

**Committee:** Cabinet

**Agenda Item**

**Date:** 13 September 2012

**14**

**Title:** Conservation Area Appraisal, Thaxted

**Portfolio Holder:** Cllr S Barker

Key decision: **No**

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### Summary

1. This report has been prepared and discussed with Thaxted Parish Council who supports its general content. The draft Conservation Area Appraisal for Thaxted was made available on the council's website and as printed copies. A public exhibition on 14 May 2012 was attended by officers who presented the findings and answered questions. This report summarises and comments on the representations made at the exhibition and subsequent to it in the consultation period which lasted from 2 May until 6 June 2012.
2. Thaxted Parish Council welcomed the Conservation Area Appraisal in principle and considered it a worthwhile document which is likely to strengthen the control of development. This comment is valuable and is one shared by officers. The experience of the Conservation Area Appraisals so far undertaken indicates that the process is both important and popular with the local communities.

### Recommendations

3. **That the Conservation Area Appraisal be approved and used to assist in the process of determining planning applications and for implementing Management proposals.**
4. **That the Thaxted Conservation Area boundary be formally amended.**

### Financial Implications

5. The recommendation would require the advertising of the boundary changes which would cost in the region of £500 - 600. This can be met from existing budgets for Conservation.

### Background Papers

6. The Thaxted Conservation Area Appraisal and Draft Management Proposal document together with notes of the public exhibition held on 14 May 2012 and all representations received.

### Impact

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Communication/Consultation	Full consultation undertaken.
Community Safety	Not affected

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Equalities	Not affected
Finance	Advertising costs can be met from existing budgets. The document will be disseminated through the website.
Health and Safety	Not affected.
Human Rights/Legal Implications	Not affected
Sustainability	The report focuses on environmental issues seeking to preserve the environment of the respective communities, including their buildings and open spaces.
Ward-specific impacts	Thaxted - various proposals as amended and as contained in report.
Workforce/Workplace	Existing staff resources.

### Situation

8. The Thaxted Conservation Area was designated in 1968. The council has a duty within section 69 of the Listed Buildings and Conservation Area Act 1990 to consider the designation of Conservation Areas and to undertake periodic reviews. As part of this work the Council has undertaken a number of Conservation Area Appraisals of existing conservation areas.
9. This report sets out the key issues within the attached Conservation Area Appraisal and sets out the results of the consultation exercise and the changes proposed.
10. The principal issues and recommendations set out in the document are:

**Changes to the existing conservation area boundary.** A number of alterations to the conservation area boundary are proposed.

#### Inclusions:

- (a) Include the historical and disused graveyard to the rear of the United Reform Church, defined by historic 19th century railings on its eastern boundary and the distinct change of level to the west that separates the disused historic graveyard from the section in current use.
- (b) Extend the Conservation Area to include the whole of no. 69 Newbiggen Street.
- (c) Make adjustments to west of Park Farm to include converted barns.
- (d) Make adjustments to include the pond to the east of Claypitts Farmhouse and the extent of the fenced garden to the south of the same so as to achieve a more rational boundary.

#### Exclusions:

- (a) Make a minor adjustment adjacent to car parking area south of Bardfield Road opposite Magdalen Road to better reflect existing boundaries.
- (b) Make adjustments to land east of Park Street to exclude curtilages and some buildings so as to achieve a more rational boundary in this general location.

Note: As a result of the consultation, respondents, including Thaxted Parish Council, have responded to the above alterations to the Conservation Area. A number of other points were raised by respondents relating to issues raised in the Appraisal report. These representations are included in the table below with appropriate officer comment.

**General notes:**

**Planning Controls and Good Practice in Respect of Other Buildings that Make an Important Architectural or Historic Contribution:** A number of such unlisted buildings that make a positive contribution to the character of the Conservation Area have been identified. The council should seek to ensure that these are retained and these are set out in the Appraisal.

**Proposed Article 4 Direction:** There are other distinctive features that are integral to some of the unlisted buildings identified in the Conservation Area Appraisal for Thaxted that make an important architectural or historic contribution, including selected chimneys, windows and other architectural detailing. Further consideration should be given to an Article 4 Direction in due course.

**Planning Controls and Good Practice in Respect of Other Distinctive Features that Make an Important Architectural or Historic Contribution:** The Appraisal identifies a number of features including walls and or railings that make a particular contribution to the character of the Conservation Area. The walls/railings are protected from demolition without prior consent by virtue of exceeding the specified heights relevant to the Conservation Area or by Listed Building legislation.

**Planning Control and Good Practice, Important Open Spaces, Trees and Groups of Trees:** *Important open land, open spaces and gaps.* Thaxted is fortunate to have a number of areas of open space that contribute to the overall quality of the conservation area. Within the Conservation Area the existing Local Plan identifies the following open spaces to be 'Protected Open Spaces of Environmental Value' namely St John's churchyard, open space at Weaverhead Close and open space at Magdalen Green. This Appraisal has identified others to be included in the replacement Local Plan. These are: graveyard at the United Reform Church, Bolford Street; Burial Ground, Mill Lane; Conservation Garden, Clarence House; lawned area setting rear of Clarence House; Margaret Garden, Margaret Street; open space within curtilage of Brooklyns, Copthall Lane; open land between the Windmill and the Burial Ground; garden to Mill Hatch, Dunmow Road; gap between Tennis Courts and Pleasant View, Dunmow Road, Tennis Court site, Dunmow Road and small spinney and pasture south of Tennis Courts, Dunmow Road. All these open spaces represent landscape features that materially contribute to the character or appearance of the Conservation Area and should be protected.

**Enhancement Proposals to Deal with Detracting Elements:** The Appraisal identifies a number of detracting elements together with a proposed course of action. It is recognised that such improvements will frequently only be achieved with the co-operation of owners and other bodies as appropriate.

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**10 Consultation results**

The comments received at the public exhibition and during the consultation period are set out in the table arranged in the subject order above. Those responses which noted minor inaccuracies in the text of the Draft Conservation Area Appraisal, such as the misspelling of building names, are not included here.

All maps are included in Appendix 1 to this report.

Issue	Representations made	Officer comment
Changes to the Conservation Area	<p><b>The Parish Council</b> support all the proposals encompassed within the report.</p> <p><b>The Thaxted Society</b> supports the proposal to Include the historical and disused graveyard to the rear of the United Reform Church</p> <p><b>Thaxted Resident</b> The Conservation Area boundary shown for Claypitts Farmhouse does not reflect the legal boundary of this property, as the former excludes the pond on the eastern side of the property. Redraw the Conservation Area to include the pond and thus align the two boundaries. Also a small adjustment to be made to align the southern boundary of the Conservation Area with that of the fenced garden.</p>	<p>Revise map indicates a redrawn boundary including the pond on the eastern side of the property and to align the southern boundary of the Conservation Area with that of the fenced garden.</p>
Detracting elements	<p><b>The Thaxted Society</b> points out that contrary to the statement made at Para. 1.43 of the report overhead cables on poles do detract to a significant degree in the area of Town Street and Weaverhead Street.</p> <p><b>The Thaxted Society</b> notes that there are several redundant signs and inappropriately sited 'A' boards around the town and others that could be better improved to suit the historic environment. Temporary signs should be discrete and not detract from the quality of the Conservation Area</p> <p><b>The Thaxted Society</b> supports</p>	<p>Officers consider the electricity poles an unsightly element detracting from the character of the Conservation Area. The local community and Parish Council could enter to discussions with utility companies</p> <p>The local community and the Parish Council could contact Essex County Council to seek rationalising of the signage in respect of those in front of Clarence House.</p>

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	<p>proposals for the restoration and reuse of the United Reformed Church on Bolford Street.</p> <p><b>The Thaxted Society</b> approves of the proposal to relocate the litter bin in Town Street and other suggested improvements to the Brethren's Meeting Room, at the Murco Garage and other properties as Para. 168 of the report</p> <p><b>Thaxted residents</b> (two representations) point out that there are a number of advertising banners/signs and street furniture that are out of character with the Conservation Area</p>	<p>Suggested actions are contained in the Management Proposals section of the report which officers are happy to endorse</p>
<p>Management proposals</p>	<p><b>The Thaxted Society</b> supports the preservation and renovation of all original streetlamps</p> <p><b>Thaxted resident</b> objects to the designation of the garden of Mill Hatch Dunmow Road as protected open space</p>	<p>Suggested actions are contained in the Management Proposals section of the report which officers are happy to endorse</p> <p>The appraisal document identifies the garden to Mill Hatch as important open space rather than protected</p>

**11 Conclusion**

The public consultation raised a number of useful points which have been incorporated into the Conservation Area Appraisal. The document should be amended to incorporate the above comments and the documents use should commence immediate to assist in the determination of planning applications and for implementing the management proposals as set out.

Formal changes to the Conservation Boundary will need to be advertised prior to them coming into force. It is necessary to inform the Secretary of State and English Heritage and place an advert in the London Gazette and local newspapers. The owners of affected properties will also be notified of the changes.

**Risk Analysis**

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Risk	Likelihood	Impact	Mitigating actions
Revisions to the Conservation Area	1 There is some risk that revisions will be approved which cannot be justified by the guidelines provided by English Heritage.	2 If revisions to the Conservation Area are approved which the council cannot justify through good practice guidelines, the report and its recommendations will be unsound. Planning officers and applicants will then be without any up to date guidance and applications will be determined against out of date resources.	The report has been carefully produced and amended where any inaccuracies were noted. Consultation has been carried out with the Parish Council, the Local History Recorder and Thaxted residents and advice sought from specialist officers and experts to support the findings.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.