



Old Town Conservation Area Management Plan

April 2021



Hull
City Council



Introduction

In line with guidance contained in the Historic England Advice Note 1 ‘*Conservation Area Appraisal, Designation and Management*’, 2019 this management plan sets out the way in which the Old Town conservation area will be managed. The management plan brings together local and national policies, guidance and strategies which are designed to protect, sustain, enhance and better reveal the significance of the Old Town conservation area. In addition to the above, Hull City Council will exercise its general duties under Sections 16, 66 and 72 of the *Planning (Listed Buildings & Conservation Areas) Act 1990* (“*The 1990 Act*”):

S16 - In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

S66 - In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

S72 - In the exercise, with respect to any buildings or other land in a conservation area, ...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The components of the management plan include:

1. Planning Restrictions, Development Management & Planning Policies
2. Enhancement & Improvement Schemes
3. Streetscene (Highways and Open Spaces) Management
4. Planning Enforcement Strategy

1. Planning Restrictions, Development Management & Planning Policies

1.1 Because of the special nature of conservation areas, there are tighter planning controls and obligations in respect of demolition work; new development; trees; alterations, additions and extensions; and advertisements and signs.

Demolition Work

1.2 In general, the demolition of unlisted buildings and walls within a conservation area requires Planning Permission (Listed Buildings require both Planning Permission and Listed Building Consent). The main exceptions to this requirement are:

- the partial demolition of an unlisted building;
- small unlisted buildings of less than 115 cubic metres/4061 cubic feet content or any part of such a building, other than a pre-1925 tombstone/monument/memorial to a deceased person;
- unlisted walls, fences and railings less than 1m/3'3" high where next to a public open space or highway (including a footpath or bridleway) or less than 2m/6'6" high elsewhere; and
- unlisted agricultural or forestry buildings erected since 1914.

New Development

1.3 The designation of an area as a conservation area does not mean that new development may not take place within it. New development should, however, aim to preserve or enhance the character and/or appearance of a conservation area by sympathetic conversion and adaptation of existing buildings or by good design of new buildings.

Trees

1.4 Trees not covered by a Tree Preservation Order (TPO) are still afforded special protection in a conservation area. It is an offence to cut down, lop, uproot or wilfully

destroy any tree in a conservation area without first giving 6 weeks' notice of intent in writing to the Development Management Team at Hull City Council. The City Council will then consider the nature of the works, the health and age of the tree, and the contribution the tree makes to the character and appearance of the conservation area before deciding whether the tree should be protected by imposing a TPO on it. Certain works to trees are, however, exempt from this requirement. These include:

- work to dead, dying or dangerous trees (but notice is still required first);
- work done by, or for, certain statutory undertakers and local highway authorities;
- pruning fruit trees in accordance with good horticultural practice;
- work authorised by planning permission; and
- work to small trees with a trunk diameter less than 7.5cm/3" (circumference 24cm/9.5") when measured 1.5m/4'11" above ground level.

Alterations, Additions & Extensions (unlisted houses)

1.5 Where a house is occupied by one household (ie it is not shared by more than six people or split into flats) it is possible to make some alterations, additions and extensions without planning permission, subject to limitations (please see <http://www.planningportal.gov.uk/permission/house>). In addition to normal householder planning requirements, the following will always require Planning Permission in conservation areas:

- the cladding of any part of the exterior of a house;
- side extensions;
- rear extensions of more than 1 storey;
- the enlargement of a house consisting of an addition or alteration to its roof, eg dormers;
- buildings, enclosures, containers and pools at the side of a house;
- chimneys, flues or soil and vent pipes installed on the principal elevation or a side elevation where they front a highway;

- satellite dishes installed on a chimney, wall or roof slope which faces onto, and is visible from, a highway; or on a building which exceeds 15m in height (please see <http://www.hull.gov.uk/planning/planning-applications/satellite-dishes>).

Alterations, Additions & Extensions (other unlisted buildings eg flats/buildings split into flats, shops and business premises)

1.6 The following operations or uses of land shall not be taken for the purposes of the below Act to involve development of the land – (a) the carrying out for the maintenance, improvement or other alteration of any building of works which – (i) affect only the interior of the building, or (ii) do not materially affect the external appearance of the building...” (*The Town & Country Planning Act 1990, Part III s.55(2)*).

If any proposed works materially affect the external appearance of the building, and they are not classed as permitted development (please see <http://www.planningportal.gov.uk/permission/responsibilities/planningpermission/permitted>), then planning permission may be required. Such works may include replacing roofing materials with another material, and replacing doors, windows and shop fronts with ones of a different style, design and material.

Alterations, Additions & Extensions (statutory listed buildings)

1.7 “The 1990 Act” requires that no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised (ie they have Listed Building Consent).

It is a criminal offence to carry out any work which affects the special character of a listed building without Listed Building Consent. Owners carrying out unauthorised works could face a heavy fine or even imprisonment. Owners may also be required to reinstate the building to its former state. In managing the Old Town conservation area, the City Council will pursue prosecutions for unauthorised works to listed buildings, if it is considered to be in the public interest to do so (*The Planning (Listed Buildings &*

Conservation Areas) Act 1990 - AUTHORISATION OF WORKS AFFECTING LISTED BUILDINGS - Control of works in respect of listed buildings - Restriction on works affecting listed buildings L7.01 7).

Advertisements & Signs

1.8 In conservation areas, in addition to normal advertisement requirements (please see <https://www.gov.uk/guidance/advertisements>) all illuminated advertisements (except for those indicating medical supplies or services) require consent.

National Planning Policies

1.9 In managing the Old Town conservation area, the Government's '*National Planning Policy Framework*' (NPPF) will be applied, particularly the policies on 'Achieving well-designed places' and 'Conserving and enhancing the historic environment'. At the heart of the NPPF is also a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking. Keeping heritage assets in use is one of the most sustainable forms of development as it avoids the consumption of large amounts of building materials and energy and the generation of waste from the construction of replacement buildings. In managing the Old Town conservation area, there will a presumption in favour of sustainable development.

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Local Planning Policies

1.10 In managing the Old Town conservation area, the '*Hull Local Plan 2016 to 2032*' will be applied, particularly the policies relating to 'Design', 'Shop fronts', Local distinctiveness', 'Heritage considerations' and 'City Centre Mixed Use Sites'.

<http://www.hull.gov.uk/council-and-democracy/policies-and-plans/local-plan>

Article 4 Directions

1.11 In managing the Old Town conservation area, the City Council will monitor the impact of permitted development rights (work which does not normally require planning permission) on the character and appearance of the conservation area. Where there is firm evidence to suggest that permitted development is damaging the character or appearance of the conservation area, or is likely to take place, then the Council will consider (through authenticity surveys and public consultation) if certain permitted development rights should be withdrawn in the public interest and brought within full planning control through the use of Article 4 Directions.

Planning Guidance

1.12 In managing the Old Town conservation area, relevant *Hull Supplementary Planning Documents and Action Plans* will be adhered to (please see <http://www.hull.gov.uk/planning/planning-applications/supplementary-planning-documents> and <http://www.hull.gov.uk/environment/environment/hull-biodiversity-action-plan>).

Building for Life 12

1.13 In managing the Old Town conservation area, the City Council will support '*Building for life 12*' (2018 Edition), the industry standard, endorsed by Government, for well-designed neighbourhoods, which recommends assessing the potential of any older buildings or structures for conversion, because retained buildings can become instant focal points within a development.

http://www.builtforlifehomes.org/downloads/BfL12_2018.pdf

UK Marine Policy Statement

1.14 In managing the Old Town conservation area, the City Council will support the '*UK Marine Policy Statement*' (2011), particularly in relation to the 'Historic environment' and the desirability of sustaining and enhancing the significance of heritage assets. The close relationship with the Humber estuary means that development on-shore can sometimes have a direct impact on the off-shore environment.

<https://www.gov.uk/government/publications/uk-marine-policy-statement>

2. Enhancement & Improvement Schemes

2.1 In order to enhance the appearance of the Old Town conservation area, the City Council will undertake to support:

Guildhall Greenwich Time Ball

Restoration work to the Time Ball is being funded by a National Lottery Heritage Fund grant awarded to the Council in 2018. The project involves renovation works to the tower as well as the delivery of new interpretation materials and heritage learning opportunities. The project marks another step towards achieving the Council's ambition to establish Hull as a world-class visitor destination by enhancing its unique maritime heritage and culture.

Hull: Yorkshire's Maritime City

The Council has also received grant assistance from the National Lottery Heritage Fund (2019) to deliver investments in Hull's maritime heritage. The 'Hull: Yorkshire's Maritime City' project will deliver refurbishments to the Maritime Museum, Dock Office Chambers, the North End Ship Yard, the Arctic Corsair sidewinder trawler and the Spurn Lightship. Within the Maritime Museum itself, a further 390m² of additional museum space will be created along with additional educational and visitor facilities.

Access will also be provided to the rooftop of the building, allowing visitors to observe the Maritime Museum's original architecture and to take in the superb views across the city centre. Investments in the former Dock Office Chambers, which are currently being used as office space, will result in the building housing bespoke storage systems which are environmentally controlled. Visitors, volunteers and researchers will be able to fully access the building and the top floor will be redesigned and reopened to the public.

Hull Minster

A £3.9m grant is funding regeneration works to the Minster which include the creation of a glass, bronze and stone extension. This extension will include new facilities such as exhibition space, a café and a visitor and heritage centre. There are also proposals to build an education and learning facility.

Whitefriargate

The Council secured £1.5m funding from the Humber LEP and Historic England in summer 2019 to deliver the Humber High Street Challenge Fund. This has assisted building owners and businesses to bring unused commercial units back into use and improve shop frontages on Whitefriargate. In summer 2020, the Council secured a further £1.75m from Historic England's High Street Heritage Action Zone fund to support the delivery of new residential units at upper floor levels along Whitefriargate. When factoring in private sector match contributions, the two schemes represent a total investment of over £6m in the Old Town Conservation Area. The diversification of the traditional high street offer is critical to sustaining Whitefriargate over the long term, and the Council is currently seeking additional funding from the government's Levelling Up scheme to build further on the regeneration work currently being delivered.

Fruit Market

The ongoing Fruit Market regeneration programme will deliver key strategic objectives within the Hull City Plan, with the £83m investment creating and sustaining jobs in Hull

and boosting the city's economy. Developments in the area are expected to extend visitor journeys into the Old Town, as well as boosting visitor spend by encouraging stop offs from those journeying to and from the city's ferry port.

A63 Castle Street

Improvement works are currently (2021) being carried out by Highways England. At the present time pedestrians must use traffic lights to cross this road which disrupts the flow of traffic. Additionally, many people choose not to cross the road for reasons such as safety concerns, which previously contributed towards caused the southern end of the Old Town Conservation Area to go into decline. To address these issues, a footbridge, named Murdoch's Connection, has been constructed over the A63 Castle Street. This will create a safe pathway between the historic core and Fruit Market and Maritime zones by providing a five metre wide pedestrian and cycle path over the road. Sloping ramps leading to the bridge are included on the north and south sides of the A63 Castle Street to facilitate access at the Marina. The other important pedestrian crossing in the Old Town, from Market Place to Queen Street, will be closed when the pedestrian route from Market Place to the eastern end of Humber Street via High Street, passing under Myton Bridge, has been upgraded with a more user-friendly slope and better lighting for pedestrian security after its completion. When both Murdoch's Connection and High Street Underpass are operational, traffic on the road will be able to flow continually. The project will improve access and safety, relieve congestion and boost tourism.

Trinity Burial Ground

As part of the A63 Castle Street Improvements Scheme, and following archaeological excavation and exhumation in 2020-21, it is intended to retain the historic characteristics of the Trinity Burial Ground, to improve the remaining area of it, and to encourage more visitors who will appreciate the public open space as an area of historic value and place of rest. The particulars of the proposals include: rebuilding the northern boundary wall of the burial ground using reclaimed bricks from the existing wall; installing the gates and pillars from the Holy Minster churchyard; repositioning

memorials removed from the impacted area; planting replacement trees and other woodland planting; upgrading and installing paths; installing interpretation boards to provide information on the history of the burial ground, including an overview of the archaeological works completed as part of the improvement work; and providing habitat enhancement such as bat boxes, bird boxes and hibernacular.

River Hull and River Humber

The River Hull and Humber Frontage Flood Defences are currently (2021) being improved at a cost of £42 million. This work will reduce the risk of flood damage from the Humber to 113,000 properties.

Raingardens

As part of the Council's ongoing public realm improvements, opportunities to install sustainable drainage, such as raingardens, will be explored. A small scheme at the corner of Quay Street and Alfred Gelder Street will be delivered in order to promote good practice in adapting to climate change, improve air quality and help mitigate flood risk.

Repair and maintenance

2.2 In addition to the aforementioned, the Council encourages good repair and maintenance of properties. Good advice on building repair and maintenance can be found in '*A Stitch in Time*' prepared by The Institute of Historic Building Conservation (IHBC), in association with The Society for the Protection of Ancient Buildings (SPAB).

<https://www.ihbc.org.uk/stitch/Stitch%20in%20Time.pdf>

3. Streetscene (Highways and Open Spaces) Management

3.1 Highway management in the conservation area is undertaken by the City Council, its partners and contractors. The primary duties and responsibilities to maintain the highway and transport network are set out in the Highways Act, Road Traffic Regulation Acts, The Traffic Management Act, and in national Codes of Practice. The City Council uses a structured asset management approach to inform, manage, maintain, improve or replace its highways and transport facilities in compliance with the legal and regulatory requirements, including roads, paths, cycle routes, parking facilities, street lighting, street furniture, trees and maps. Long term plans and programmes are set out in the Hull City Plan (<http://cityplanhull.co.uk/>) and the Local Transport Plan as modified by specific operational and delivery plans, performance and spending reviews, and annual business plans.

3.2 Maintenance of the public realm within the conservation area, including respect for the unique qualities of existing historic paving materials, will be managed in accordance with the Hull City Centre Public Realm Strategy (please see <https://tinyurl.com/y8o3oq56>). In addition, the Council will provide for the monitoring and audit of works undertaken by Statutory Undertakers and their contractors, utilising the powers available to the Local Planning Authority. Utilising the provisions of the various Acts governing the activities of Statutory Undertakers, the Council will also ensure repair and reinstatement works are undertaken to a satisfactory standard. In circumstances where this does not happen, appropriate enforcement action will be taken.

3.3 Streetscene Services also undertake the grounds maintenance and cleansing of all Council owned amenity green spaces and by agreement in some other cases, such as the old Trinity Burial Ground. The latter will be subject to extensive remodelling as part of the A63 Castle Street Improvement Scheme and the Council will work with Highways

England and the Diocese of York to improve the open space for both this and future generations.

<https://highwaysengland.co.uk/projects/a63-castle-street-improvement/>

4. Planning Enforcement Strategy

4.1 Effective enforcement is essential to ensure that inappropriate development does not detract from the character and appearance of the Old Town conservation area. Breaches of planning regulation are dealt with by Planning Enforcement Officers from Hull City Council. All matters are investigated in accordance with the Planning Enforcement Customer Contract (available to view on the Council's website (please see link below) or in hard copy from Hull City Council Planning Development Management section) which sets out the manner and timescales in which issues will be investigated.

<http://www.hullcc.gov.uk/pls/portal/docs/PAGE/HOME/PLANNING/ABOUT%20PLANNING/ENFORCEMENT%20CUSTOMER%20CONTRACT.PDF>

4.2 In addition to enforcement notices which can be used to tackle inappropriate unauthorised development and works to Listed Buildings, there are a number of other actions available which can be used to tackle identified eyesore sites. These include discontinuance notices which the council as planning authority may serve in order to remove an advertisement that is injuring the amenity of the area or is a danger to the public. Section 215 (s215) of the *Town and Country Planning Act 1990* also provides a Local Planning Authority with the power, in certain circumstances, to take steps requiring land to be cleaned up when its condition adversely affects the amenity of the area. LPAs also have powers under s219 to undertake the clean-up works themselves and to recover the costs from the landowner.

4.3 In managing the Old Town conservation area, the City Council will use the above powers where it is in the public interest to do so, and the reporting of breaches in planning regulation by members of the public (with supporting evidence) is encouraged

and welcomed by the Council.