

BROMSGROVE DISTRICT COUNCIL

LOCAL DEVELOPMENT FRAMEWORK WORKING PARTY

15TH APRIL 2010

DESIGNATION OF HEWELL GRANGE CONSERVATION AREA

Responsible Portfolio Holder	Councillor Mrs J Dyer
Responsible Head of Service	John Staniland, Executive Director of Planning, Regeneration and Housing Services
Non-Key Decision	

1. SUMMARY

- 1.1 The Council has a statutory duty under s69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate any areas which they consider to be of special architectural or historic interest as Conservation Areas. The Council has a further duty under s71(1) to formulate and prepare proposals for the preservation and enhancement of its Conservation Areas.
- 1.2 The designation of a new Hewell Grange Conservation Area has been suggested by the Victorian Society for several years, highlighting the historic importance of the former estate. Hewell Park was included on the national Register of Historic Parks and Gardens in 1986, and includes a number of statutorily listed buildings. The lake within the Park is also designated as a Site of Special Scientific Interest (SSSI)
- 1.3 A formal review of the former Hewell estate was carried out in January of this year, with assistance from the Victorian Society, to assess whether the area merited designation as a new Conservation Area. A draft boundary of the area and accompanying character appraisal has now been prepared for public consultation. The Hereford and Worcester Historic Gardens Trust have already been informally consulted on the proposals as part of this review process.

2. RECOMMENDATIONS

- 2.1 Approval is sought to begin a formal public consultation on the proposed Conservation Area designation and the draft character appraisal.

3. BACKGROUND

- 3.1 The new Hewell Grange Conservation Area would be centred on the historic Hewell estate including what is now HMP Hewell and the historic village of Tardebigge . A large section of the proposed Conservation Area is already within the registered historic park, but this gives no protection to the buildings, structures or trees within it. The Hewell Grange estate is significant because of the high number of listed (17) and unlisted (30+)

historic buildings and structures, and the connection between the wider landscape and the built environment. As a historic entity the interrelationship between the setting of the listed buildings and the registered historic park is a key element of the special interest of this proposed Conservation Area.

- 3.2 A Conservation Area is defined in the 1967 Civic Amenities Act as “an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. It is not the purpose of a Conservation Area to prevent development, but to manage change in a positive and proactive way that benefits current and future generations.
- 3.3 Conservation Area status means that a special form of Planning Permission called Conservation Area Consent is required for the total or substantial demolition of any building over 115m³ in size, the demolition of a boundary wall over 1m in height next to the highway or 2m elsewhere and the removal of any agricultural building constructed before 1914. There is a general presumption against the loss of buildings which make a positive contribution to the character or appearance of the Conservation Area. Additional controls are also placed over trees within the area, meaning that an owner must submit a formal notification of works to the Council six weeks before starting work.
- 3.4 When assessing applications for development within designated Conservation Areas, the Local Planning Authority must pay special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Areas under s72(1) of the Act. This does not mean that development will necessarily be opposed, only that this should not be detrimental to the significance of the wider Conservation Area.
- 3.5 The purpose of a Conservation Area character appraisal is to identify the factors and features which make an area special, based on an in-depth assessment of an area’s buildings, spaces, evolution and sense of place. An appraisal evaluates the positive, neutral and negative features of the area and suggests opportunities for improvement and is the first step in developing a management plan for the continued preservation and enhancement of a Conservation Area.

4. NEXT STEPS

- 4.1 The next step is to carry out a formal consultation period on the proposed Conservation Area boundary and accompanying character appraisal. The Council is actually under no legal obligation to carry out any consultation prior to designation, but it is obviously best practice to do so.
- 4.2 Once the consultation period is complete, any responses received shall be collated and considered by members prior to any formal designation.

5. FINANCIAL IMPLICATIONS

- 5.1 The cost of producing and consulting on the Conservation Area character appraisal is being covered by approved budgets.

6. LEGAL IMPLICATIONS

- 6.1 The designation of a new Conservation Area has to be formally issued by the Council and subsequently advertised in the Bromsgrove Advertiser and in the London Gazette, and notifications sent to GOWM, English Heritage and the Land Registry. There is no statutory right of appeal against Conservation Area designation.

7. COUNCIL OBJECTIVES

7.1 Objective 2 Improvement

The proposed Conservation Area designation has been promoted by the Victorian Society and the Hereford and Worcester Gardens Trust for several years. The Council has until now been unable to devote sufficient resources to any new designations or to the effective management of our existing Conservation Areas which has undermined the value of the conservation service we should be providing. By taking a more proactive approach to the protection and management of the historic built environment, we will increase customer satisfaction and improve local engagement with the wider Planning service.

7.2 Objective 3 One Community and Well Being

The main purpose of a character appraisal is to highlight the importance of the historic environment and engage the local community in their cultural heritage. The draft appraisal will be made available on the Council's website, at the Customer Service centre in the Dolphin Centre and the Council House to ensure that it reaches a wide audience. The historic built environment is often seen as a traditional and elitist subject and we hope to address this by providing a more inclusive and accessible conservation service to the local community.

8. RISK MANAGEMENT

- 8.1 These risks are being managed as follows:

Risk Register: Planning and Environment

Key Objective Ref No: 5

Key Objective: Effective, efficient, and legally compliant Strategic Planning Service

Key Control: Carry out Conservation Area character appraisals and management plans in accordance with national planning guidance

Action: No specific actions relate to Hewell Grange Conservation Area

9. CUSTOMER IMPLICATIONS

9.1 Consultation to be carried out in line with legislation and adopted standards contained in the Bromsgrove District Council Statement of Community Involvement (SCI).

10. EQUALITIES AND DIVERSITY IMPLICATIONS

10.1 None

11. VALUE FOR MONEY IMPLICATIONS

11.1 All work carried out by in house conservation staff

12. OTHER IMPLICATIONS

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management	None
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	Once designated the Hewell Grange Conservation Area would become a material consideration in planning decisions
Environmental	None

13. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes - informal briefing.
Chief Executive	No
Executive Director – Planning, Regeneration and Housing Services	Yes
Executive Director – Section 51	No
Executive Director and Deputy Chief Executive	No
Director of Policy, Performance and Partnerships	No
Head of Planning and Regeneration	No
Head of Resources	No
Head of Legal, Equalities & Democratic Services	No
Corporate Procurement Team	No

14. WARDS AFFECTED

Tardebigge

15. BACKGROUND DOCUMENTS

Draft boundary map and character appraisal for Hewell Grange Conservation Area

16. CONTACT OFFICER

Name: Judith Carstairs, Conservation Officer
E Mail: j.carstairs@bromsgrove.gov.uk
Tel: (01527) 881326