

Committee: Cabinet

Agenda Item

Date: 13 December 2012

16

Title: Conservation Area Appraisal, Felsted

Portfolio Holder: Cllr S Barker

Key decision: **No**

Summary

1. This report has been prepared and discussed with Felsted Parish Council who support its general content. The draft Conservation Area Appraisal for Felsted was made available on the council's website and as printed copies. A public exhibition on 24 September 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 17 September until 28 October 2012.
2. Felsted 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 Felsted 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 notes of the public exhibition held on 24 September 2012 and all representations received.

Impact

- 7.

Communication/Consultation	Full consultation undertaken.
Community Safety	Not affected
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	Felsted - various proposals as amended and as contained in report.
Workforce/Workplace	Existing staff resources.

Situation

8. The Felsted 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 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. An alteration to the Conservation Area boundary is proposed.

Inclusions:

(a) Extend the Conservation Area to include Bury Farm Barn, The Barn and adjacent land north west of the church.

Exclusions:

None are proposed.

Note: As a result of the consultation, respondents, including Felsted Parish Council and Felsted School 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 Directions. There are other distinctive features that are integral to some of the unlisted buildings identified in the Conservation Area Appraisal for Felsted that make an important architectural or historic contribution, including selected chimneys, windows and other architectural detailing. In some situations protection already exists through existing planning controls but in other cases protection could only be provided by removing Permitted Development Rights via an Article 4 Direction. Should the Council consider such a course of action appropriate there would be a process of notifying the affected owners separately at a later date. This would be associated with further detailed consideration and possible refinement of the general proposals set out earlier in this Appraisal.

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.* The open spaces so identified are the churchyard and the playing fields of Felsted School bounded by Braintree Road, Stebbing Road and Garnetts Lane. These represent landscape features that materially contribute to the character and appearance of the Conservation Area that must 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.

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 strongly supports the proposal to extend the Conservation Area to include Bury Farm Barn, The Barn and adjacent land north west of the Church.</p> <p>Felsted Resident supports the proposed extension but would also like to see the allotments to the south of Station Road included within the Conservation Area.</p>	Officers do not consider the allotments to be an area of open space that contributes significantly enough to the Conservation Area to warrant inclusion within the

		boundary
Buildings that make an important contribution to the Conservation Area	<p>The Parish Council recommends that a number of excellent more recent buildings belonging to the School should be included as ones that make an important contribution to the Conservation Area. These include the new Pre-Preparatory building (which is within the Conservation Area) and the Music Centre and Lord Riche Hall, which are adjacent to the current northern boundary of the Area.</p> <p>The Parish Council would prefer to see the cited buildings protected by listing, rather than subject to Article 4 Directions.</p> <p>The Parish Council supports the Appraisal's emphasis on the importance of the School's and Church's central open spaces and many of the trees and hedges in the Conservation Area. It notes however that in the relatively recent past new buildings have been permitted which have encroached on these spaces.</p> <p>Felsted School agrees with the report's conclusions on the buildings that make an important architectural or historical contribution to the Conservation Area. However, with particular respect to the CCF building and Art Building the School hopes that the Council would look favourably on any future proposals for change of use of these buildings that might necessitate their removal or adaptation.</p> <p>A Felsted resident approves of the historic walls on east side of Chelmsford Rd. being more strongly protected and suggests those on the west side between Saddlers and Cotswold should be similarly treated.</p>	<p>Only buildings within the current Conservation Area or areas being suggested for inclusion are covered by the Appraisal. Officers have looked at the new Pre-Preparatory building and note it is of good quality.</p> <p>The local community and the Parish Council should contact English Heritage for advice on listing. It is the view of officers that Article 4 Directions would provide adequate protection for the architectural features so identified.</p> <p>A key recommendation of this Appraisal is that this land as defined on the accompanying plans continues to be protected from built form.</p> <p>The walls are partly within the curtilage of a Listed Building and thus partly afforded protection. However, officers generally consider that they are of limited visual importance.</p>
Detracting elements	<p>A Felsted resident comments that Felsted has a littler problem combined with weeds which detracts from the quality of the Conservation</p>	<p>Officers suggest that this is brought to the attention of the Parish Council and the Felsted School authorities.</p>

	Area.	Note should be taken of initiatives already underway by both bodies.
Management proposals	<p>The Parish Council welcomes the recommendations and notes that a number of initiatives are already in the process of being actioned.</p> <p>Felsted School the discussion of potential development with Felsted School, has already begun in 2012 through the development of a draft School masterplan.</p> <p>A Felsted resident notes that the management of Felsted as a whole is important for the future of history, wildlife and diversity in this area and it is hoped that these will all be preserved and enhanced for many generations</p>	Suggested actions are contained in the Management Proposals section of the report which officers are happy to endorse.
Other	A Felsted resident has asked about publicity and the cost of undertaking the Appraisal	Information on publicity carried out prior to the consultation and the direct cost of undertaking the Appraisal have been supplied.

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 immediately 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

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 Felsted 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.