

Leicester
City Council

WARDS AFFECTED: Castle

CABINET

4th April 2005

TOWN HALL SQUARE CONSERVATION AREA CHARACTER STATEMENT

Report of the Service Director, Environment

1 Purpose of Report

- 1.1 This report seeks Members' approval of the Town Hall Square Conservation Area Character Statement and its adoption as Supplementary Planning Guidance.

2 Summary

- 2.1 Character Statements are important documents that assess the qualities and features of conservation areas and are essential background in support of their special status. The Statements adopted by Leicester City Council to date have helped the Council make proper planning decisions and have been instrumental in achieving success in planning appeals. The preparation of up to date Statements is also a Best value Performance Indicator. Character Statements have to be approved by Cabinet.
- 2.2 The attached Character Statement for Town Hall Square is the tenth such document to be prepared. It recommends three small additions to the boundaries of the area.

3 Recommendations

Members are recommended to:

1. Adopt the attached Character Statement for Town Hall Square Conservation Area, including the boundaries as amended, as Supplementary Planning Guidance.

4 Financial & Legal Implications

4.1 Financial Implications

- 4.1.1 There are no direct financial implications arising from this report
(Alan Tomlins, Head of Finance)

4.2 Legal Implications

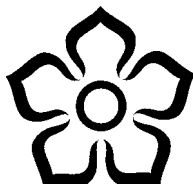
- 4.2.1 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the City Council, as a local planning authority, to review the past exercise of their functions under s.69 from time to time and to determine whether any parts or further parts should be designated as conservation areas.
(Anthony Cross, Assistant Head of Legal Services)

5 Report Author

June Gray
Planner
Extension 7281
grayj001@leicester.gov.uk

DECISION STATUS

Key Decision	No
Reason	N/A
Appeared in Forward Plan	No
Executive or Council Decision	Executive (Cabinet)



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SUPPORTING INFORMATION

Report

1. Background

- 1.1 The periodic review of conservation areas to determine whether they still possess the special architectural or historic interest that led to their original designation is an integral part of both the local planning authority's functions and the delivery of the Local Plan. The first stage of conservation area reviews in Leicester takes the form of a Character Statement. The statement would be followed by proposals for enhancement as and when resources permit.
- 1.2 There are stricter controls on development in conservation areas (essentially affecting demolition, more control over minor development and the protection of trees) that are set out in Planning Policy Guidance Note 15. Policies affecting conservation areas are also contained in the adopted Local Plan (currently under review; Table 'Other Implications' below refers).
- 1.3 To date the Council has adopted 9 Character Statements as Supplementary Planning Guidance (SPG) to the Local Plan. SPGs are 'material considerations' in the consideration of planning applications and, as such, have been applied successfully by the Council in planning appeals.
- 1.4 Town Hall Square Conservation Area was declared in March 1970 following a period of increasing threats to the historic environment from redevelopment. Since then two refurbishments of the square have been carried out. Most of the buildings around the square are Grade II listed but other unlisted buildings are included for their 'group value'. The Character Statement attached sets out the area's history and describes the factors that make the area special, including buildings that make positive contributions to the area's character. It also identifies elements that detract from its quality.
- 1.5 I have considered the architectural, historic and landscape merits of the area and recommend that its conservation area designation remains. However, I consider that the area's boundaries be extended to include:
 - The NatWest Bank, Horsefair Street
 - The Central Post Office, Bishop Street, and
 - 35-45 Granby Street/2 Bishop Street

The justifications for these alterations are included in Section 12 of the attached Character Statement.

2 Consultations

- 2.1 A list of the persons/organisations consulted is set out at paragraph 6 below. I also sent copies of the draft Statement to the owners and occupiers of the buildings located in the proposed extensions to the conservation area.
- 2.2 A week-long exhibition was also set up in the ground floor foyer of the Central Lending Library from January 24th to 29th. The author took part in a short live interview about the character statement on Radio Leicester with Professor Richard Rodger of the Centre for Urban History at the University of Leicester. There have also been positive articles in the local press.
- 2.3 Of those members of the public who visited the public exhibition, 17 signed the Attendance Sheet. Of those, six completed a 'comments sheet'.
- 2.4 The comments and responses from the exhibition are summarised in the Tables below. Other than text amendments, there were no substantive amendments to the draft report following consultation with the persons/organisations listed in section 6 below. No comments or objections have been received to date from owners of properties in the proposed extensions to the conservation area.

Respondent	Comment	Response to Comment
1. Resident of Gwendolen Road	The grass has been left in a terrible state. It should be removed from the square and replaced with flowers and shrubs as it was in the 1950s	The use of the Square for the 'beach' event did not need planning permission. All complaints (see also 3 and 4 below) have therefore been copied to the organisers. The grass is a much loved and used feature of the square and there are no plans for its removal. Concerns regarding its reinstatement after the summer and Christmas events has been raised with the relevant parties with a view to a more satisfactory outcome in future.
2. Anonymous	Agree with the extensions. However the grass is in a dreadful state. When is it going to be put right?	The grass is in the process of being relaid.
3. Resident of Stroud Road	agree with the extensions; the conservation area rules should not be too onerous for building owners; street furniture should be in keeping with the area; need to think through events such as last year's beach sand. It has left a terrible mess;	I do not consider that the additional controls on development that Conservation area status imposes are onerous. All alterations to commercial buildings already require planning permission or, in the case of the majority of buildings in the Town Hall Square area, Listed Building Consent. Extending the conservation area will only extend the need for planning permission for demolition and other minor works.

	traffic is still a problem in the area.	<p>A review of street furniture in the city centre is being undertaken and, depending on the recommendations arising from that review, some areas will receive new street furniture as part of planned public realm improvements. The types of furniture will be appropriate for their environments and will be subject to separate public consultation.</p> <p>The issue of traffic intrusion is an acknowledged problem but is currently only enforceable by the Police. The Council is exploring opportunities for greater control in the future. In the meantime, the attention of the Police has been drawn to the respondent's concern.</p>
4. Resident of Beechcroft Road	Horsefair Street should be closed to all traffic. The present restricted system 'is a joke'. The road should be either fully open or fully closed.	See above.
5. Resident of Arreton Close	Support the proposed extensions	
6. Resident of Beaumont Leys Lane	Agree with the proposed extensions.	See 1 above.
7. Resident of Newtown Street	Support the extensions. Would be interested to know what proposals the Council has for restoring/improving the non-conforming parts eg grants to occupiers	The legislation requires that enhancement schemes be prepared for each conservation area. If funds become available I hope to be able to offer grants for the restoration of architectural features or the replacement of unsightly additions/shopfronts etc.
8. Resident of Knighton	Support the extensions. Include Bowling Green Street/Market Street/Pocklington's Walk/Welford Place. Our fountain is in a better location than Oporto's. Our Town hall square is best. Keep it like this.	The streets mentioned are already part of the Market Street Conservation Area (currently under review).

3. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

The comments of the Head of Finance and the Assistant Head of Legal Services comments are attached at paragraph 4. of the main report.

4 Other Implications

OTHER IMPLICATIONS	YES/NO	PARAGRAPH REFERENCES WITHIN SUPPORTING PAPERS
Equal Opportunities	No	The proposal has no direct effects on equal opportunities but alterations to buildings or land will have to balance the needs of conservation against the needs of disabled people, ethnic minorities, women, children and the elderly etc
Policy	Yes	The Statement supports Local Plan policies: Strategic Design ST1(a)(e) and (h), Environment EN1, EN3, EN4, EN5, EN7-10, EN11-15, EN32, Housing H11, H15
Sustainable and Environmental	YES	The designation of conservation areas protects historic buildings and land, the continued use and occupation of which helps to minimise use of scarce resources
Crime and Disorder	No	The conservation area has no direct effect on the incidence of crime and disorder although the installation of security measures or CCTV would have to be undertaken in a sensitive manner
Human Rights Act	No	Conservation area status restricts certain development rights but the Human Rights Act does not overturn this authority.
Older People on Low Income	No	

4.2 Risk Assessment Matrix

Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/or appropriate)
1	L Works to buildings or land are more strictly controlled in conservation areas than elsewhere in the city by the various Planning and Conservation Areas legislation.	H Unauthorised works could have an impact on the character of the conservation area and the scale of the impact would depend on the type and scale of the work.	There are legal mechanisms in place that give the Council powers to remedy breaches of planning control. These are applied as necessary by the Council's conservation and planning enforcement officers

- City of Leicester Local Plan
- Town Hall Square Declaration Report 24th March 1970
- Draft Town Hall Square Conservation Area Character Statement

4 Consultations

Consultee	Date Consulted
R&C Head of Finance	31.1.2005
RAD Assistant Head of Legal Services, Property	31.1.2005
R&C Urban Design, Development Control, Local Plans, Traffic, Highways, Trees & Woodlands, Urban Regeneration	19.5.2003
Conservation Area Panel	27.8.2003
Ward Members	21.1.2005
Leicester Regeneration Company	5.12.2003
Leics Constabulary Architectural Liaison Officer	5.12.2003
City Centre Manager	5.12.2003
English Heritage	5.12.2003
Leicester Victorian Society	8.12.2003
NatWest Bank, Horsefair Street	5.12.2003
Bishop Street Methodist Church	5.12.2003
Post Office Counters, Bishop Street	5.12.2003
Owners and Occupiers, 35-45 Granby Street	5.12.2003