

PLANNING COMMITTEE – 13 DECEMBER 2011

REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION) **RE: BURBAGE CONSERVATION AREA STATEMENT & MANAGEMENT PLAN**

1. PURPOSE OF REPORT

- 1.1 To seek Members' approval to adopt the Conservation Area Statement and Management Plan for the conservation area in Burbage.

2. RECOMMENDATION

That Members adopt the Conservation Area Statement and Management Plan for Burbage as Planning Guidance.

3. BACKGROUND TO THE REPORT

- 3.1 The conservation area in Burbage was declared in February 1973. A Conservation Area leaflet was produced at that time which sets out the extent of the Conservation Area, and gave brief information about the impact of designation on property owners in the area. The information provided in the leaflet is similar to that provided for all Conservation Areas in the Borough at that time.
- 3.2 As reported to the Planning Committee on 2nd February 2007, it is intended to review all Conservation Areas in the Borough and issue a Conservation Area Statement and Management Plan for each area. The statement will assess the significance of the designated area and analyse how that significance is vulnerable to change. Its aim is to preserve and enhance the character of the area and to provide a basis for making sustainable decisions about its future through the development of management proposals. The documents will provide a description of the historical development of the settlement, set out the important features of the conservation area which should be protected and indicate the planning guidance and policies which apply to new development in the area.
- 3.3 The benefits of a comprehensive appraisal of a conservation area are that it will provide a sound basis for development control decisions, for protecting our local heritage, for developing initiatives to improve the area and as an educational and informative document for the local community.
- 3.4 The Management Plan for the conservation Area will take the form of a mid to long term strategy for preserving and enhancing the conservation area. It will address the issues and make recommendations for action arising from the statement and identify any further detailed work needed for their implementation. It will also set out specific enhancement schemes for the public realm and aim to secure the repair of important heritage features and buildings in the area. The plan will also include a photographic survey, which will be used as a mechanism for monitoring future change in the designated area.
- 3.5 The Conservation Statement and Management Plan Burbage has recently been completed by officers of the Council. A public meeting was held at the Burbage Congregational Church Hall on Tuesday, 8 November 2011 from 16.15 - 19.30 which was very well attended by local residents and Parish Councillors. The documents were also made available on the Council's Web Site.

4.0 FINANCIAL IMPLICATIONS (CB)

4.1 There are none arising directly from this report. Any costs involved in the preparation and adoption of the Statement and Plan will be met from existing resources. Specific enhancement schemes would need further approval as set out within the Council's financial regulations.

5.0 **LEGAL IMPLICATIONS (MR)**

5.1 Under section 71 Planning (Listed Buildings and Conservation Areas) Act 1990, there is a duty on a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of their conservation areas, to submit these for consideration to a public meeting in the area to which they relate, and to have regard to any views concerning the proposals expressed by persons attending the meeting.

6.0 **CORPORATE PLAN IMPLICATIONS**

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

7.0 **CONSULTATION**

7.1 At Burbage, the exhibition was held at the Congregational Church Hall on Tuesday, 8 November 2011. The display included the study findings and future management recommendations illustrated by photographs, drawings and maps.

7.2 The exhibition generated a lot of public interest. The displays also gave the opportunity to provide additional information about the purpose of Conservation Area designation, the impact of the additional controls over land and property, and guidance regarding the type of development that is acceptable.

7.1 The exhibition was subsequently transferred to the Burbage Library where it was on public display between 10th and 21st November 2011. The exhibitions were extremely well received by residents, all of whom fully supported the conservation proposals.

7.2 The written responses of the public together with officer responses are included in appendix A. The applicable comments were incorporated into the revised documents. Any further responses received will be reported to Committee as a late item.

8.0. **RISK IMPLICATIONS**

8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

8.2 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 project have been identified, assessed and that controls are in place to manage them effectively.

8.3 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.

8.4 The key risks of not endorsing and implementing the Conservation Area Statement and Management Plan, are not meeting performance targets and the Council not being recognised for the good achievements of its Conservation Service and not protecting our local heritage.

9.0 **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

9.1 The new Conservation Area Statement will further protect the Borough's Heritage. (chapter 5 of the Community Plan).

9.2 The village of Burbage is within the rural area of the Borough. The conservation documents are only relevant to the Parish of Burbage and will help the parish council and development control officers when commenting on planning applications.

10.0 **CORPORATE IMPLICATIONS**

10.1 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 – Contained within the report.

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

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APPENDIX A

BURBAGE CONSERVATION AREA

SUMMARY OF CONSULTATION RESPONSES.

There was general support for the aims and objectives of the Conservation Area Appraisal and Management Plan from approximately 40 residents who attended the public exhibition. It was felt that the proposals put forward to preserve the important elements of the Burbage Conservation Area were generally sound and will help to resist unsympathetic development.

Three requests were made to extend the Burbage Conservation area to include Winsor Street, Salem Road, Grove Road and the length of Aston Lane running up to the gateway into 'Bate's' field. It is considered that conservation area designation will give the same level of protection and enhancement to these areas helping to give a consistency of decision making when proposed developments are considered.

Windsor Street is considered to be the village's major social centre embracing public houses, restaurants, takeaways and a variety of shops. The Methodist Church provides meeting facilities and accommodates the Farmers' Market each month. The Parish Council's Offices, Village Playingfield and Scout Hut are all located close by together with a large car park.

Salem Road has a well preserved terrace of old houses that should be protected from adverse development.

Grove Road has a mix of fine mature dwellings on its south side set in spacious gardens enclosing a variety of trees. Although not boasting any listed buildings, a number of the older properties are considered to have kept their traditional characteristics both inside and out. The trees in Sycamore's Gardens and in the infant school field should be protected.

Aston Lane is a tree lined embanked track used by walkers that gives rise to occasional attractive views across open countryside and Burbage Woods. *The extensions suggested are noted and will be considered at the completion of the current review programme when all proposed Conservation Area boundary changes will be evaluated.*

One resident felt that the Burbage Conservation Area helps define the character of the whole village and would like to see guidelines on appropriate features such as windows, doors etc to help encourage home owners to use appropriate materials when modernising their properties. *The Borough Council's Planning Officers often give advice to residents on design matters for properties in conservation areas and encourage the use of natural materials.*

It is considered that conservation area status has not worked in the past to retain important open spaces in Burbage. Several have been lost due to development being allowed. *The original Conservation Area leaflet did not indicate which features are important to the character of the Conservation Area and should be protected. However the new appraisal map clearly identifies important green spaces in the conservation area which is a material consideration in planning applications.*

Hedges overhanging the footpath on Aston Lane both at the Manor House and Burbage Hall are causing problems for pedestrians. *This is a matter for the County Highway Authority to consider.*

Parking was a major issue raised by residents and was felt that this matter should be given more emphasis in the conservation area appraisal. Major parking problems were highlighted in the evenings in the vicinity of St Catherine's Church, the Constitutional Club and Congregational Church / Horsepool. Another area highlighted was at the entrance to Aston Lane. A couple of residents felt that residents should be given priority parking possibly by the use of parking permits which could help avoid unnecessary congestion. *On-street parking is the responsibility of the County Highway Authority. The provision of Off-street parking facilities are a matter that the Borough and Parish Councils can consider. A paragraph on parking problems and their effect on the village environment will be included in the appraisal.*

Another concern raised is the size, volume and speed of traffic using Church Street. It is suggested that traffic calming measures are introduced that would be beneficial to the overall street scene. *This issue is the responsibility of the County Highway Authority. However, the sub standard interchange at Junction 2 on the M69 that has no access onto the motorway for traffic heading south or leaving the motorway travelling north, encourages more through traffic onto Burbage's main roads therefore exacerbating the traffic situation. It is suggested that pressure is applied for the junction to be upgraded to the standard of a normal motorway junction.*

One resident enquired whether Aston Lane was an adopted highway. *The road is adopted as far as the access to Cottage Farm. However, it is only suitable to take traffic as far as the corner fronting Burbage Hall. Beyond Burbage Hall, the road becomes a track and should only be used by farm vehicles.*

Several residents were upset with the development proposals at Moat House and felt more consultation should have taken place with village residents. The proposed properties, in particular the materials for construction, should have been designed to reflect the traditional character of the conservation area. *Following the statutory consultation period, Development Control Offices at the Council sought to ensure the development is in keeping with other buildings in the Conservation Area and will ensure that the brick and roof covering materials are traditional in appearance.*

One resident was disappointed that the management plan is putting forward changes retrospectively. He felt that if local council's had more control over proposals in conservation areas many of the issues raised in the management plan would not have arisen in the first place. *When making decisions on proposals in its conservation areas, the Borough Council has to make them having regard to current regulations set out in conservation area legislation.*

It was pointed out by a resident that the original name of the property known as 'The Croft' was 'The Moat House'. It appears the Mansion was built by the 'Wightman's' after selling their home, 'The Old Grange' in Aston Lane in the early 16th Century. The Moat House and its park are mentioned in the 'History of Leicestershire'. The resident remembers restoring a window in the 'The Old Grange' many years ago. He suggests that the 'Moat House, although not in its original state through the alterations of later owners, should be designated of being of historical interest. *The information is noted and subject to checking for accuracy, will be incorporated into the appraisal.*