

**Committee:** Cabinet

**Agenda Item**

**Date:** 17 January 2013

**7**

**Title:** Conservation Area Appraisal, Arkesden

**Portfolio Holder:** Cllr S Barker

Key decision: **No**

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### Summary

1. This report has been prepared and discussed with Arkesden Parish Council who support its general content. The draft Conservation Area Appraisal for Arkesden was made available on the council's website and as printed copies. A public exhibition on 10 November 2012 was attended by an officer 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 5 November until 16 December 2012.
2. Arkesden 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 Arkesden 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 10 November 2012 and all representations received.

### Impact

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Communication/Consultation	Full consultation undertaken.
Community Safety	Not affected
Equalities	Not affected

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

### Situation

8. The Arkesden Conservation Area was originally 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 records 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.** Alterations to the Conservation Area boundary are proposed.

1. Elm Brook and Bramley Cottage and their associated gardens are recommended for inclusion. The properties were built in the inter-war period and appear on the Ordnance Survey mapping revisions to 1946. Whilst not of architectural or historical significance they make an important and pleasing visual contribution on the approach to the village along Clatterbury Lane.

2. Revisions are proposed to the Conservation Area boundary to follow property boundaries to the rear of May Barn and Byrne's Cottage.

3. Similarly, revisions are proposed to follow the rear boundaries of Bridge Cottage, Plym Cottage and Hinchmans.

4. A further revision is proposed to follow the new rear boundary of properties from Waterbridge to Long Thatches. Planning Consent has recently been granted for a change of use from agricultural land to domestic gardens at land to the rear of the aforementioned properties. A condition of the consent is that the boundary should be demarked with post and wire fencing and that soft landscaping works with approved planting should be undertaken. Good practice is to draw Conservation Area boundaries such that they follow demarked boundaries on the ground. Whilst current Conservation Area boundary follows the historic field and property boundaries it is considered that the revised boundary should enclose the extent of the newly extended back gardens of these properties.

Note: As a result of the consultation, respondents, including Arkesden 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 will seek to ensure that these are retained. These are as follows: The Old Vicarage on Wenden Road; Finchley/Reubens on Wicken Road and Rose Cottage/Jessamine Cottage/Brick Cottage on Wicken Road.

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 Arkesden 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.** This Appraisal has identified several features including walls and railings that make a particular contribution to the character of the Conservation Area. Some walls/railings are protected from demolition without prior consent virtue of exceeding the specified heights relevant to Conservation Area or by Listed Building legislation. Any proposal involving their demolition is also unlikely to be approved. However selected unprotected walls and railings at the Baptist Church are proposed for an Article 4 Direction, following separate notification and further consideration to take place with the owners at a later date. The pump on the green sward is worthy of listing and application to English Heritage to achieve this would be an appropriate course of action.

**Planning Control and Good Practice, Important Open Spaces, Trees and Groups of Trees.** *Important open land, open spaces and gaps.* The open spaces as identified, these being the churchyard, Church Green and Pump Green. Additionally, the embankments of Wicken Water are of note. All represent landscape features that materially contribute to the character and appearance of the Conservation Area that must be protected.

*Particularly important trees and hedgerows.* Many trees have already been made subject to Tree Preservation Orders but others worthy of protection have not. Subject to certain exceptions all trees in a Conservation Area are afforded protection and a person wanting to carry out works has to notify the Council. Trees that have not been identified may still be considered suitable for protection by Tree Preservation Orders.

**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.

Issue	Representations made	Officer comment
Changes to the Conservation Area	<p><b>The Parish Council</b> notes that they have no further comments on the appraisal. [The appraisal was discussed with the parish council at a meeting on 18 June 2012 and points raised were subsequently addressed in the report].</p> <p><b>An Arkesden resident</b> suggests that the entire of garden of Bramley Cottage should be added to the Conservation Area.</p> <p><b>Arkesden residents</b> (two representations) suggest that the property known as Cranesfield and associated gardens should be included within the Conservation Area.</p> <p><b>An Arkesden resident</b> suggests that the property known as Christiania (The Gap) should be added to the Conservation Area.</p> <p><b>Arkesden residents</b> (two representations) suggest that the Conservation Area boundary should be extended along Wicken Road to include all properties up to The</p>	<p>The proposed revision to the Conservation Area boundary has been re-drawn to follow the property boundaries of Bramley Cottage and Elm Brook and to include the gardens of both.</p> <p>Officers do not consider the gardens of Cranesfield to be an area of open space that contributes significantly enough to the Conservation Area to warrant inclusion within the boundary. The significant trees visible from the public realm are already protected by TPOs and the property itself is of little architectural note.</p> <p>Christiania, a low pitched chalet bungalow with modern garage block, is not of sufficient architectural interest to warrant inclusion within the Conservation Area.</p> <p>Officers consider that whilst The Beehive (Grade II) is of architectural merit it is protected as a Listed Building. Other properties</p>

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	<p>Beehive.</p> <p><b>An Arkesden resident</b> suggests that the area along Hampit Road and the Old Methodist chapel should be added to the Conservation Area.</p>	<p>suggested for inclusion are not of sufficient quality.</p> <p>There are limited visual or architectural links with the main settlement to warrant extending the Conservation Area boundary to these properties which in themselves, as a group, are not of sufficient mass or interest to be considered as a separate Conservation Area.</p>
Detracting elements	<p><b>An Arkesden resident comments</b> that solar energy panels should not be permitted on elevations facing the main high street.</p> <p><b>Arkesden residents</b> (two representations) consider that overhead cables are an eyesore.</p> <p><b>An Arkesden resident</b> notes that railings along the river look awful and are in need of replacement</p>	<p>The council's new draft Local Plan Policy HE1 provides guidance which limits the visible impact of the installation of renewable energy equipment in Conservation Areas.</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 repair and of the railings which, whilst of little architectural value do contribute to the streetscene.</p>
Other	<p><b>GeoEssex</b> suggest that three Local Geological Sites (LoGS) within the Conservation Area should be noted, one of these (Wicken Water boulders) having being omitted in the report.</p>	<p>All three sites have been noted in the revised draft Appraisal.</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 immediately to assist in the

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determination of planning applications and for implementing the management proposals as set out.

Formal changes to the Conservation Area 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 and Arkesden 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.