

Committee: Cabinet

Agenda Item

Date: 24 October 2013

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Title: Conservation Area Appraisal, Widdington

Portfolio Holder: Cllr S Barker

Key decision: No

Summary

1. This report has been prepared and discussed with Widdington Parish Council who support its general content. The draft Conservation Area Appraisal for Widdington was made available on the council's website and as printed copies. A public exhibition on 15 July 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 1 July until 11 August 2013.
2. Widdington 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 15 July 2013 and all representations received.

Impact

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Communication/Consultation	Full consultation undertaken.
Community Safety	Not affected.
Equalities	Not affected.
Finance	None.
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	Newport - various proposals as amended and as contained in report.
Workforce/Workplace	Existing staff resources.

Situation

7. The Widdington Conservation Area was designated in 1976. 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.

Several 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: outbuilding range between Bishop's and Barn Cottage, Barn Cottage, corner of Cornells Lane, the Old Bakery, High Street.

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 Widdington 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 of St Mary the Virgin; grouping of greens in the centre of the village; open grazing land adjacent to Prior's Hall barn and open paddock to the west of Widdington Hall. 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.

Consultation results

- 10 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	Widdington Parish Council requests that the Fleur de Lys public house garden is included as an important green area	Whilst being an important community facility, officers do not consider its landscape value to contribute significantly enough to the Conservation Area to warrant inclusion within the boundary due to its primarily role as an ancillary dining area to the pub. This important community function, though, has now been acknowledged in the revised Appraisal.

	<p>Widdington Parish Council, further, requests that the Conservation Area boundary is altered to encompass Dove House, School House, Dorf House, Church Mead and Meadow Croft.</p> <p>A Widdington resident sees the designation of the Conservation Area as being a key tool to support and believes that it should be given significant weight in any future deliberations regarding development in or around the village</p> <p>A Widdington resident recommends that the existing Conservation boundary is reviewed with regard to Church Lane and the Church View site</p>	<p>Officers note the request but consider that the properties are all of 20th century construction and would not contribute significantly to the fabric of the Conservation Area.</p> <p>Applications for development within any Conservation Area need to refer to the Conservation Area Appraisal and to explain how the proposed development will contribute to the character of the Conservation Area as identified in the appraisal. Policy HE1 - Design of Development within Conservation Areas in the emerging Local Plan provides clarification</p> <p>Officers have re-surveyed this part of the Conservation Area and conclude that the landscape features and built environment do not contribute significantly enough to the general spatial quality and visual importance of the Conservation Area to warrant inclusion</p>
Character analysis	<p>A Widdington resident suggests the need to protect the historic rurality of Widdington</p>	<p>Development will be permitted where it preserves or enhances the character and appearance of the essential features of a Conservation Area</p>
Other	<p>Widdington Parish Council endeavours to support the recommendations raised by Mr Bosworth by:</p> <ul style="list-style-type: none"> a. management of current trees on The Green b. planting to fill the track across The Green with appropriate support and consultation of public services, whilst acknowledging the historic interest and value of the origins of the track. 	<p>Officers and the Parish Council are seeking clarification on the legal status of The Green. Should any proposal proceed, the council's Landscape Officer can advise on a suitable planting scheme</p>

	<p>A Widdington resident objects to the recommendation that buildings immediately south of Prior's Hall should be listing on the Essex Buildings at Risk Register</p> <p>A Widdington resident notes that the Appraisal fails to make the connection between the “cul-de-sac” character and the consequent green and verge destruction and adds that the limited infrastructure should be acknowledged in any conservation proposal</p>	<p>The fieldworker and Project Coordinator have visited the site and are satisfied that future works planned by the property owner will ensure the restoration of the buildings in question. The recommendation for listing on the Buildings at Risk Register will not be pursued</p> <p>Waste Collection Operations by the Council have been reviewed to reduce the risk to greens and verges.</p>
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Conclusion

- 11 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.

Risk Analysis

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Risk	Likelihood	Impact	Mitigating actions
Revisions to the Conservation Area	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 and Widdington 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.