

**Committee: Cabinet**

**Agenda Item**

**Date: 18 February 2014**

**19**

**Title: Conservation Area Appraisal, High Roding**

**Portfolio Holder: Cllr S Barker**

**Key decision: No**

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## **Summary**

1. This report was considered by Cabinet in December 2013 but deferred for further consideration.
2. This report has been prepared and discussed with High Roding Parish Council.
3. The draft Conservation Area Appraisal for High Roding was made available on the council's website and as printed copies. A public exhibition on 30 September 2013 was attended by the Council's Conservation Officer and the fieldworker who carried out the appraisal. Both 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 23 September until 3 November 2013.
4. The experience of the Conservation Area Appraisals so far undertaken indicates that the process is both important and popular with the local communities.

## **Recommendations**

5. That the Conservation Area Appraisal be approved and used to assist in the process of determining planning applications and for implementing management proposals.
6. That the High Roding Conservation Area boundary be formally amended

## **Financial Implications**

7. 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**

8. The notes of the public exhibition held on 30 September 2013 and all representations received. Minutes of the Cabinet meeting held on 5 December 2013.

## Impact

9.

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

## Situation

10. The High Roding Conservation Area was 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.

11. 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.

12. The principal issues and recommendations set out in the document are:

**Changes to the existing Conservation Area boundary.** Two amendments are proposed.

i. It is suggested that 16 properties being 1a-14 School Villas are excluded from the Conservation Area. These comprise a run of mainly later 20<sup>th</sup> century local authority and ex-local authority housing now somewhat altered by the addition of porches, double glazing and other features facing the road.

ii. An amendment is suggested to exclude the five properties at Dove Crofts given these are a discreetly located group of modern dwellings at the periphery of the Conservation Area.

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: Roding Hall, Roding Hall Cottages, The Bakery, Brick Cottage and Ivy Cottage, Former School building, The Old Mission Hall and Rands Cottage. In respect of Roding Hall the Council will, in the first instance, seek to negotiate much needed improvements to the poor condition of this building.

#### **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 Roding 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 pumps within the curtilages of Listed Buildings that make a particular contribution to the character of the Conservation Area. The latter are protected from demolition without prior consent by virtue of the Listed Building legislation and any proposal involving their demolition or removal is unlikely to be approved.

Several other railings and walls forming boundaries to non listed properties have also been identified as contributing to the visual and historic importance of the village, some of which are protected from demolition without prior consent virtue of exceeding specified heights. An Article 4 Direction to protect the wall attached to and fronting The Bakery may be appropriate subject to further consideration and notification. The metal four way directional sign at the junction of B184 and Rands Road is particularly pleasing and Essex County Council should be requested to retain it.

## **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 which must be protected. As marked on the plans these are: the Allotment Gardens west side of The Street and two triangular green amenity spaces in the centre of the Conservation Area at the junction of The Street and Broadfield. These two small greens are a focal point in the Conservation Area that are undistinguished and could be improved. The allotment Gardens west side of The Street are also noted as being listed as an Asset of Community Value.

### **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.

<b>Issue</b>	<b>Representations made</b>	<b>Officer comment</b>
Changes to the Conservation Area	<p><b>High Roding residents (6 representations)</b> consider that High Roding Conservation Area boundary is correctly drawn.</p> <p><b>High Roding residents (2 representations)</b> wish the conservation area to include the field opposite Ware Farm at the southern end of the village, formerly the village football pitch, as it protects the view of the village when approaching from the south and is adjacent to a number of listed buildings.</p>	<p>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 designation of areas that lack special interest. Whilst of local concern as a former village recreational facility the field opposite Ware Farm does not fulfil any of the</p>

	<p><b>High Roding residents (3 representations)</b> suggest that the High Roding Cricket Ground should be included within the conservation area and that it should be designated as an important open space.</p>	<p>criteria for designation as part of the High Roding Conservation Area. Officers consider that the present development limits and policies provide sufficient protection to the approach from the south.</p> <p>Whilst being an important recreational facility, officers do not consider its visual qualities and association with the built environment contribute significantly enough to the High Roding Conservation Area to warrant inclusion within the boundary.</p>
Character analysis	<p><b>High Roding residents (4 representations)</b> agree that generally the analysis is excellent.</p>	
Important open spaces	<p><b>High Roding residents (8 representations)</b> consider that the open agricultural land in the centre of the conservation area (being the site adjacent to the WI Hall) should not be designated as an important open space.</p> <p><b>High Roding residents (2 representations)</b> consider that the open agricultural land in the centre of the conservation area (being the site adjacent to the WI Hall) should be designated as an important open space as it allows important views over the Roding Valley.</p> <p><b>High Roding residents (1 representation)</b> consider that the Open paddock land corner of B184 and Canfield Road should not be designated as an important open space.</p> <p><b>High Roding residents (1 representations)</b> suggest that no</p>	<p>Officers have re-surveyed the site and now consider that it should not be designated as an important open space.</p> <p>See above</p> <p>Officers have re-surveyed the site and now consider that it should not be designated as an important open space.</p> <p>Subject to complying with the relevant policies development will be</p>

	infill building should occur on the remaining open spaces.	permitted on land within development limits. Only in exceptional circumstances will development be permitted on land outside development limits.
<p>Buildings which make an important architectural or historical contribution:  <i>Roding Hall, Roding Hall Cottages, The Bakery, Brick Cottage and Ivy Cottage, Former School building, The Old Mission Hall and Rands Cottage</i></p> <p>Proposed Article 4 Directions</p>	<p><b>High Roding residents (5 representations)</b> are concerned about the state of repair of Roding Hall.</p> <p><b>A High Roding resident</b> states that ongoing repair works are being carried out on Roding Hall and that the appraisal should reflect this by deleting all references</p> <p><b>High Roding residents (4 representations)</b> respond with concerns that Article 4 Directions represent excessive controls on unlisted properties.</p> <p>Specific concerns are represented in respect of Ivy and Brick Cottages and that this may be a precursor to the buildings becoming listed</p> <p>Specific concerns are represented in respect of The Bakery</p> <p><b>High Roding residents (1 representation)</b> approves of the proposed Article 4 Directions. Other properties mentioned by residents are White Horses and</p>	<p>Officers note these concerns and refer residents to the relevant management actions proposed by the appraisal.</p> <p>Officers note this but consider Roding Hall still has a number of good features in particular need of repair.</p> <p>Officers consider that the unlisted buildings noted by the appraisal make a positive contribution to the character of the Conservation Area.</p> <p>Should the Council consider applying for Article 4 Directions appropriate there would be a separate process of notifying the affected owners at a later date and a consultation. This would be associated with further detailed consideration and possible refinement of the general proposals set out in the appraisal document.</p> <p>This is not a recommendation for listing.</p> <p>This comment is noted.</p>

	the Black Lion, otherwise the properties identified are agreed with.	
Elements that are out of character with the Conservation Area	<b>A High Roding resident</b> states that it is inappropriate to insist that boundary fencing to B184 boundary between Roding Hall and Canfield Road detracts and ideally in the long term should be replaced by agricultural fencing or native hedging.	Management proposals for further actions are made as suggestions for implementation by the community as, and when, funds might permit.
Other	<p><b>High Roding residents (3 representations)</b> raise concerns about the excessive speed and weight of HGVs through the High Roding Conservation Area and add that agreeing sensible speed limit controls through the village is essential.</p> <p><b>High Roding residents (2 representations)</b> state that many people were not notified about the consultation.</p> <p><b>High Roding residents (2 representations)</b> found the public meeting on 30 September very useful.</p> <p><b>High Roding residents (4</b></p>	<p>Officers acknowledge that traffic travelling at excessive speed can detract from the character of the Conservation Area. The local community and Parish Council could enter into discussions with Essex Highways on both speed reduction measures and possible weight restrictions</p> <p>The High Roding Parish Council was notified of the process of the appraisal and were supplied with pre-publication copies of the document. Letters and posters were distributed in the village, a press release was sent out to local and regional newspapers and notifications were made available on the council's website. A public meeting was held in the WI Hall on 30 September.</p> <p>This comment is noted.</p>

	<b>representations)</b> note concerns about the height of a fence recently erected at the open agricultural land in the centre of the conservation area (being the site adjacent to the WI Hall).	This comment is noted.
General	<b>A High Roding resident</b> considers that the statement that access was denied to the fieldworker should be removed from the appraisal document.	The appraisal has been amended to indicate that the fieldworker was unable to gain access.

## 11 Representations made at Cabinet 5 December 2013

Representee	Issue	Officer Comment
Mr Reed	<b>Mr Reed</b> considers that not been able to obtain answers from council officers or his local Member. He was concerned at the proposed designation of 3 open spaces, which were on his land, as environmentally important areas of open space and also the consideration to place Article 4 directions on a number of his properties. He contested the contents of the report and asked for an explanation of the recommendations.	A letter addressing all the concerns raised by Mr Reed has now been sent to him.  Officers have re-surveyed the three open spaces and now consider that the open paddock corner of B184 and Canfield Road and the open arable field in centre of the Conservation Area adjacent to the WI Hall should not be designated as important open space. The Allotment Gardens, though, are considered to represent an important landscape feature contributing to the general spatial quality and visual importance of the Conservation Area.
Mr Hugo	<b>Mr Hugo</b> spoke about a piece of land that was proposed as an environmentally important area of open space. He had purchased this land in order to build a house for his family. It had a fence around the perimeter, there were	Officers have re-surveyed the area and now consider that it should not be designated as an important open space.



	<p>no proper views and the plot had not been farmed for 20 years.</p> <p>He commented that the village recreation areas did not appear to have been designated in the appraisal, only private land. He said that this land was his family's future and asked that the designation of the land be reconsidered.</p>	
<p>Cllr Barker</p>	<p><b>Cllr Barker</b> made the following points to Cabinet: The document identifies a number of potential "open spaces" to the West of the B184 but makes no mention of those on the East.</p> <p>The document makes no mention at all of the 15 Council and ex-Council houses 1a-14 School Villas. I can imagine that in 1977 these were "classical examples", but in 2013 they have been had porches added, been extended, insulated by external cladding and double glazing installed. I would question whether these are still appropriate to be included.</p> <p>The document also makes no reference to Dove Crofts, a stand</p>	<p>The appraisal considers areas of open space within the Conservation Area boundary and would only generally reference areas beyond the boundary if they contained notable features or were being considered for inclusion. Open spaces to the east – principally the High Roding Cricket Ground and former football pitch were raised as areas of concern by consultees. Officers have responded and those details are found under section 10 above.</p> <p>Non-listed properties that are neutral in terms of their relationship to the Conservation Area are not generally noted in the appraisal unless there is a specific issue. Officers have re-surveyed the run of 16 properties and agree that as these contribute little to the Conservation Area the boundary should be redrawn to the back edge of the public footpath to exclude them.</p> <p>Officers have re-surveyed the five properties comprising Dove Crofts</p>

	alone development behind 14 School Villas, built some 17 years ago.	and agree that this discretely located group of modern buildings contributes little to the Conservation Area. The boundary should be redrawn to exclude them.
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## 12 Conclusion

The public consultation and representations made at Cabinet on 5 December 2013 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.

## 13 Risk Analysis

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 High Roding 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.