercise, so no direct financial implications.
- 4.2 The creation of the Park Conservation Area Appraisal and Management Plan SPD was previously authorised by the Portfolio Holder approved on 19 July 2022. The majority was paid for by the Park Trust, but the Council contribute £2,175 from existing budgets towards the finalisation of the draft document.

Paul Rogers, Finance Business Partner, 7 February 2023

5 Legal and Procurement colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)

- 5.1 As indicated in the main body of the report the Council is under a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas such as the Park. The issues covered by this SPD are matters of planning judgement and heritage expertise rather than legal issues and responsibility for checking technical and legislative compliance of the

SPD lies with the relevant Directors, report author and the external consultants commissioned to produce it.

- 5.2 Subject to following the relevant statutory process, the Council as Planning Authority has a power to adopt Supplementary Planning Documents (SPDs) which add more detail and guidance in relation to Local Plan policies and which then become material planning considerations when planning applications are determined. The adoption of SPDs is an executive function and given that the draft document has been through the necessary period of consultation it is within the power of the board to consider the consultation responses and adopt the SPD if it is felt appropriate

Ann Barrett, Team Leader, Planning, Environment and Leisure, Legal Services,
13 February 2023

6 Strategic Assets & Property colleague comments

- 6.1 The Park Conservation Area SPD provides a comprehensive and detailed review of conservation area's unique characteristics and history. From a Strategic Assets and Property perspective, the Council does not have any direct ownership within the conservation area but does assist and advise on matters concerning the Park Tunnel and we do not foresee this changing. The proposals set out in the SPD are supported by Strategic Assets and Property, as they seek to protect and enhance a significant historical part of the city centre. Strategic Assets and Property will continue to support Conservation and Planning Officers when required to ensure the success of the SPD.

Beverley Gouveia, Disposals & Development Manager, Strategic Assets & Property,
10 February 2023

7 Crime and Disorder Implications

- 7.1 Not applicable

8 Social value considerations

- 8.1 Not applicable.

9 Regard to the NHS Constitution

- 9.1 Not applicable.

10 Equality Impact Assessment (EIA)

- 10.1 Has the equality impact of the proposals in this report been assessed?

No

Yes

The SPD amplifies policies in the Part 2 Local Plan (The Land and Planning Policies document) which was subject to a [EIA](#).

The planning guidance in the SPD particularly enhances the EIA conclusions for Policies HE1 (Proposals affecting designated and non-designated heritage assets), HE2 (Caves), EN7 (Trees), HO1 (Housing Mix), DE1 (Building Design and Use), DE2 (Context and Place Making). The guidance will promote the preservation and enhancement of the Conservation Area by identifying the key elements of its heritage significance, appraising its condition and providing good practice guidelines for its ongoing management and development. These measures will be of benefit to all citizens, particularly those who reside within the Conservation Area boundary.

11. Data Protection Impact Assessment (DPIA)

11.1 Has the data protection impact of the proposals in this report been assessed?

No
A DPIA is not required because this decision does not involve any personal data on individuals or businesses.

Yes

17. Carbon Impact Assessment (CIA)

17.1 Has the carbon impact of the proposals in this report been assessed?

No

Yes

10 List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

10.1 None.

11 Published documents referred to in this report

11.1 The Greater Nottingham Aligned Core Strategy (Local Plan Part 1), Adopted September 2014.

11.2 Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Adopted January 2020.

Appendix 1 – Final SPD document

Appendix 2 – Report of Consultation