



Cabinet

Tuesday, 13 December 2022

Adoption of Cropwell Bishop Conservation Area

Report of the Director – Development and Economic Growth

Cabinet Portfolio Holder for Business and Growth, Councillor A Edyvean

1. Purpose of report

- 1.1. Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 (the 1990 Act) imposes a duty on local planning authorities to designate as Conservation Areas any 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'.
- 1.2. Upon the request of local residents and Councillor Moore as Ward Councillor, Cropwell Bishop has been considered for designation as a Conservation Area because of its architectural and historic interest and is considered to fulfil the criteria set out within Section 69 of the 1990 Act.
- 1.3. Between 26 August and 18 September 2022, a period of public consultation was undertaken on a draft Conservation Area and an associated appraisal and management plan. This was following approval by Cabinet in October 2018. This report seeks formal adoption of a Conservation Area for Cropwell Bishop and the associated appraisal and generic management plan.

2. Recommendation

It is RECOMMENDED that:

- a) the Conservation Area Character Appraisal in Appendix 1 is adopted as the document which outlines and describes the special architectural and historic character of the Conservation Area, which it will be desirable to preserve or enhance; and
- b) Cabinet considers the objection by No. 8 Nottingham Road and the objection of Stackyard Close and chooses to adopt a Conservation Area with a boundary either including, or excluding, said properties.

3. Reasons for Recommendation

- 3.1. Cropwell Bishop has been investigated and assessed and is considered to be a place which has a special architectural and historic interest, the character and appearance of which, it would be desirable to preserve or enhance.

- 3.2. A period of public consultation was undertaken for a period of four weeks from 26 August to 18 September 2022. During the consultation period, a drop-in session was held at The Old School Room on 3 September to allow anyone with questions about the process to have these addressed. The session was attended by approximately 12 villagers.
- 3.3. Formal comments were received from residents and Councillor Moore in the form of support, making the following points:.
- Two residents supported the idea of a Conservation Area and wanted it expanded to cover Memorial Hall.
 - Following the public consultation of Saturday, 3 September 2022 at The Old School, there was an update at the Parish Council meeting 6 September 2022. No concerns were expressed. There were no questions/objections from members or the public present.
 - Councillor Moore expressed support and gratitude for re-energising the process of appraisal.
- 3.4. Formal comments were received from three residents in the form of an objection.
- 3.5. Having considered all of the formal comments received, it is considered that no significant changes are justified or required to the draft appraisal; however, options of boundaries are appended to this report (Appendix 3-6) for Cabinet to consider following comments from residents.

4. Supporting Information

- 4.1. A copy of the amended Conservation Area Character Appraisal is appended to this report (Appendix 1) and is the document which is proposed for adoption.
- 4.2. There are also a number of proposed boundaries for the Conservation Area for Cropwell Bishop, which are considered to represent a boundary appropriate in context of the requirement within paragraph 127 of the National Planning Policy Framework (NPPF) which states:
- “When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.”*
- 4.3. For completeness a table summarising all consultation comments received and the actions taken, or reason for no action being taken, is provided as Appendix 2 to this report.

5. Alternative options considered and reasons for rejection

5.1. During the consultation period, formal comments were received from three residents in the form of an objection, making the following points:

- The draft conservation area appraisal dated October 2018 is already four years old, and should have been significantly updated prior to the consultation process – the Co-Op is no longer in the same position. We [also] find it unacceptable that our property has been included in the proposed Conservation Area without any prior consultation or warning with us. [18/9/2022]
- I would like to therefore request that my property be formally considered for exclusion from the Conservation Area as per the discussion with James. [18/9/2022]
- Objection to Stackyard Close being in the Conservation Area. It is a new development of nine houses purchased from the developer in June 2020 - after the date of the appraisal. The development as a new build offers no advantage to the existing character of the village. [3/9/2022]

5.2. In response to the aforementioned objections to the designation, the following is offered:

- All references to the Co-Op have been updated to refer to Esha Stores. The resident was dissatisfied that they were not consulted prior to the consultation period. After a conversation, there was an understanding of the impact of COVID-19 and the delay in the consultation period.
- The property requested to be excluded from Conservation Area is not of historic interest; however, architecturally it is in-keeping with the area. Excluding the property would leave an arbitrary gap in the Conservation Area.
- Appended are options for consideration – one including 8 Nottingham Road, Cropwell Bishop and one excluding 8 Nottingham Road, Cropwell Bishop; either approach is considered reasonable and justifiable for adoption.
- Stackyard Close is the newest housing development in Cropwell Bishop and was not built or proposed when the original plan was drawn up. There is therefore the option to include or exclude Stackyard Close from the designation, again it has some architectural consistency with the surrounding area, but is of no historic interest save for the converted building along the street frontage north of the access drive.

5.3. Consequently, there are four boundary options offered for Cabinet to consider:

- i. A copy of the original boundary that was taken to public consultation with no changes (see Appendix 3).

- ii. A copy of the original boundary that was taken to public consultation with No. 8 Nottingham Road excluded ONLY (See Appendix 4)
- iii. A copy of the original boundary that was taken to public consultation with Stackyard Close excluded ONLY (See Appendix 5)
- iv. A copy of the original boundary that was taken to public consultation with Stackyard Close AND No. 8 Nottingham Road both excluded (See Appendix 6).

6. Risks and Uncertainties

- 6.1. While excluding No 8 Nottingham Road will leave a somewhat arbitrary deflection in the boundary, it will also set a precedent for residents to opt out of a Conservation Area on an individual plot basis. This may lead to a situation where multiple properties not of historic interest but in keeping with the character of a Conservation Area request to be removed from the boundary weakening the integrity of the Conservation Area and what it aims to achieve.
- 6.2. Stackyard Close was not built at the time of the original appraisal. Many of the properties are not visible from the road, and the development is not visible from the road. There are no foreseen risks associated with excluding Stackyard Close from the Conservation Area designation.

7. Implications

7.1. Financial Implications

Adoption would not be officially completed until notices are published in The London Gazette. Alternatively given the small number of properties within the village it could be considered appropriate to directly write to each address to notify residents of the adoption. The cost of the London Gazette notice is based upon the length of the notice but would be expected to be below £100.

7.2. Legal Implications

7.2.1 Local planning authorities have a duty under section 69 of the 1990 Act to 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.

7.2.2 The Act requires the identification and designation of Conservation Areas. Whilst the legislation does not contain any requirement for public consultation, the undertaking of public consultation is considered to represent best practice. As such there is no minimum requirement for public consultation.

7.2.3 A Conservation Area is not formally adopted in law until such time as its adoption has been resolved by the Borough Council and a notification of adoption has been published in The London Gazette.

7.2.4 It is considered good practice when adopting a new Conservation Area to directly notify each property within the adopted boundary that the Conservation Area has been formally adopted and is in effect. This would usually be done in writing, the day of the London Gazette notice. Given the small size of Cropwell Bishop Conservation Area a mailshot on this scale is not considered to represent a significant burden on either time or resources.

7.3. Equalities Implications

There are no equalities implications.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no crime and disorder implications.

8. Link to Corporate Priorities

Quality of Life	The recommendations in this report do not impact on or contribute to the Council's Quality of Life priority.
Efficient Services	The recommendations in this report do not impact on or contribute to the Council's Efficient Services priority.
Sustainable Growth	<p>The designation of new Conservation Areas together with the preparation of character appraisals is a Central Government requirement contained in law within the 1990 Act.</p> <p>This proposal will also meet the Council's objectives to:</p> <ul style="list-style-type: none"> • Protect, preserve and enhance the natural and built environment of the Borough. • Support and provide guidance to internal and external customers regarding development in conservation areas, tree preservation and high hedge legislation.
The Environment	The recommendations in this report do not impact on or contribute to the Council's Environment priority.

9. Recommendation

It is RECOMMENDED that:

- a) the Conservation Area Character Appraisal in Appendix 1 is adopted as the document, which outlines and describes the special architectural and historic character of the Conservation Area, which it will be desirable to preserve or enhance; and
- b) Cabinet considers the objection by No. 8 Nottingham Road and the objection of Stackyard Close and chooses to adopt a Conservation Area with a boundary either including, or excluding, said properties.

For more information contact:	Andrew Langley Project Officer – Conservation Area Review 0115 914 8597 alangley@rushcliffe.gov.uk
Background papers available for Inspection:	Planning (Listed Building and Conservation Areas) Act 1990 Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management
List of appendices:	Appendix 1: Cropwell Bishop Conservation Area Character Appraisal and Management Plan Appendix 2: Table summary of consultation comments and actions/responses Appendix 3: Original Conservation Area Boundary taken to Consultation Appendix 4: Proposed Conservation Area Boundary excluding Stackyard Close ONLY Appendix 5: Proposed Conservation Area Boundary excluding No.8 Nottingham Road ONLY Appendix 6: Proposed Conservation Area Boundary excluding BOTH Stackyard Close AND No. 8 Nottingham Road