

Committee: Cabinet

Agenda Item

Date: 13 September 2012

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Title: Conservation Area Appraisal, Henham

Portfolio Holder: Cllr S Barker

Key decision: **No**

Summary

1. This report has been prepared and discussed with Henham Parish Council who support its general content. The draft Conservation Area Appraisal for Henham was made available on the council's website and as printed copies. A public exhibition on 24 April 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 20 April until 1 June 2012.
2. Henham 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 Henham 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 Henham Conservation Area Appraisal and Draft Management Proposal document together with notes of the public exhibition held on 24 April 2012 and all representations received.

Impact

- 7.

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	Henham - various proposals as amended and as contained in report.
Workforce/Workplace	Existing staff resources.

Situation

8. The Henham Conservation Area was designated in 1977. 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 areas. This is the first one to be reported to Cabinet for adoption.
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.

Exclusions:

- (a) It is suggested that the Leighs, the twentieth century properties at the top end of Hall Close and the field to the east of Halls Close have little relevance to the historical quality of the Conservation Area in this location, and as a consequence a boundary revision is thought appropriate.
- (b) Similarly the five modern properties, (numbers 1-5) on Wrights Piece, whilst screened from the road by substantial tree cover, should be excluded as they contribute little to the Conservation Area.
- (c) Another area proposed for exclusion is The Cedars on Carters Lane where the boundary should be redrawn to follow boundaries of Glebeside Cottage and the Tennis Courts.

Inclusions/exclusions:

- (a) Revisions are also proposed so that the Conservation Area boundary follows the property boundaries to the north from The Bury to Bay's Cottage which will result in a number of small inclusions and exclusions. Current good practice indicates that the Conservation Area boundary should be drawn at the rear boundary of the building of interest. This reduces any doubts about what might be included within a property and

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helps to secure the setting of a building regarding extensions or additional development.

Note: As a result of the consultation, respondents, including Henham 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(2) Directions. There are other distinctive features that are integral to some of the unlisted buildings identified in the Conservation Area Appraisal for Henham 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(2) 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.* Henham is fortunate to have a number of areas of open space that contribute to the overall quality of the conservation area. *Particularly important trees and hedgerows.* The function of each area differs. Some like the wide verges along Crow Street and the High Street open up the street scene setting many properties in a landscape of lush contained rurality. Others such as the churchyard and grounds of the Bury, Parsonage Farm, The Glebe House and orchard associated with Barley House play important functions because of their tall mature trees which make significant visual contributions to the conservation area, providing complimentary structure, form and colour. The stand of trees fronting Wrights Piece provides an important visual buffer between this modern development and the historic environment of the High Street. Additionally, Woodend Green is essential as a wooded open space offering definition and focus to the eastern end of the village.

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>The Parish Council considers it important to maintain as much “open space” within the Conservation Area boundary as possible. Of the areas proposed for exclusion the Parish Council suggest that the field to the west of Bacons Farm and the field to the east of Hall Close be retained.</p>	<p>Officers acknowledge the long association of the field to the west of Bacons Farm with that listed property and agree to the continued inclusion of this space within the boundary of the Conservation Area.</p> <p>The field to the east of Hall Close, though, does not contain any specific landscape or built environment feature and consequently is of insufficient interest to be included in the conservation area. Both fields are protected from development by the virtue of being outside development limits.</p>
Detracting elements	<p>Henham resident points out that any replacement of railings to the front of the Old School would disturb planted bulbs in the vicinity</p> <p>Henham resident supports the suggestion that electricity poles in the vicinity of the church be undergrounded</p>	<p>The Old School is owned by Essex County Council and should the railings be replaced concerns should be directed to the County Council.</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 into discussions with utility companies.</p>

11 Conclusion

The public consultation raised a number of useful points which have been incorporated into the Conservation Appraisal. The document should be amended to incorporate the above

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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. We will also notify owners of affected properties of the changes.

Risk Analysis

11.

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.