

Committee: Cabinet

Agenda Item

Date: 25 June 2014

12(4)

Title: Conservation Area Appraisal, Hadstock

Portfolio Holder: Cllr S Barker

Key decision: **No**

Summary

1. This report has been prepared and discussed with Hadstock Parish Council who support its general content and are now actively working to implement the management actions.
2. The draft Conservation Area Appraisal for Hadstock was made available on the Council's website and as printed copies. A public exhibition on 8 February 2014 was attended by the Council's Conservation Area Appraisals Project Officer 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 1 February to 15 March 2014.
3. Hadstock 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

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

Financial Implications

6. 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

7. The notes of the public exhibition held on 8 February 2014 and all representations received.

Impact

- 8.

Communication/Consultation	Full consultation undertaken.
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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	Ashdon - various proposals as amended and as contained in report.
Workforce/Workplace	Existing staff resources.

Situation

9. The date at which the Conservation Area was first designated is unclear from the records but it is likely that it was 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.
10. 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.
11. The principal issues and recommendations set out in the document are:

Changes to the existing Conservation Area boundary.

1. An adjustment to revise the Conservation Area to the rear boundaries of properties on the east side of Linton Road from Lordship Cottages to Chestnut House (the rear boundaries of all properties are currently bisected by the Conservation Area).
2. A minor adjustment to include the final building in the long range of former agricultural buildings on the Yews Farm site.
3. An adjustment to revise the Conservation Area to the rear boundaries of properties on the north side of Walden Road from Holly Cottage to Wychelm (the rear boundaries of all properties are currently bisected by the Conservation Area).
4. It is suggested that Les Arbres on Moules Lane is excluded given that this is a discreetly located single modern dwelling 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.

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: Hadstock House; Glebe House; Lordship Cottages on Linton Road; former agricultural buildings at Yews Farm; Fairmead and Pleasant Cottages on Moules Lane.

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 Hadstock 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 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 pumps that make a particular contribution to the character of the Conservation Area. Some walls are protected from demolition without prior consent by 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 being the churchyard, village green and smaller green on Bartlow Road. All represent landscape features that materially contribute to the character and appearance of the Conservation Area that must be protected.

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 or attributed dates are not included here.

Issue	Representations made	Officer comment
General	<p>The Hadstock Society considers that the Appraisal provides a very good analysis and understanding of the village.</p> <p>A Hadstock resident states that they are entirely opposed to the concept a conservation area and thus to its revision. My house, featured twice in the document was started over 400 years ago and has been added to over a number of centuries. Why should such development stop now? Are we to live in a museum?</p> <p>A Hadstock resident considers the report thorough and well referenced.</p>	<p>Officers are grateful for the input of local residents and the Parish Council in producing the appraisal document.</p> <p>Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that the Council shall from time to time designate Conservation Areas, which are defined as being ‘areas of special architectural or historic interest, the character or appearance of which it is desirable to conserve or enhance’. Officers consider such a designation in Hadstock to be appropriate. Conservation Area designation does not to prevent future development. Instead, designation seeks to manage change in order to enhance the area and ensure that new developments preserve and enhance the character of that area.</p>
Changes to the Conservation Area	<p>The Hadstock Society suggests that the Conservation Area should be extended in Walden Road to include the gardens from Chantry House to Bardsfield.</p> <p>A Hadstock resident supports the proposed adding of gardens, and suggests that this concept be extended to the upper end of the west side of Walden Road. The resident also supports the inclusion of the old agricultural buildings opposite The Row.</p>	<p>Officers have re-surveyed these sites and consider that any amendments to the boundary to include the gardens of Chantry House to Bardsfield would not contribute significantly enough to the Conservation Area to warrant inclusion within the boundary. Therefore no further revision is proposed.</p>

	<p>A Hadstock resident supports the proposed revisions.</p> <p>A Hadstock resident agrees with the proposed extension of Conservation Area to area boundaries of properties. Extension of Development Limit would open the way for back development, which has always been refused because of the danger of more vehicles coming out on the busy roads.</p> <p>A Hadstock resident asks why bother to take Les Arbres out and states that while the house is just a modern bungalow, its hedge is the old hedge that was the bottom boundary of the gardens of Fairmead and Pleasant View, built 1851.</p>	<p>Consideration of the extent of Development Limits is not within the remit of the Conservation Area Appraisal process and no recommendations are made in the report.</p> <p>Les Arbres on Moules Lane is suggested for exclusion given that this is a discreetly located single modern dwelling that does not contribute to the overall 'special' architectural or historic interest of the Conservation Area. The hedgerow, whilst of wildlife interest is not of enough significance to warrant inclusion in the Conservation Area.</p>
Important buildings	<p>The Hadstock Society supports the view that the buildings identified in the document as making an important architectural or historical contribution to the area should be protected by the Conservation Area.</p>	Noted
Management proposals	<p>Hadstock Parish Council and the Hadstock Society note the state of the village pump and ask if progress might be made towards its refurbishment.</p> <p>The Hadstock Society and Hadstock residents (2 representations) strongly support the suggested removal of utility poles and provision of underground particularly the area around the Grade I listed St. Botolph's Church. They also agree that overhead telephone cables should be placed underground.</p> <p>A Hadstock resident states that control of HGV traffic is a top priority for residents.</p>	<p>Correspondence has already been underway to advise the Parish Council of the Ranger Service and possibilities for restoration.</p> <p>Officers consider the electricity poles an unsightly element detracting from the character of the Conservation Area. Officers will support the local community and Parish Council should they wish to enter into discussions with utility companies.</p> <p>Officers acknowledge that HGV traffic travelling at excessive speed can detract from the character of the</p>

		Conservation Area. The local community and Parish Council could enter into discussions with Essex Highways to consider possible options.
Trees and open spaces	<p>The Hadstock Society notes Paragraph 1.89 refers to the fact that there are Tree Preservation Orders in the area but all trees in the Conservation Area are protected as part of the Conservation Area.</p> <p>Natural England is pleased to see reference to the protection of open spaces as per paragraphs 1.90 and 1.91 together with paragraphs 2.10 and 2.11 referring to the protection of open spaces which are to be welcomed and to be encouraged.</p> <p>A Hadstock resident considers that Uttlesford's tree conservation policy should be more liberal, taking into account the reality of its residents' past actions and insurance company attitudes.</p> <p>A Hadstock resident states that the Village Green common land on the Barlow Road hillside above the village green, is protected open space that should be retained.</p>	<p>Protection afforded to trees in a Conservation Area is limited. If an application for works to a tree in a Conservation Area is received, the Local Planning Authority has six weeks to decide whether the tree should be made subject of a Tree Preservation Order (TPO).</p> <p>Noted</p> <p>Noted</p> <p>This is now noted in the Appraisal</p>
Other	<p>A Hadstock resident considers the Uttlesford policy for improving the thermal efficiency of listed buildings is at odds with the National policy for good thermal insulation and suggests that Uttlesford should urgently review its policy.</p> <p>A Hadstock resident suggests that there should be a mention of clay batt construction.</p> <p>A Hadstock resident suggests the former village school, now the Village Hall, should be considered for listing.</p>	<p>Noted</p> <p>Details of clay batt usage have now been included in the Appraisal.</p> <p>Local residents or the Parish Council should approach English Heritage with their proposal.</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 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.

12. Risk Analysis

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 Hadstock 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.