

Conservation area appraisal, Clavering

Development Control, Item 6

Committee: Development Control
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Title: Conservation area appraisal, Clavering
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Agenda Item

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Summary

The attached draft report has been prepared and discussed with Clavering Parish Council and the Clavering Local History Recorder who support its general content. The report and accompanying maps were made available on the Uttlesford District Council website and responses invited via the Limehouse online consultation system, by letter, email or fax. Printed copies were also made available at the Planning Information Desk, from Saffron Walden Library, the Clavering mobile library and from the Clavering Parish Clerk. Additionally a number of copies were distributed to those Clavering residents who requested them.

A public consultation meeting was held on Thursday 10th May, chaired by John Mitchell, (Director of Development) and attended by officers who presented the issues and answered questions. The meeting was well attended with about 35 members of the public present. This report summarises the representations received at that meeting and those received via the Limehouse system, via letter, email and fax.

Recommendations

The principal recommendations are that the report 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 specific properties, as described below.

Background Papers

The draft Conservation Area Appraisal and Management Proposal document for Clavering 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.

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Finance	The report's recommendations if implemented will have 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 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

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.

Inclusions:

- (a) the far western extent of the castle earthworks
- (b) the area of woodland to the north of the castle and bounded by the existing dike and the Langley Road
- (c) area of trees and scrub on the north side of the High Street opposite the Fox and Hounds Inn, a small but important landscape buffer

Additionally a new conservation area is proposed to include the significant open space of Hill Green and the associated properties

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Exclusions:

- (a) It is suggested that the twentieth century properties comprising numbers 4-30 and 36-38 Pelham Road have little relevance to the historical quality of the conservation area in this location, and as a consequence a boundary revision is thought appropriate.
- (b) Another area proposed for exclusion is land forming the front gardens of Side Stream and 6 Colehills where the conservation area takes an arbitrary course through the middle of each property. This should be redrawn to follow the road boundary
- (c) Additionally, the fields to the east of the Druce do not make a significantly valuable contribution to the Conservation Area, and as a consequence it is suggested that this area be excluded.

General planning control and 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. The quality of the Clavering conservation area is generally recognized as being of outstanding quality.

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 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 the right to demolish selected walls and railings beyond the curtilage of listed buildings within the Conservation Area.

Archaeological assessment. Because of the high importance of Clavering 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?

Comments Received:

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

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Issue	Representations made	Officer comment
<p>Changes to the conservation area</p> <p>Inclusions</p>	<p>Formal representations were received covering a number of points. These are detailed below:</p> <p>Inclusions:</p> <p>(a) the far western extent of the castle earthworks</p> <p>(b) area of woodland to the north of the castle</p> <p>(c) area of trees and scrub opposite the Fox and Hounds Inn</p> <p>6 formal representations were received of which 4 were in favour of including this area and 2 were against its inclusion as a buffer between modern development and the historic area of the High Street.</p>	<p>Approve as set out in appraisal report</p> <p>The Parish Council considered inclusion of the area north of the castle to be important to the coherence of the SAM and officers accept the general principle.</p> <p>Approve as set out in appraisal report</p>
<p>Proposed new conservation area at Hill Green</p>	<p>Creation of a new conservation area at Hill Green</p> <p>The Parish Council proposed this area for inclusion in the CA. Its designation as a separate CA reflects the distinctive character of this area. 3 formal representations have been received in favour of this proposal which received universal approval at the public meeting</p>	<p>A number of people including the PC considered the designation of this wider area to be appropriate and officers accept the general principle. Consequently Hill Green is proposed as a new CA</p>

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<p>Changes to the conservation area</p> <p>Exclusions</p>	<p>Exclusions:</p> <p>(a) 20th century properties on Pelham Road</p> <p>One representation considered that the removal of these properties would make inappropriate development easier</p> <p>(b) land forming front gardens of Side Stream and 6 Colehills</p> <p>(c) fields to the east of the Druce</p> <p>8 formal representations were received covering a number of detailed points the general conclusions of which is overwhelming opinion that some or all of these fields should be retained within the CA. These views were further evidenced at the public meeting where significant debate ensued over the historic and visual importance of some of these fields to the village.</p> <p>The consensus of opinion appears to be that the field known as Fox Meadow situated directly behind the car park to the Fox and Hounds Inn and the adjacent field to the rear of Druce Croft, forming part of the back garden</p>	<p>The appraisal considered that these properties have little relevance to the historical quality of the conservation area in this location.</p> <p>Approve as set out in appraisal report</p> <p>The English Heritage guidance on conducting Conservation Area Appraisals clearly states that due consideration should be given to the quality of buildings within the CA. These buildings are of significantly lesser architectural merit than others in the CA and are thus recommended for exclusion</p> <p>The appraisal considered the boundary was in part arbitrary and that the inclusion of these fields contributed little to the CA as a whole.</p> <p>However, officers note the strong local feeling expressed and accordingly recommend that appraisal report should be amended as follows:</p> <p>Fox Meadow and the field to the rear of Druce Croft should be retained</p>
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	<p>of that property, should be retained in the CA</p> <p>One representation was received suggesting that Jubilee Field should be included in the CA</p>	<p>in the CA. The further area of agricultural land to the south of Druce croft should be removed from the CA, as set out in the appraisal report.</p>
<p>General planning control and demolition of non listed buildings</p>	<p>There were no representations other than a reference and ensuing debate at the meeting on the quality of development and the status of outstanding planning permissions in the Hill Green proposed Conservation Area</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>There were no representations</p>	<p>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 to quality non listed buildings</p>	<p>There were no representations</p>	<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</p>

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		exercise and will not generate a fee income.
Open spaces	One representation was received concerning parking on Hill Green. This was followed by some debate at the public meeting concerning the status of Hill Green as a public open space with particular respect to parking and further debate on the controls available for the maintenance of open spaces.	Hill Green is an important open space which, if incorporated into a Conservation Area will be further protected from inappropriate development. 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 12 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 historic core of 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. Archaeological investigations are

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		currently being undertaken in this area with the aid of a £25k Heritage Initiative grant.
Detracting elements.	<p>Four electricity poles in Middle Street. One representation considered that these poles to be both ugly and dangerous possibly contributing to 'flashover' into the straw thatch of some properties.</p> <p>Litter bins. One representation was received concurring with the recommendation to replace the plastic bin on Hill Green with one more in keeping with the area.</p> <p>Ivy on churchyard trees. One representation indicated that this has now been dealt with.</p>	<p>The Parish Council support the under grounding of services. Liaise with the PC and discuss with utility company.</p> <p>The Parish Council are now looking to replace these bins.</p>
Speed Reduction Plan.	The PC has, for the past 10 years, actively campaigned for a 30mph throughout the village. They currently have a 6 month trial of 'flashing warning lights' to monitor speed which, if there is evidence that traffic has slowed, may lead to other measures being introduced. Two representations were received and it was clear from the public meeting that there is great concern in the village not only over speeding traffic but also with regard to the number of parked vehicles obstructing the passage of the emergency services on some of the narrower streets.	Essex County Council should be now be advised of the strong local feeling and 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
Others	Several points were raised over the process of Conservation Area Appraisals and the length and nature of the consultation period.	Officers generally consider the content and presentation of the appraisal, including that available on line to be satisfactory. Small issues such making a clear distinction

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		between the conservation area boundary and Development Limits, and delineating the entire process should be resolved. To this end a note explaining the distinction between the CA and DL will be added to subsequent appraisals. A process map of the CA process showing all consultation points and interactions has been produced.
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Officer recommendation

1. The documents be amended to incorporate the above comments and that the documents 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 then be adopted as 'Council Approved Guidance' to support relevant policies in the new plan.
2. Enter discussions with Essex CC and request a holistic traffic study be undertaken with a view to considering the introduction of a speed reduction plan for Clavering.
3. Liaise with the Parish Council and support any applications to the relevant utility companies for the under grounding of services in Middle Street.
4. Article 4 Directions be introduced to remove the right to alter windows, doors and roofing materials on elevations fronting a highway, waterway, public footpath or open space on those residential properties identified as buildings that make an important architectural contribution to the Clavering and Hill Green Conservation Areas. Such Directions will be subject to separate consultation.
5. Similarly Article 4 Directions be introduced to control the demolition within the Conservation Areas of non listed boundary walls and railings fronting a highway, a waterway, public footpath or open space identified in the respective appraisals for Clavering and Hill Green.
6. Changes to 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 necessary to inform the Secretary of State and English Heritage and place an advert in the London Gazette and local newspapers. Some authorities identify owners and

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this is also recommended. In respect of the proposal to identify a new conservation area at Hill Green it is recommended this be approved.

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. 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