

Committee:	Development Control	Agenda Item
Date:	4 April 2007	8
Title:	Conservation area appraisals, Great Chesterford and Stansted Mountfitchet	
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Summary

The two reports have been prepared and discussed with the respective Parish Councils who support their general content. Public meetings have been held, chaired by the Chair of Development Control, attended by officers who presented the issues and answered questions. The Great Chesterford meeting was on 19 February whilst Stansted Mountfitchet's was held on 21 February 2007. Both were well attended with about 50 in respect of Stansted Mountfitchet and about half that number in respect of Great Chesterford. This report summarises the representations received and comments on them.

Further consultation has occurred in Stansted Mountfitchet in relation to addition properties proposed to be included in the extended conservation area where letters were delivered on 16 March to affected occupied properties. Any comments received will be reported at the meeting (the proposal to designate a new Conservation area at Bentfield Green will be subject to a separate exercise and consultation process).

Great Chesterford PC say 'The Parish Council feel strongly that having produced the appraisal the initiative is not lost ...' This comment is valuable and is one shared by officers who trust the documents will assist in the Development Control process and that resources are available to pursue or implement the management proposals

Recommendations

The principal recommendations are that the respective reports as proposed to be amended be approved and used to assist in the process of determining planning applications and for implementing Management proposals, that the Conservation area boundaries be formally amended and that additional planning controls in the form of Article 4 Directions be initiated in respect of both communities as described below

Background Papers

The Conservation Area Appraisal and Management Proposal documents for Great Chesterford and Stansted Mountfitchet together with representations.

Impact

Communication/Consultation	Full consultation undertaken.
Community Safety	Community safety increased if traffic

	calming measures are implemented by Essex County Council.
Equalities	Not affected.
Finance	The report's recommendations if implemented will have some limited cost implications to UDC, both capital and revenue. For example if Article 4 Directions are introduced, any planning application submitted in respect of these will not generate fees. Capital costs will be incurred by a range of partners if they voluntarily implement the proposals. There would be an implication if Members decided to provide financial support for environmental improvements in 2008/09.
Human Rights	Not affected.
Legal implications	If implemented as proposed, various existing Permitted Development Rights will be removed.
Sustainability	Both reports focus on environmental issues seeking to preserve the environment of the respective communities, including their quality buildings and open spaces.
Ward-specific impacts	Various proposals as amended and as contained in reports.
Workforce/Workplace	Modest increase in workload for Development Control and Conservation staff.

Situation

Great Chesterford.

The principle issues and recommendations set out in the document are:

Changes to the existing conservation area boundary. A number of alterations to the conservation area boundary are proposed. Those proposed for inclusion are: selected farm buildings at Manor Farm, an area to the west of King's Mill, paddocks to the north east of Carmen Street and land to the west of Newmarket Road. The main area proposed for exclusion is land to the south of Eastby House, dwellings to the northern end of Rose Lane and other minor changes.

General planning control and demolition of buildings. In addition to listed buildings, other buildings that make an important architectural or historic contribution to the

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conservation area have been identified and any application involving their demolition will normally be refused. The quality of Great Chesterford CA is outstanding.

Listed buildings. There are many quality listed buildings that are particularly diverse in their appearance and use of materials and development proposals affecting them must be sympathetic.

Additional controls to quality non listed buildings. Article 4 Directions should be introduced to remove the permitted development right to alter windows and doors and roofing materials on selected buildings that make an important architectural or historic contribution.

Open Spaces. Extensive areas of important open spaces where development should not occur are identified.

Additional controls to boundary walls and railings. The high importance of walls and a few railings has been noted and because of this an Article 4 Direction should be introduced to remove permitted development rights for selected walls and railings beyond the curtilages of listed buildings.

Archaeological assessment. Because of the high importance of Great Chesterford in this respect an archaeological field assessment should be carried out.

Detracting elements. A number of detailed elements that detract from the quality of the environment have been identified together with complimentary enhancement proposals.

Speed Reduction Plan. Should a speed reduction plan curbing excessive speeds be introduced in the village?

School Travel Plan. Explore the potential of introducing waiting restrictions or a 'walking bus'.

Comments Received:

The comments received are set out in the table arranged in the subject order above.

Issue	Representations made	Officer comment
Changes to the conservation area	None	Approve as set out in appraisal report
General planning control and demolition of non listed buildings	There were no representations other than an oblique reference and debate at the meeting on the quality of development (or lack of it) in the conservation area	The non listed buildings identified as making an important architectural or historical contribution be accepted and any application for their demolition will normally be refused.
Listed buildings	There were no representations	Officers consider the real issue is to ensure proposals affecting Listed

		buildings are of the highest quality and it is hoped the Management proposals emphasise this
Additional controls to quality non listed buildings	There were no representations	<p>An Article 4(2) Direction as suggested be introduced by the Council (not needing approval by the Secretary of State) can only apply to residential buildings and only to those parts fronting a highway, waterway, public footpath or open space. It is estimated that about 30 dwelling will be affected by the proposal to introduce additional controls to protect windows, doors and roofing materials. This measure will assist considerably in protecting the quality of the built environment. If approved by Members it will be subject to a separate consultation exercise and subsequent applications will not generate a fee income.</p>
Open spaces	There were no representations	The retention of the character of the open spaces as identified by the appraisal is considered to be essential.
Additional controls to boundary walls and railings.	There were no representations	The report identifies these features and notes that walls, brick and flint particularly, make a real contribution to the character of the conservation area. About 20 properties would be affected. Processes and impact relating to

		consultation and fees are the same as in relation to buildings (see above).
Archaeological assessment	There were no representations	The settlement is of great archaeological importance. Although there are few opportunities for development within the CA, an archaeological field assessment needs to be carried out before planning applications are determined.
Detracting elements.	<p>The Parish Council requested that owners be contacted and this was done initially by telephone which proved slightly controversial because some recipients of the message claimed not to have received the call. Whilst offering full support for the document a letter received drew attention to this criticism aired at the meeting.</p> <p>Crash barrier on the Newmarket Road. Although immediately beyond the CA, the Parish Council consider it to be in a state of dilapidation.</p> <p>Vandalised telephone box on Horse River Green. A question was raised at the meeting querying whether this was worth preserving.</p>	<p>Whilst officers left messages with all owners of detracting elements, they consider with the benefit of hindsight, more should have been done in this respect. In future it is suggested such owners when they can be identified, be engaged at an earlier stage and a copy of the appraisal be made available to them.</p> <p>Discuss with Essex CC</p> <p>The type with its distinctive crown is part of the heritage of the village, adds to the quality of the environment and should be retained.</p>
Speed Reduction Plan.	The PC has actively campaigned for a 20mph in the village and conducted a survey that has resulted in 'overwhelming' support.	Officers have already met with Essex officers and with the local Essex member and Chairman of Essex Police. Essex County Council should be now be advised of the strong local feeling and

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		support at all levels and be requested to undertake a technical study to ascertain the extent and nature of the problem and propose a solution
School Travel Plan.	The problems associated with delivery and picking up of children was discussed at the meeting, particularly those having implications for safety and congestion. The meeting was advised that a 'walking bus' from the Crown and Thistle PH was being trialled.	This issue be considered by Essex CC and the local school in association with the work officers propose Essex CC should carry out in relation to the speed reduction plan.
Others	Several other points were raised including 'who pays' to remedy detracting elements, the cost/worth of the study, difficulty experienced in obtaining a hard copy from Council offices and size of leaflet supplied by UDC for distribution.	The issue of whether UDC should consider making a financial contribution in respect of environmental improvements is a matter for Members and is raised elsewhere in this report. The Council has received a complimentary letter from the PC that importantly stresses that 'having produced the appraisal the initiative is not lost'. Officers generally consider the content and presentation of the appraisal, including that available on line to be satisfactory. Small issues such as the size of leaflet, is important to those asked to distribute it and the experience gained in this exercise will be added to the 'learning curve' in respect of other appraisals.

Stansted Mountfitchet.

The principle issues and recommendations set out in the document are:

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Cock PH. Should the site of the Cock PH be redeveloped?

Speed Reduction Plan. Should a speed reduction plan curbing excessive speeds be introduced along Bentfield Road and Bentfield End Causeway?

Peter Kirk school site. The former Peter Kirk school site should be re-developed subject to access and traffic capacity considerations and retention of two key 19th century buildings.

Demolition of buildings. In addition to listed buildings, other buildings that make an important architectural or historic contribution to the conservation area have been identified and any application involving their demolition will normally be refused.

Listed buildings. There are many quality listed buildings and development proposals affecting them must be sympathetic.

Additional controls to quality no listed buildings. Article 4 Directions should be introduced to remove the permitted development right to alter windows and doors and porches and roofing materials on selected buildings that make an important architectural or historic contribution and similarly to control the erection of new porches.

Open Spaces. Important open spaces where development should not occur are identified and it is suggested that landscape enhancement schemes be prepared for two of them. The function performed by the Castle site in attracting visitors is recognised and it is also noted that the current displays are reversible without damage to the real archaeological and historic importance of the site.

Additional controls to boundary walls and railings. An Article 4 Direction should be introduced to remove permitted development rights in respect of selected railings and walls beyond the curtilage of listed buildings.

Changes to the existing conservation area boundary. A number of alterations to the conservation area boundary are proposed. Those proposed for exclusion are south of Bentfield End Causeway, both sides of the road at the southern end of Silver Street, several small areas at Lower Street, Station Road and to the south of Chapel Hill. Two small areas are proposed for inclusion and these are the southern canopy to the railway station and the Friends Burial ground.

Detracting elements. A number of detailed elements that detract from the quality of the environment have been identified together with complimentary enhancement proposals.

Comments received

The comments received are set out in the table following the subject order above.

Issue	Representations made	Officer consideration
Redevelop the Cock PH?	The thrust of the debate at the meeting was that adjacent modern development was overpowering and the general consensus was that redevelopment would generate an	Officers considered there needed to be a debate on the relative merits of providing additional housing as opposed to the retention of a community facility. That

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	<p>unacceptable level of additional traffic and that the PH was a community facility to be retained instead of a 'residential homogeneity' as one respondent advised. The PC regard the building should be listed.</p>	<p>debate has taken place and officers agree with public sentiments. Officers do not consider the building is worthy of listing or, on balance, as designating it as making an important architectural or historic contribution.</p>
<p>Introduce a speed reduction plan at Bentfield Road and Bentfield End Causeway?</p>	<p>5 formal representations were received covering a number of detailed points the general conclusions of which is overwhelming support for the introduction of a speed reduction in these two locations. There was a long discussion at the public meeting and overwhelming support expressed by a near unanimous show of hands. The PC had previously acknowledged there was an issue but wondered about the gravity of the situation.</p> <p>One representation was received in relation to traffic issues on the south side of Chapel Hill, particularly pedestrian safety.</p>	<p>Officers note the strong local feeling expressed and consider that the delivering authority, Essex County Council, should be advised of the strong local feeling and be requested to undertake a technical study to ascertain the extent and nature of the problem and propose an holistic solution as necessary.</p> <p>Agree with the representation that Essex should review the matter.</p>
<p>Peter Kirk School</p>	<p>There was no real debate on this matter apart from the PC advising that Essex CC should be made aware of the poor condition of some buildings in the community Essex CC own.</p>	<p>Officers are confident in the appraisal's conclusions in relation to this site, particularly those relating to buildings to be retained, building to be removed and potential restrictions to extent of development that may be imposed by access and road capacity.</p>
<p>Demolition of non listed buildings</p>	<p>There were no representations</p>	<p>The non listed buildings identified as making an important architectural or historical contribution be accepted and any application for their demolition will normally be refused.</p>

<p>Listed buildings</p>	<p>The PC seek several buildings be listed including the Cock PH to which officers have responded above.</p>	<p>Requests to add to the approved list are granted sparingly by the Department of Culture Media and Sport. Any person may make such a request but an unsuccessful application may leave the candidate building in a more vulnerable position. Officers consider the real issue is to ensure proposals affecting Listed buildings are of the highest quality and it is hoped the Management proposals emphasise this.</p>
<p>Additional controls for non listed quality buildings</p>	<p>There was a debate on this matter at the public meeting and no adverse comments were made. Several detailed questions were asked including whether or not non residential buildings would be included, the legal procedure involved, whether or not there would be financial assistance and whether or not new owners would be aware.</p>	<p>An Article 4(2) Direction as suggested to be introduced by the Council (not needing approval by the Secretary of State) can only apply to residential buildings and only to those parts fronting a highway, waterway, public footpath or open space. It is estimated that about 130 dwellings will be affected by the proposal to introduce additional controls to protect windows, doors porches and roofing materials and also control the erection of new porches. This measure will assist considerably in protecting the quality of the built environment. If approved by Members It will be subject to a separate consultation exercise and applications will not generate a fee income.</p>

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	<p>One representation considered that the former Post Office site at the top of Chapel Hill could be subject to development pressures. Also the railway station canopies, identified with their 19th century supports as being part of the historical and industrial heritage of the town, are partly in poor repair.</p>	<p>The former PO building has been identified as 19th century and distinctive and part of the historical cultural heritage of the town. Thus any proposal for the redevelopment of the site would seek retention of the building. The comment relating to the station canopies is noted.</p>
Open spaces	<p>The Parish Council recognises the need to improve the area around the Fountain, the Memorial Gardens and perhaps also the Recreation Ground.</p>	<p>As set out in the document, officers suggest a landscape enhancement plan be prepared for each of these areas.</p>
Additional controls to non listed boundary walls and railings	<p>As set out above there was a general debate on the issue of introducing additional controls although the issue of walls and railings was not specifically mentioned. The Parish Council support such controls 'but believe that applications to make alterations under this regulation should be free of charge' (which they would be).</p> <p>One representation sought guidance in respect to maintenance of flint walls.</p>	<p>The report identifies these features and notes that 19th century railings particularly, make a real contribution to the character of the conservation area. About 35 properties would be affected. Processes and impact relating to consultation and fees are the same as in relation to buildings (see above).</p> <p>Such guidance is immediately available to owners by contacting the Conservation Officer.</p>
Changes to the conservation area boundary	<p>A number of detailed representations have been made relating to opposition to excluding two areas at Bentfield End Causeway</p>	<p>Officers consider the areas proposed to be excluded at Bentfield End Causeway add little to the character of the CA. As</p>

	<p>Opposition to excluding gardens at the south end of Blythwood Gardens and land between Silver Street and properties in Windmill Close, principally on the basis that many young trees are not included in existing Tree Preservation Orders and could now be removed resulting potentially in a healthy bird ecosystem enclave in a built up location becoming at risk.</p> <p>Representations include incorporating the whole of Bentfield Green; extend along Silver Street and up Pines Hill; include part of St Johns Road; include parts of High Lane and parts of Gall End Lane; include parts of Church Road and Park Road; include Stoney Common and West Road, include Quaker Meeting House. Include gazebo at Chapel Hill, north side.</p>	<p>advised at the public meeting CA status is not a mechanism for preventing development.</p> <p>The appraisal considered the boundaries were in part arbitrary and the 20th century development at Windmill Hill to be unsympathetic. It is true that any young trees that may have grown since the original TPO was made would not be protected. However reinstating the CA boundary would only protect such trees in excess of 75 mm measured at 1.5m above ground. It is considered the areas are excluded.</p> <p>Bentfield Green. A number of people including the PC considered inclusion of this wider area to be appropriate and officers accept the general principle and if Members agree, will draw up a new CA for Bentfield Green.</p> <p>Silver Street and up Pines Hill. There are several properties of quality and extending the CA could be achieved without necessitating the inclusion of others that are not of quality. On balance officers consider this to be appropriate. One problematic site that has been subject to an appeal decision,</p>
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		<p>described by the Inspector as former stables having 'a distinctive and attractive form' would be included.</p> <p>St. John's Road. It is considered an area of late 19th/early 20th century properties can be included as an extension to the existing CA.</p> <p>High Lane and parts of Gall End Lane. It is considered these areas read as part of the countryside or are removed from the bulk of the CA, whose inclusion would be inappropriate.</p> <p>Church Road and Park Road. It is acknowledged there are some quality late 19th/early 20th century houses. However there are a number of later 20th century buildings that detract. Officers consider designation would be inappropriate on balance.</p> <p>Stoney Common and West Road. Whilst there are some properties that display quality, a combination of other 20th century development and very large numbers of parked vehicles on narrow streets, some unmade, seriously detract.</p> <p>Quaker Meeting House. The CA has been extended to include the burial ground but officers consider the building itself, a later 20th century</p>
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		<p>structure to have insufficient merit to warrant inclusion.</p> <p>Gazebo, in curtilage of no.52 Chapel Hill. This small interesting ‘folly’ dating from the late 19th century built in a curious ecclesiastical style with its decorative woodwork and gault brick window surrounds, should be included in an small extension to the CA. A plaque on it says ‘The Hermitage 1871’</p> <p>Note: If Members agree the extended conservation areas as set out above, additional properties at St John’s Road, Silver Street/Pines Hill and the Gazebo will be designated as having important architectural or historic qualities whose demolition would not be acceptable. They would also be subject to the proposed Article 4 Direction. The same too would apply to the proposed Bentfield Green CA but this is proposed to be subject to a separate exercise.</p>
<p>Detracting elements</p>	<p>No responses were received from the owners apart from the PC who together with another representation, considered there should be a comprehensive review of signage and guidance relating to quality and high standards of maintenance of street furniture.</p> <p>State of verges, Bentfield End Causeway.</p>	<p>Raise issue with Essex CC.</p> <p>Add to list of detracting elements and discuss options with Essex CC.</p>

<p>Others</p>	<p>Street lighting. One representation sought guidance to achieve consistency and quality in street lighting.</p> <p>An issue claiming to relate to enforcement concerning the removal of a hedge at junction of Bentfield Road and Bentfield End Causeway.</p> <p>Another hedge just beyond the CA at Bentfield End Causeway (in front of nos.42-44) said to be owned by Essex CC and in poor upkeep.</p>	<p>This is an issue officers will discuss with Essex CC, having established the detailed concerns of the person making representations.</p> <p>Pass to enforcement officers to investigate.</p> <p>Raise with Essex CC.</p>
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Officer recommendation

1. The documents be amended to incorporate the above comments and that they commence immediate use to assist in the determination of planning applications and for implementing the management proposals as set out. Once the Local Development Framework is in place they be adopted as 'Supplementary Planning Documents' to support relevant policies in the new plan.

2. Enter discussions with Essex CC and request an holistic traffic study be undertaken with a view to considering the introduction of a speed reduction plan for Great Chesterford and also for Bentfield Road and Bentfield End Causeway, Stansted Mountfitchet.

3. Article 4 Directions be introduced to remove the permitted development right to alter windows, doors and roofing materials in both communities on elevations fronting a highway, waterway, public footpath or open space and also similarly to control the right to remove existing porches and the erection of new porches on those residential properties identified as buildings that make an important architectural contribution to the Stansted Mountfitchet conservation area. Such Directions will be subject to separate consultation.

4. Similarly Article 4 Directions be introduced to control the demolition of non listed boundary walls and railings fronting a highway, a waterway, public footpath or open space identified in the respective appraisal documents for Great Chesterford and Stansted Mountfitchet.

5. The Council's Landscape Officer produce enhancement schemes for the Memorial Gardens, the Recreation Ground and the Fountain area in Stansted Mountfitchet.

6. Changes be made to the respective conservation area boundaries as recommended by the documents and as set out in this report. In this respect it will be

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necessary to inform the Secretary of State and English Heritage and place an advert in the London Gazette and local newspapers. In respect of the proposal to identify a new conservation area at Bentfield Green it is recommended this be undertaken as a separate exercise.

7. Discussions commence with owners of 'detracting elements' with an objective of seeking a voluntary solution unless the matter can properly be resolved by planning enforcement.

8. Members consider making a financial contribution in the 2008/09 financial year towards environmental improvements in the two communities.

9. Officers consider the resource and staffing implications of the additional workload of undertaking further appraisals and following them through in the manner set out above and report back to a future meeting.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Resource and staffing implications	Low to start with but increasing as additional appraisals are completed.	Positive: a better, more proactive and potentially time saving basis for environmental decision taking. Negative: potential impact on staff time and resources, particularly in determining non-fee applications.	Potential need to reorganise staff resources/ appoint additional staff