

Committee: Cabinet

Agenda Item

Date: 17 January 2013

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Title: Conservation Area Appraisal, Radwinter

Portfolio Holder: Cllr S Barker

Key decision: No

Summary

1. This report has been prepared and discussed with Radwinter Parish Council who support its general content. The draft Conservation Area Appraisal for Radwinter was made available on the council's website and as printed copies. A public exhibition on 12 November 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 5 November until 16 December 2012.
2. Radwinter 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.

Financial Implications

4. None.

Background Papers

5. The notes of the public exhibition held on 12 November 2012 and all representations received.

Impact

- 6.

Communication/Consultation	Full consultation undertaken.
Community Safety	Not affected
Equalities	Not affected
Finance	None.
Health and Safety	Not affected.

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

Situation

7. The Radwinter Conservation Area was originally designated in 1980. 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.
8. 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.
9. The principal issues and recommendations set out in the document are:

Changes to the existing Conservation Area boundary. None are proposed.

Note: As a result of the consultation a number of 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. None are identified in Radwinter.

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 pumps that make a particular contribution to the character of the Conservation Area. The walls identified are protected from demolition without prior consent virtue by Listed Building legislation and any proposal involving their demolition is unlikely to be approved. The unlisted pumps should be subject to application to English Heritage for formal listing. Should such an application fail other mechanisms to achieve their protection should be explored.

Planning Control and Good Practice, Important Open Spaces, Trees and Groups of Trees. *Important open land, open spaces and gaps.* The open space as identified, namely the churchyard and part of its extension as shown on the plans represent a landscape feature that materially contributes to the character and appearance of the Conservation Areas that must be protected.
Particularly important trees and hedgerows. Only the most significant trees are shown very diagrammatically. Many have already been made subject to Tree Preservation

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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. Owners are advised to make regular inspections to check the health of trees in the interests of amenity and Health and Safety.

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.

Issue	Representations made	Officer comment
Changes to the Conservation Area	<p>A Radwinter resident suggests that a revision is made to the Conservation Area boundary at 4a East View Close</p> <p>A Radwinter resident asks why the Recreation Ground is not included in the conservation area.</p>	<p>Very minor adjustments to the boundary would better relate to existing features on the ground but such changes are not considered critical.</p> <p>Whilst being an important recreational facility, officers do not consider its visual qualities to contribute significantly enough to the Conservation Area to warrant inclusion within the boundary.</p>
Character analysis of Radwinter	<p>The Radwinter Local History Recorder notes that the pump located on the green sward to the front of the Village Hall, which the report says is in urgent need of sensitive repairs should be listed.</p> <p>A Radwinter resident further supports the proposal to protect both village pumps</p> <p>The Radwinter Local History Recorder considers that the church</p>	<p>The local community and the Parish Council should contact English Heritage for advice on listing.</p>

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	<p>of St Mary the Virgin should be Listed Grade I (currently Grade II*). This view is shared by Andrew Argyrakis, Senior Conservation Officer for The Church of England's Buildings Council.</p>	
<p>Any other comments</p>	<p>A Radwinter resident suggests that the salt bins should be located in a more discrete position</p> <p>A Radwinter resident notes that there are opportunities to improve the landscaping (native planting) and encourage wildlife (e.g. pollinators).</p> <p>A Radwinter resident (2 representations) approve of the proposals for the undergrounding of electricity cables</p> <p>A Radwinter resident notes that the public footpath & styles behind Church Hill not maintained</p>	<p>Officers suggest that this is brought to the attention of the Parish Council who will be able to contact Essex Highways should re-location of the bins be considered appropriate</p> <p>A key recommendation of this Appraisal is that appropriate landscaping should be carried out</p> <p>Officers consider the electricity poles an unsightly element detracting form the character of the Conservation Area. Officers also accept that utility poles at Princes Hill are intrusive but that priority should be afforded to those in the centre of the village. The local community and Parish Council could enter to discussions with utility companies.</p> <p>Essex County Council has a statutory duty to maintain and protect the network of public rights of way</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 determination of planning applications and for implementing the management proposals as set out.

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Risk Analysis

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Risk	Likelihood	Impact	Mitigating actions
Challenge to Conservation Area Appraisal findings	1 There is some risk that the report findings cannot be justified by the guidelines provided by English Heritage.	2 If findings 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 Radwinter 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.