

Committee: Cabinet

Agenda Item

Date: 9 May 2013

8

Title: Conservation Area Appraisal, High Easter

Portfolio Holder: Cllr S Barker

Key decision: No

Summary

1. This report has been prepared and discussed with High Easter Parish Council who support its general content. The draft Conservation Area Appraisal for High Easter was made available on the council's website and as printed copies. A public exhibition was held on 2 March 2013 and attended by the Council's Conservation Area Appraisals Project Officer and two officers from Essex County Council Place Services who had been commissioned to carry out the fieldwork and produce the appraisal report. All three officers 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 11 February until 10 April 2013.
2. High Easter 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 High Easter 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 2 March 2013 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	Barnston and High Easter - various proposals as amended and as contained in report.
Workforce/Workplace	Existing staff resources.

Situation

8. High Easter Conservation Area was first designated in 1991. 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.

(a) It is proposed that the boundary is extended to include the full extent of a number of rear gardens in line with best practice.

(b) It is suggested that Old Vicarage Close, consisting of seven properties, is excluded given these are a discreetly located group of new dwellings which do not relate particularly well to the Conservation Area.

Note: As a result of the consultation, respondents, including High Easter 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. Most notable are the former Memorial School, Cock and Bell Cottage, 1-3 Parsonage Cottage, The Chantry, The Old Vicarage and Harrington House.

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 High Easter 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.

Planning Control and Good Practice, Important Open Spaces, Trees and Groups of Trees. A key theme of the Conservation Area is the way its landscape setting feeds in to characterise the settlement area. This is achieved through key spaces including the cricket ground and church grounds, and through streets often provided with green verges and front gardens. These are generally well established with mature trees, hedgerow and ground cover. Other distinctive features, such as the War Memorial, restored pump and red phone box, provide essential memories of the village's past. 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.

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
<p>Changes to the Conservation Area</p>	<p>The Parish Council are generally supportive of the revised boundary as it now follows definable boundaries on the ground and recognises new development that has taken place since the boundary was originally made.</p> <p>The Parish Council and one High Easter resident believe that, although the scale of the houses in Old Vicarage Close is somewhat on the large side, they should all be placed within the Conservation Area.</p> <p>A High Easter resident asks why two properties known as Sycamores and Seasons are proposed for inclusion in the Conservation Area</p> <p>The Parish Council supports the principle of the “buffer zone” concept proposed by residents but makes a number of observations on the practicality of such an approach.</p> <p>High Easter residents (10 representations) suggest that the</p>	<p>Officers consider that these properties do not particularly relate to adjacent designated heritage assets in age, materials or in any other historically significant way and that their continued inclusion within the Conservation Area boundary would be of little benefit. Consideration might be given to positive natural screening by the planting of suitable species at the edge of the cricket ground abutting these properties.</p> <p>Officers agree that these properties and others on the southern side of The Street do not reflect a substantial number of other elements in the Conservation Area in age, style, materials, form or other characteristics. The boundary is recommended to remain as originally designated in this part of the Conservation Area.</p> <p>Officers consider that a buffer zone would serve no useful purpose. When considering the designation of Conservation Areas, the council is required to ensure that the area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the</p>

	<p>fields to the east of Barnston Road from Parsonage Brook to The Street should be formally designated a "High Easter Buffer Zone". This will provide some protection to the village northern boundary against unwarranted development.</p> <p>High Easter residents (2 representations) suggest that the consequence of the major amendments to the boundaries will be that the village will be divisively split into two distinct areas.</p> <p>A High Easter resident objects to the amendment to the Conservation Boundary running through 1 Parsonage Farm Barns, High Easter, CM1 4QZ as the proposed revision does not relate to any rear garden or boundary edge of the property</p>	<p>designation of areas that lack special interest. The fields to the east of Barnston Road from Parsonage Brook to The Street do not fulfil any of the criteria for designation as part of the High Easter Conservation Area. Furthermore, Uttlesford District Council currently has no policy of implementing 'buffer zones' and officers consider that the present development limits and policies provide sufficient protection</p> <p>In accordance with English Heritage guidelines officers do not consider other parts of High Easter to be areas that contribute significantly enough to the character or appearance of the Conservation Area to warrant inclusion within the boundary.</p> <p>Officers acknowledge that the current boundary follows a demarked boundary identifiable on the ground and therefore propose no change at this location.</p>
<p>Management proposals</p>	<p>The Parish Council comment on a number of the proposed management proposals</p> <p>A High Easter resident comments on the poorly maintained footpath links through woodland alongside Ware Ponds and footpath beyond Pyms.</p> <p>A High Easter resident notes that Council should enforce the retention</p>	<p>Officers are happy to discuss these proposals and advise on interaction with other agencies, such as Essex Highways, where necessary.</p> <p>Officers appreciate that part of the Ware ponds comprise a private garden area. Any proposal to improve the footpath guide post and gate would be beneficial to the area.</p> <p>Officers note the condition under UTT/0752/12/DOC.</p>

	(or if necessary the reinstatement) of the traditional metal railings to the former Memorial School (United Reform Church), as required in their original planning decision on the building.	
Other	<p>The Parish Council and one High Easter resident note that feedback from villagers who attended the public meeting on Saturday 2 March in the village hall suggests that some of the wording used in the Appraisal when describing specific properties is unnecessarily 'harsh' and could cause offence.</p> <p>The Parish Council generally supports the proposed use of an Article 4(2) Directions to control alterations to windows and doors, roofing materials on selected dwellings.</p> <p>A High Easter resident asks what the Parish Council are doing to stop speeding down the Barnston Road? As I have two children who walk up that road to the school bus I am very concerned at the speed that traffic travels down that road and would support traffic calming measures.</p> <p>A High Easter resident wishes to make it clear that the cricket ground is in private ownership.</p>	<p>Although the terminology used is in the standard planning lexicon, officers understand that this may be open to misinterpretation by the public and have amended the appraisal to use alternative wording.</p> <p>Article 4(2) Directions will be considered as part of a separate report and consultation.</p> <p>Officers suggest that this is brought to the attention of the Parish Council who will be able to contact Essex Highways to consider possible options.</p> <p>Ownership of the cricket ground is clarified in the draft Appraisal of High Easter Conservation Area.</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.

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

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 and High Easter 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.