

REPORT TITLE
PROPOSED CONSERVATION AREA FOR THE VILLAGE OF
BILSTONE

REPORT OF THE DEPUTY CHIEF EXECUTIVE (COMMUNITY
DIRECTION)



Hinckley & Bosworth
Borough Council

A Borough to be proud of

WARDS AFFECTED; SHACKERSTONE

1. **PURPOSE OF REPORT**

To seek Members agreement for the designation of a Conservation Area in Bilstone.

2. **RECOMMENDATION**

It is recommended that Members:

- (i) Agree officer responses to the public consultation as outlined in Appendix A of this report.
- (ii) Designate the area shown on the Conservation Area Plan as a Conservation Area on the grounds that it is an area of special architectural and historic interest, the character of which it is desirable to preserve or enhance.

Adopt the Conservation Area Statement as an evidence base supporting the Local Plan (2006 – 2026) and to support planning application decisions. The documents are displayed on the Borough Council's web site.

3. **BACKGROUND TO THE REPORT**

- 3.1 Bilstone is a small village close to the site of the former Gopsall Hall, which, until the estate was sold in 1927, was the home of the Earls Howe. It has several interesting buildings including the former water mill, and Bilstone Hill Farmhouse, a grade II listed building. In 1800 it was also the home of John Massey who is infamous for causing the death of his wife by drowning in the mill pond and who was hung on the gibbet post just to the south of the village which is also a grade II listed structure. Following an appraisal by the Council's Conservation Officer, it was decided to enter into the process of designation.

4. **DESIGNATION PROCEDURE**

- 4.1 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that every Local Authority shall, from time to time, determine which parts of their area are of special architectural; or historic interest, the character or appearance of which it is desirable to preserve or enhance and shall designate such areas as Conservation Areas. It is considered that the village of Bilstone warrants the designation of a Conservation Area.
- 4.2 Conservation Areas may differ in character and size, comprising whole or parts of town and village centres, squares or village centres, squares or terraces of smaller groups of buildings. They will often be centred on listed buildings - buildings recognised by the Department of Culture Media and Sport as being of special architectural or historic interest, although this by no means is always the case. Pleasant groups of other buildings, open spaces, trees, an historic street pattern, or features of architectural interest may also contribute to the special character of an

area. The aim is to afford a degree of protection to whole areas, not merely individual buildings. Conservation Areas are designated heritage assets and as such there is a national presumption in favour of their conservation. (pages 30 – 32 NPPF).

5. **THE NEXT STEPS**

5.1 If Members agree to the designation, the Local Planning Authority will then have to take the following steps:

- A) Give notice of the designation to the Secretary of State, English Heritage and the County Council Historic Buildings Team.
- B) Publish the appropriate notice in the London Gazette and in at least one local newspaper.
- C) Register the designation of the area as a local land charge.

5.2 Following the designation of the Conservation Area, external funding will be sought to enhance and conserve the historic built fabric at risk.

6. **FINANCIAL IMPLICATIONS [PE]**

6.1 There are no financial implications at this time.

7. **LEGAL IMPLICATIONS [MR]**

7.1 The provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 require every local planning authority to determine which parts of their area have special architectural or historic interest and to designate those areas as conservation areas to preserve and enhance them. They have a duty to review this and designate further areas accordingly. In exercising any planning functions within a conservation area, special attention must then be paid to the desirability of preserving or enhancing the character or appearance of that area (for example unlisted buildings may not be demolished without conservation area consent).

8. **CORPORATE PLAN IMPLICATIONS**

8.1 The preparation of the Conservation Area Statement and Management Plan both meet Strategic Objective 7 of the Corporate Plan.

9. **CONSULTATION**

9.1 Prior to the designation of a Conservation Area, it is important to undertake a consultation exercise with interested parties, especially local residents.

9.2 Organisations such as the Leicestershire County Council were contacted by letter and provided with an A3 plan of the proposed area. At the same time a letter was distributed to all residential properties within Bilstone. The letter informed residents of the public exhibition to be held at the St Mary's Church Hall, in Main Street in the centre of Congerstone village on Tuesday 23rd October 2012 to publicise the proposal. The documents explained the effect of designation and illustrated the boundary of the proposed Conservation Area.

9.3 The display gave the opportunity to provide additional information about the purpose of Conservation Area designation, the impact of the additional controls over land and property which it would bring and guidance regarding the type of development that would be acceptable. It also illustrated the buildings and land which officers of the

Council considered was of historic importance and justification for the boundaries that had been proposed. This information has been summarised in the Conservation Area Statement. The Council's Conservation Officer staffed the exhibition, however, because of the numbers of visitors the exhibition remained open until 7:30 pm. Due to the nature of the venue, the total number of visitors is uncertain. Comment sheets were available for the public to record their views. The exhibition generated a lot of public interest and was extremely well attended. The exhibition boards were transferred to a property in Bilstone and held over for 5 days at the request of village residents. Representatives of the Shackerstone Parish Council, local farmers and the Borough Ward Councillor have also expressed their support for the designation.

- 9.4 A summary of the consultation is provided (Appendix A) together with the Council's considered response.
- 9.5 Having given careful consideration to the objections and the support for the proposal to designate a Conservation Area in Bilstone, (as outlined in Appendix A) it is recommended that the designation is declared as originally proposed but with an amended boundary.

10. **RISK IMPLICATIONS**

- 10.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 10.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision/project have been identified, assessed and that controls are in place to manage them effectively.
- 10.3 The ability to fund the improvements identified in the Management Plan depends on adequate Council funding being available which in the current economic climate is unlikely. This will have an impact on residents' aspirations for the quality of the environment in the conservation area
- 10.4 The key risks of not endorsing and implementing the Conservation Area Statement and Management Plan are not meeting government performance targets, the Council not being recognised for the good achievements of its Conservation Service and not protecting our local heritage.

11. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

- 11.1 The new Conservation Area Statement will further protect the Borough's Heritage. The village of Bilstone is in the rural area of the Borough. The conservation documents are only relevant to the Parish of Shackerstone and will help the parish council and development control officers when commenting on planning applications.

12. **CORPORATE IMPLICATIONS**

- 12.1 By submitting this report, the author has taken the following into account:

Community Safety Implications - None
Environmental implications – Included in the report.
ICT Implications – None
Asset Management Implications - None
Human Resources Implications – None
Planning Implications – Included in the report and Conservation Area Statement
Voluntary Sector - None

Background Papers: Conservation Area Appraisal, Appraisal Plan, Long Term Strategy Management Plan, Public Comments on Bilstone Conservation Area available in the members room and can be viewed on the Council's web site.

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Local Member Councillor Mrs T Chastney

BW
31 October 2012