

Committee: Cabinet

Agenda Item

Date: 12 September 2013

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Title: Conservation Area Appraisal, Hempstead

Portfolio Holder: Cllr S Barker

Key decision: **No**

Summary

1. This report has been prepared and discussed with Hempstead Parish Council who support its general content. The draft Conservation Area Appraisal for Hempstead was made available on the council's website and as printed copies. A public exhibition on 5 June 2013 was attended by the Council's Conservation Officer and the fieldworker who had been commissioned to carry out the on-site survey and produce the appraisal report. Both 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 24 May until 6 July 2013.
2. Hempstead 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 Hempstead 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 5 June 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	The Sampfords - various proposals as amended and as contained in report.
Workforce/Workplace	Existing staff resources.

Situation

8. The Hempstead Conservation Area was 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.
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 to:
 - (a) Extend the Conservation Area to include open grazing land between Pippins and Hillside south of Church Hill, being elevated agricultural grazing land leading up to Mill mound.
 - (b) Minor adjustment to exclude remainder of Oxbow House, east side of High Street (house in part already beyond the Conservation Area).
 - (c) Minor adjustment at the eastern end of the pond at the top of Church Hill.
 - (d) Minor adjustment to exclude the small portion of the front garden of Wilderness, west side of High Street (house already beyond the Conservation Area).

- (e) Minor adjustment to revise the Conservation Area to the rear boundary of Old Post Office Cottage (house is currently bisected by the Conservation Area) and then to exclude the road and ditch opposite Bramleys and Dimmings.

Note: As a result of the consultation, respondents, including Hempstead 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; Former Almshouses (nos. 1- 4), north side Church Hill; Hillside, Church Hill; Forge House, High Street; former chapel, now part of the Manse, Church Hill; Trevor House, north of the Village Hall.

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 Hempstead 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. The open spaces, as identified in the Appraisal, represent open landscape features that materially contribute to the character and appearance of the Conservation Area and which must be protected. These are the churchyard; the horse paddock and adjoining land to the west of the churchyard; the open spaces at the junction of High Street and Church Hill; the agricultural gap to the west of Fridays, Church Hill and the open grazing land between Pippens and Hillside leading up to the Mill Mount. 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, attributed dates are not included here.

Issue	Representations made	Officer comment
Changes to the Conservation Area	<p>Hempstead Parish Council is broadly in favour of the recommendations and observations contained in the appraisal and welcome it as a valuable piece of work. They are particularly in favour of the extension of the boundary to the grazing area south of The Glebe.</p> <p>Hempstead Parish Council, however, suggest a number of revisions where the boundary seems unhelpful and bisects plots and goes across a driveway:</p> <ol style="list-style-type: none"> 1) Oxbow House's plot is bisected so that the house is outside the area and part of the plot inside. (see also resident comment with regard to this site below) 2) Near the pond at the top of Church Hill at either side the line probably should follow the kerb line rather than cut across driveways etc. 	<p>Officers note the concerns but consider that the garden of Oxbow House should remain within the boundary as it constitutes an important open space contributing to the fabric of the Conservation Area. Revising the boundary to the end of the property, as proposed in the Appraisal means that the extent of the boundary is well defined on the ground.</p> <p>Redrawing the boundary tight to the curb would remove a large willow tree from the Conservation Area. Officers consider this tree to be important to the setting of the adjacent pond and suggest that the boundary should be re-drawn parallel to the kerb line.</p>

	<p>3) Wilderness on the High Street again has its driveway bisected as the boundary progresses to Drapers. It should really follow the plot boundary and not randomly go across it.</p> <p>A Hempstead resident supports the revision to move the boundary North from within Oxbow House to rest outside the northern extremity of the building. However, they wish to request that the proposed boundary is moved even further North to Oxbow House's site boundary.</p> <p>A Hempstead resident suggests that that boundary be extended north east along the High Street to include the section of railings opposite the boundary of Dimmings and its neighbour Woodside Cottages.</p>	<p>Officers agree with the Parish Council's suggestion and propose that the boundary is redrawn to follow the front of the plot boundary.</p> <p>Please see response to point 1 above.</p> <p>Officers have re-surveyed this part of the Conservation Area and conclude that the landscape feature and railings do not contribute significantly enough to the general spatial quality and visual importance of the Conservation Area to warrant inclusion. However, a small revision is proposed to enclose the rear property boundary of Old Post Office Cottage which is currently excluded.</p>
Other	<p>Hempstead Parish Council asks why Archaeological site boundaries (A) shown delineated by yellow lines again seem to show scant regard for boundaries, driveways etc.</p> <p>Hempstead Parish Council notes that while sympathetic to the idea of an archaeological dig at the Ring o' Trees the council are uncertain how this would proceed or be funded.</p>	<p>The extent of archaeological sites and Scheduled Monuments is defined by English Heritage based on the surviving archaeological evidence. In some cases this may cut across above ground elements of the modern settlement.</p> <p>Management proposals for further actions are made as suggestions for implementation by the community as, and when, funds might permit. Officers may be able to provide some limited advice on possible grant sources should the Parish Council consider an</p>

	<p>A Hempstead resident suggests that the white railings opposite Bramleys and Dimmings on the High Street should be noted.</p>	<p>archaeological study to be of benefit.</p> <p>Officers have re-surveyed this part of the Conservation Area and conclude that landscape feature does not contribute significantly enough to the general spatial quality and visual importance of the Conservation Area to warrant inclusion.</p>
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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 use of the document 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 Hempstead 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.