

BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE

12TH JULY 2010

Responsible Portfolio Holder	Councillor Mrs. J. Dyer M.B.E.
Responsible Head of Service	Head of Planning and Regeneration
Non-Key Decision	

DESIGNATION OF HEWELL GRANGE CONSERVATION AREA

1. SUMMARY OF PROPOSALS

- 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 promoted by the Victorian Society for several years, and was included in the list of potential designations within policy S35 of the current Local Plan. Hewell Park was included on the national Register of Historic Parks and Gardens in 1986, and the draft Conservation Area boundary includes 17 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 historic 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 was subsequently prepared and has now been released for public consultation following approval from the LDF Working Party on 15th April 2010. The public consultation period ends on 30th July 2010.

2. RECOMMENDATIONS

- 2.1 This report is for information only, as approval of the designation would be given at Cabinet level. Planning Committee Members are welcome however to make comments on the proposed designation, suggested boundary, draft character appraisal and management proposals.

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. Draft management proposals for the area have been included as an appendix to the character appraisal.

4. KEY ISSUES

- 4.1 The Strategic Planning team is currently carrying out a public consultation exercise to gather views on the proposed designation, suggested boundary, the character appraisal and the management proposals. Consultation letters have been sent to every resident with the suggested conservation area boundary and to local and national amenity societies including the Bromsgrove Society and the Garden History Society. The deadline for comments to be submitted is Friday 30th July.

- 4.2 It is anticipated that if the proposals are supported by local residents the designation would be presented for approval by Cabinet on 6th October 2010.

5. FINANCIAL IMPLICATIONS

- 5.1 None. The cost of consulting on the Conservation Area designation is being met by the existing Strategic Planning team budget.

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. POLICY IMPLICATIONS

- 7.1 If the designation is approved by Cabinet, the Conservation Area status would be a material consideration in the determination of planning applications.

8. COUNCIL OBJECTIVES

8.1 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.

8.2 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 has been 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.

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

9.1 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

10. CUSTOMER IMPLICATIONS

10.1 The public consultation has been carried out in line with current legislation and adopted standards contained in the Bromsgrove District Council Statement of Community Involvement (SCI).

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 None

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

12.1 All work related to the proposed designation and public consultation has been carried out by existing staff.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 The retention and repair of historic buildings harnesses their embodied energy and reduces the need for the production of new building materials and associated construction energy costs.

14. HUMAN RESOURCES IMPLICATIONS

14.1 None

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 None

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

16.1 None

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None

18. LESSONS LEARNT

18.1 Any lessons learnt from the public consultation and designation process will influence proposals relating to other conservation areas in the future

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 Consultation letters have been sent to every resident within the proposed Conservation Area boundary and to local and national amenity societies. Copies of the appraisal have been made available on our website and paper copies distributed at our public drop in meeting on 1st July.

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
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	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	No
Corporate Procurement Team	No

21. WARDS AFFECTED

Tardebigge

22. APPENDIX

Draft Hewell Grange Conservation Area Character Appraisal

CONTACT OFFICER

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