

Leicester
City Council

WARDS AFFECTED: Castle

Cabinet

25th September 2006

GRANBY STREET CONSERVATION AREA

Report of the Corporate Director, Regeneration & Culture

1 Purpose of Report

- 1.1 This report informs Cabinet of the reasons for the declaration of the Granby Street Conservation Area under powers conferred by Part 4D, Rule 14 of the Constitution.

2 Summary

- 2.1 A developer proposed to demolish a building of Local Architectural or Historic Interest, that would have seriously affected the appearance of this part of the city centre. The only way to protect the building was by designating a conservation area, as demolition requires specific consent from the local planning authority.
- 2.2 To preserve the building in a very short timescale the Conservation Officer sought approval to designate a conservation area under the 'Urgent Action' powers in Part 4D of the Constitution.
- 2.3 Those powers require officers who take urgent action to report it to Cabinet.

3 Recommendations

- 3.1 Members are recommended to:

1. Note the urgent action to designate the Granby Street Conservation Area and the reasons for this.

4 Financial & Legal Implications

Financial Implications

- 4.1 There are no direct financial implications arising from this report.
M Judson, Head of Finance

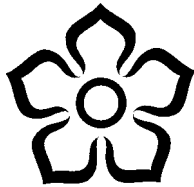
Legal Implications

- 4.2.1 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the City Council as local planning authority to review the past exercise of their functions under s.69 from time to time to determine whether any parts or further parts of its area should be designated as conservation areas. If it so determines, the Council 'shall designate those parts accordingly'.
- 4.2.2 Rule 14 of the Cabinet Procedure Rules includes provisions to cover this type of situation when urgent action is not reported to the first available meeting.
A Cross, Head of Litigation

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DECISION STATUS

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



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Report

1. Background

- 1.1 In early June the Council's Building Control section received a request for consent to demolish the Wellington Hotel, 2-4 Rutland Street. This building, although vacant, is an important part of the architectural character and appearance of the Granby Street area and is included on the Local List of Buildings of Architectural or Historic Interest. The Council's Building Conservation Officer feels this building contributes to the character and appearance of the city centre. If the Wellington Hotel were demolished it could have consequences for both the listed building with which it shares a party wall, as well as the general environment. There were no proposals for a replacement building and a gap site on this prominent corner would have serious implications for the city centre's appearance. The building had already been subject to unauthorised alterations (the replacement of all the original timber windows with plastic windows) and officers had started enforcement action against the owner.

2. The Issues

- 2.1 The building in question could not be protected under planning regulations as it is not a statutory listed building. However, demolition requires specific Conservation Area Consent under the Planning Acts if a building is in a conservation area. The City of Leicester Local Plan makes a presumption against the demolition of buildings that make a positive contribution to the character or appearance of conservation areas.
- 2.2 A conservation area for the Granby Street area had been planned for some time but was not scheduled for work in this financial year. However, in view of the proposed demolition the Building Conservation Officer decided that the designation of the Granby Street Conservation Area could reasonably be brought forward to protect both the Wellington Hotel and other notable buildings.
- 2.3 The designation of conservation areas is normally preceded by full public consultation on a written appraisal document. This work can take 3-4 months. The developer's application to Building Control to demolish the Wellington Hotel was due to be processed within 3 weeks. As the next Cabinet meeting was over 7 weeks away, the Building Conservation Officer asked for the Granby Street Conservation Area to be designated urgently using the powers available under Part 4D, Rule 14 of the Council's Constitution (Cabinet Procedure Rules) in relation to urgent action between meetings. She consulted the Cabinet Lead for

Regeneration and Planning who supported the urgent designation. The Building Conservation Officer reported the proposal to designate the Granby Street Conservation Area to the Strategic planning and Regeneration Scrutiny Committee who were also supportive.

2.4 Following that consultation the designation was made on June 22nd. A plan of the area is attached for Cabinet's information.

2.5 Unfortunately, officers failed to bring the report explaining the actions they had taken to the next available Cabinet meeting on July 24th. The Service Director has reminded staff of their obligations under the provisions of Part 4D Rule 14 and apologises to Cabinet for the delay in bringing this paper to you.

3. Conclusion and Recommendations

3.1 Members are recommended to :

1. Note the urgent action to designate the Granby Street Conservation Area and the reasons for this.

4. OTHER IMPLICATIONS

4.1 Other Implications

OTHER IMPLICATIONS	YES/NO	PARAGRAPH REFERENCES WITHIN SUPPORTING PAPERS
Equal Opportunities	No	Although the action has no direct impact on equal opportunities, alterations to buildings will have to balance the need for conservation with the need for access for all.
Policy	Yes	City of Leicester Local Plan 2006 – paragraph 2.1
Sustainable and Environmental	Yes	The retention of existing buildings minimises the use of scarce resources - paragraph 2.1
Crime and Disorder	No	Whilst there are several bars and pubs in the area, the designation of a conservation area, per se, cannot resolve any crime and disorder issues. However, alterations to buildings to protect them from damage, such as installation of security shutters, boarded up windows etc, can have a detrimental effect on the appearance of the area
Human Rights Act	No	The additional controls on development in conservation areas are not overturned by the Human Rights Act.
Older People on Low Income	No	There may only be an effect if older people on low incomes own property in a conservation area and it deteriorates because maintenance is unaffordable. Provision of grants can help in such circumstances.

4.2 Risk Assessment Matrix

	Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/or appropriate)
1	Not designating the conservation area	L	H	Confirm designation of Granby Street Conservation Area
2	Demolition of buildings that make a positive contribution to the character or appearance of the conservation area	H	H	Confirm conservation area designation to require Conservation Area Consent to be granted prior to any demolition works

L - Low
M - Medium
H - High

L - Low
M - Medium
H - High

5. Background Papers – Local Government Act 1972

- City of Leicester Local Plan 2006
- Constitution of Leicester City Council

9. Consultations

Consultee
R&C Head of Finance
Head of Litigation

Date Consulted
6 September 2006
6 September 2006