

DESIGNATION OF NEW CONSERVATION AREA IN DRAYTON BASSETT

Report of Councillor I. Pritchard, Cabinet Member for Economic Growth, Development and Environment



Date: 4th December 2018
Agenda Item: 9
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Key Decision? **NO**
Local Ward Members Bourne Vale ward - Cllr Brian Yeates;

CABINET

1. Executive Summary

- 1.1 To inform Cabinet of the results of the consultation on the proposed new conservation area at Drayton Bassett and to request Cabinet's approval of the designation of this new conservation area; to request Cabinet's approval of the final appraisal and management plan; and to request Cabinet's approval for the proposed additions to the Register of Buildings of Special Local Interest for submission to Full Council for formal ratification.

2. Recommendations

- 2.1 That Cabinet notes the results of the consultation as per Appendix A of this report and supports the designation of a new Conservation Area in Drayton Bassett as shown in Appendix B and recommends submission Council for approval.
- 2.2 That Cabinet notes the results of the consultation as per Appendix A of this report and supports the final appraisal and management plans and recommends submission to Council for approval.
- 2.3 That Cabinet notes the properties proposed for addition to the Register of Buildings of Special Local Interest as listed in Appendix C of this report and supports these additions to the Register, and recommends submission to Council for approval.

3. Background

- 3.1 Under Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the local planning authority;
'(a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and
(b) shall designate those areas as conservation areas.'

Following discussions with both the Drayton Bassett Parish Council and Tamworth and District Civic Society, the Conservation and Urban Design Team carried out an assessment of the village and considered that there was an area of sufficient historic and architectural interest that warranted designation as a conservation area.

The restrictions following designation as a conservation area are as follows;

- Local Authorities are required by S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when drawing up plans or considering development proposals both within the designated area and outside it if they would affect the setting or views into or out of it.
- The conservation area is considered to be a designated heritage asset under the NPPF therefore there is a national presumption in favour of their conservation.
- There are some restrictions on permitted development rights where development might be visible from the public domain.
- Planning permission is required for the demolition of a building in a conservation area. It remains a criminal offence to fail to obtain planning permission prior to demolition.
- Under S211 of the 1990 Planning Act anyone proposing to cut down, top or lop a tree within a conservation area (with the exception of trees under a certain size, or those that are dead, dying or dangerous) is required to give 6 weeks notice to the local planning authority. The purpose of this requirement is to give the authority the opportunity to make a tree preservation order which then brings any works permanently under control.

An appraisal of the area was carried out and a draft conservation area appraisal and management plan was written. Following public consultation the draft was amended accordingly and a final draft has been produced.

The proposals have been considered by the Economic Growth, Environment and Development (Overview & Scrutiny) Committee on the 12th November and they resolved;

That the Committee notes the results of the consultation as per Appendix A of this report and supports the designation of a new Conservation Area in Drayton Bassett as shown in Appendix B and recommends submission to the Cabinet and Full Council for approval.

That the Committee notes the results of the consultation as per Appendix A of this report and supports the final appraisal and management plans and recommends submission to the Cabinet and Full Council for approval.

That the Committee notes the properties proposed for addition to the Register of Buildings of Special Local Interest as listed in Appendix C of this report and supports these additions to the Register, and recommends submission to the Cabinet and Full Council for approval.

Alternative Options	1. The alternative option is not to designate the conservation area. This would not allow the local planning authority to seek to preserve or enhance the special character and appearance of the area when considering planning applications.
Consultation	1. The proposals have been considered by the Economic Growth, Environment and Development (Overview & Scrutiny) Committee on the 12 th November and they resolved; That the Committee notes the results of the consultation as per Appendix A of this report and supports the designation of a new

Conservation Area in Drayton Bassett as shown in Appendix B and recommends submission to the Cabinet and Full Council for approval.

That the Committee notes the results of the consultation as per Appendix A of this report and supports the final appraisal and management plans and recommends submission to the Cabinet and Full Council for approval.

That the Committee notes the properties proposed for addition to the Register of Buildings of Special Local Interest as listed in Appendix C of this report and supports these additions to the Register, and recommends submission to the Cabinet and Full Council for approval.

2. It is accepted best practise that involving the local community in evaluating what makes an area special, and where the boundaries of a conservation area should be drawn, is integral to the appraisal process. To this end a robust method of public consultation was followed which comprised the following
 - seeking permission from the Cabinet to consult on the proposed new conservation area and a draft Appraisal and Management Plan;
 - a 6 week consultation period, including letters to all residents residing within, and adjacent to, the relevant conservation area, the Parish Council, Ward Members, local civic groups and agents, with documents being made available over the internet and paper copies provided on request;
 - presentation of the proposals and document at a public meeting, generally a meeting of the relevant Parish or Town Council;
 - full consideration of representations received and amendment of the proposals, as necessary;
 - a report to Overview and Scrutiny (Economic Growth, Environment and Development), taking on board comments received, and recommending whether or not to designate the conservation area and if the recommendation is positive, seeking approval of the revised document;
 - if agreed, the report and document are returned to Cabinet and subsequently Full Council for formal ratification.

Financial Implications

1. The cost of production of the documents and consultation exercises was met from existing budgets.
2. The implementation of recommendations in the management plan will either utilise existing resources and existing budgets or be funded from external bodies.
3. The designation of a new conservation area will result in a small increase in the number of planning applications received and the number of tree applications received. Both these increases will be very minor and can be accommodated with the existing resources.

Contribution to the Delivery of the Strategic Plan	1. These proposals support the aims of the District Council's Strategic Plan 2016 -20 to be a clean, green and welcoming place to live and specifically to maintain and enhance our heritage.
Equality, Diversity and Human Rights Implications	1. In designating a new conservation area and creating documents which contribute to the understanding and management of this conservation area, the Council is seeking to preserve and enhance this area for all future generations.
Crime & Safety Issues	1. The recommendations will have no discernible impact on our duty to prevent crime and disorder within the District (Section 17 of the Crime and Disorder Act, 1988).

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Failure to designate the new conservation area	The historical and architectural character of the area will not be recognised and not be protected.	Yellow
B	Designation of conservation area but failure to adopt appraisal and management plan.	Without adoption of the appraisal and management plan there is no demonstrable basis on which the decision to designate the area has been made on.	Yellow
C			
D			
E			

Background documents <ul style="list-style-type: none"> • Map of proposed Drayton Bassett Conservation Area • Final draft conservation area appraisal and management plan
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Appendix A

Consultation representations and responses

Drayton Bassett Conservation Area

Comment Ref	Consultee	Comments	Response
DBCAA1	<p>W. Spencer</p> <p>(Connectivity Strategy Officer, Staffordshire County Council)</p> <p>(E-mailed 15/03/18)</p>	<p>We have considered the Drayton Bassett Conservation Area Appraisal and Management Plan and liaised with colleagues in our Community Liaison team. The report only really refers to public realm improvements from a transport planning point of view and that these are implemented to an appropriate standard which we would support.</p> <p>We have no further comments from a transport planning perspective at this stage but do wish to be kept informed if a Neighbourhood Plan is produced covering this area.</p>	<p>These comments are noted. No amendments are proposed.</p>
DBCAA2	<p>D. Taylor</p> <p>(Historic Environment Advisor, Staffordshire County Council)</p> <p>(E-mailed 21/03/18)</p>	<p>Thank you for consulting this office on the proposed designation of Drayton Bassett Conservation Area. Please find below the comments of the Environmental Advice Team.</p> <p>Historic Environment</p> <p>The proposed designation of Drayton Bassett Conservation Area is to be supported. With reference to Paragraph 1.5.1: Drayton Manor of the Conservation Area Appraisal, I would just note that whilst the moated site (HER record MST3720) is not marked on the first edition Ordnance Survey map substantial archaeological remains attesting to occupation of the site from the 11th to 14th-15th</p>	<p>These comments are noted. It is proposed to amend the 4th sentence to read. 'While the manor house does not appear on the first edition Ordnance Survey Map, substantial archaeological remains attesting to occupation of the site from the 11th to 14th-15th centuries were recovered during excavations carried out in the late 1980s. A new manor house was built in the 16th century on a new site to the north.'</p>

centuries was recovered during excavations carried out in the late 1980s.

Landscape

The proposed Conservation Area Appraisal and Management Plan is supported.

According to *Planning For Landscape Change* the proposed Drayton Bassett Conservation Area lies on the transition between the character types Lowland village Farmlands and Riparian Alluvial Lowlands in Trent Valley Washlands. *Planning For Landscape Change* derived a landscape policy objective of Landscape Restoration for the landscape to the south and east and west; Landscape Enhancement to the north. This indicates that many features characteristic of the Types have been lost, and to halt further deterioration there is a need to encourage new planting and management.

Proposals in Action 7 are supported to maintain and contribute to the setting of the Conservation Area, at the same time projects that encourage positive management and enhancement of the landscape setting of the village would be welcomed.

Rights of Way

I have no comment to make regarding this Proposed Conservation Area as no public rights of way appear to be affected.

Should you have any queries regarding the content of this letter, please do not hesitate to contact me and I look forward to receiving the amended documents in

		due course.	
DBCAA3	Anne Derby (Area Planner (West Midlands) Canal and River Trust) (E-mail 4/4/18)	Thank you for your consultation on the proposed designation of Drayton Bassett Conservation Area. I can confirm that the Trust have no comments to make in this instance.	These comments are noted. No amendments are proposed.
DBCAA4	K. Acton (resident) (E-mail 4/4/18)	I note that the proposed Drayton Bassett conservation area does not include the historic site at the rear of St Peters Church in Old Manor Close? The redevelopment of this grassed area was declined when archaeologists found evidence of the ruins of the old Drayton Manor. It was deemed an historic site and planning permission for redevelopment was declined? It is therefore my recommendation that the grassed area known as the historical site located at the rear of St Peters Church in Old Manor Close also be included within the proposed conservation area?	These comments have been noted. Following the request to include these areas, the proposed boundary was revised and all residents were re-consulted. The revised boundary now includes the area of land mentioned.
DBCAA5	Mr D. Biggs (Chairman, The Tamworth and District Civic Society) (e-mail 23/4/18)	Dear Claire, It was very good to meet you and Ed Higgins at the Drayton Bassett Parish Council meeting re the proposed Conservation Area for the village on 20th March. As mentioned then, The Tamworth and District Civic Society hasn't actually received any correspondence or consultation from you on this matter since I e-mailed you below on 20th October 2017. We only knew about the council meeting and the current plan via the Parish Council. We still haven't received anything since we spoke to you on the 20th March.	These comments are noted. Following the request to include the school, the proposed boundary was revised and all residents were re-consulted. The revised boundary now includes the school and the neighbouring properties to ensure the boundary makes sense on the ground and is logical and defensible. TDCS were written to as part of the re-consultation, we received an e-mail response on 27/4/18 see DBCAA7. The incorrect date of demolition has been corrected.

Can you please check your consultation list and e-mail addresses so that TDCS is included?

As you know the suggestion of a Conservation Area originated from TDCS, with the support of parish councillors, so we are keen to be included in this worthy proposal to recognise, protect and enhance the historic core of Drayton Bassett village with a conservation area.

As mentioned on the 20th we are happy with the plan for proposed Area except for the exclusion of the Manor School. Our TDCS Committee site visit on the 20th, in advance of the parish council meeting, strongly confirmed our opinion (expressed below on 9th October last) that the exclusion of the historic school buildings fronting the main road makes no sense geographically, historically, or visually, and furthermore that their exclusion would actually detract considerably and noticeably from the integrity and value of, the proposed Conservation Area now and in the future.

Please note the formal submission and recommendation by TDCS that the school site - and certainly in so far as it includes the original school buildings - be included and incorporated within the proposed Conservation Area.

I also take the opportunity to reiterate an error spotted in your supporting documentation. Drayton Manor, with the exception of the Clock Tower and Estate Office (which survive to this day) was demolished in 1926, not after WW2.

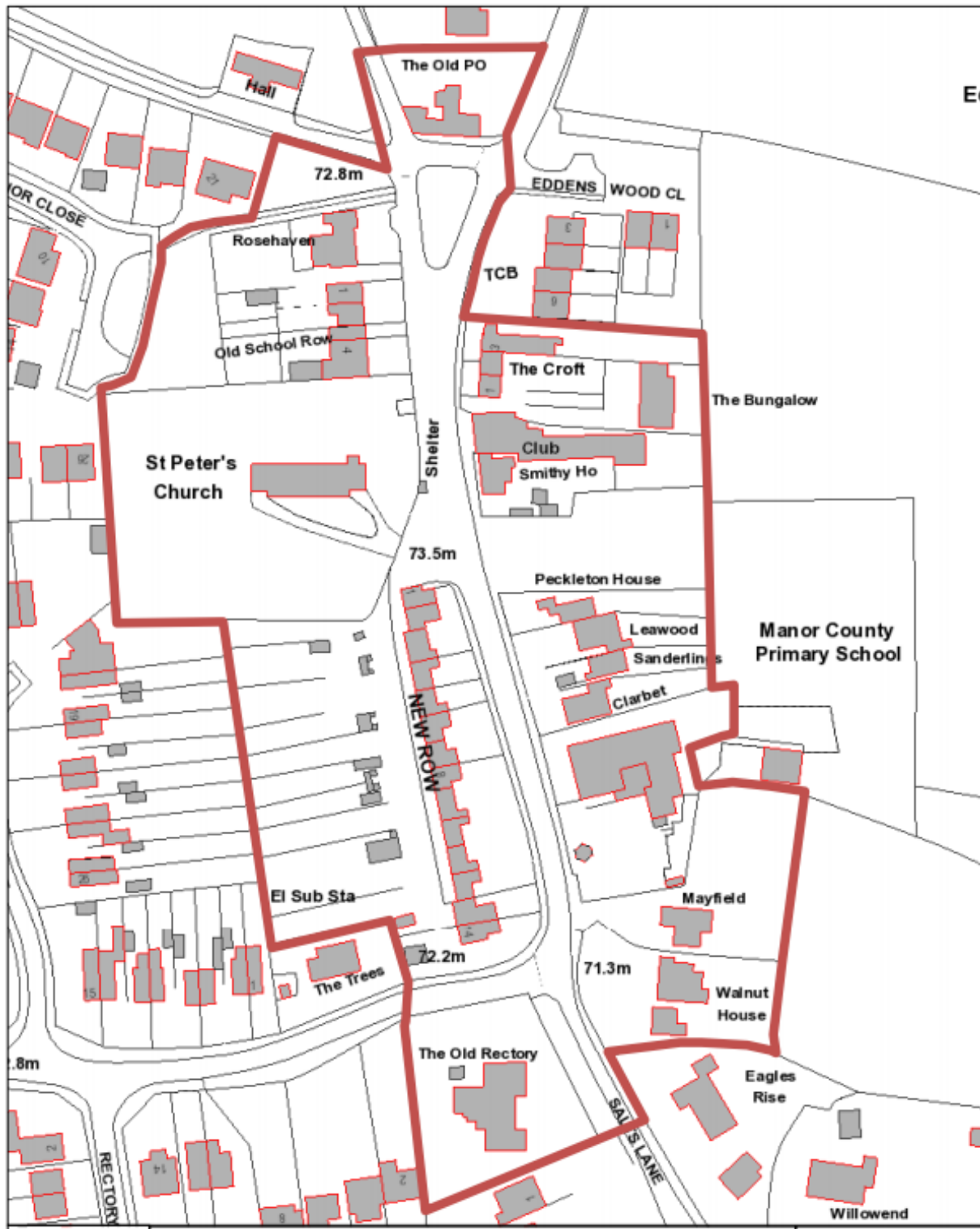
We look forward to hearing from you please. Thank

		you.	
DBCAA6	Mr & Mrs Heath (residents) (e-mail 12/4/18)	We wish to respond in relation to the proposed conservation area in the core of Drayton Bassett village. We believe this is an important and positive step forward which will preserve the character and integrity of the village centre and fully support the proposals.	These comments are noted and welcomed. No amendments are proposed.
DBCAA7	Mr D. Biggs (Chairman, The Tamworth and District Civic Society) (e-mail 27/4/18)	Thank you for taking on board our TDCS comments about the school. We shall send a formal response to the revised consultation period in due course.	These comments were received following the re-consultation on the revised boundary which included the school. These comments are noted. We did not receive any further response from TDCS.

Appendix B

Map of proposed boundary for Drayton Bassett Conservation Area

Please note this map has been re-sized and is not to scale.



Appendix C

Schedule of properties proposed for addition to the Local List

Drayton Bassett Conservation Area

Road	Property or structure
Drayton Lane	1 – 14 New Row Walnut House 3 Old School Row War Memorial