

EAST HERTS COUNCIL

EXECUTIVE – 6 DECEMBER 2016

REPORT BY EXECUTIVE MEMBER FOR DEVELOPMENT
MANAGEMENT AND COUNCIL SUPPORT

BRAUGHING CONSERVATION AREA CHARACTER
APPRAISAL AND MANAGEMENT PROPOSALS

WARD(S) AFFECTED: BRAUGHING

Purpose/Summary of Report

- To enable Members to consider the Braughing Conservation Area Character Appraisal and Management Proposals following public consultation and consideration of the comments received.

<u>RECOMMENDATIONS FOR COUNCIL:</u> That	
(A)	the responses to the public consultation be noted and the Officer responses and proposed changes to the Braughing Conservation Area Character Appraisal and Management Proposals be supported;
(B)	authority be delegated to the Head of Planning and Building Control, in consultation with the Executive Member for Development Management and Council Support, to make any further minor and consequential changes to the document which may be necessary; and
(C)	the Braughing Conservation Area Character Appraisal and Management Proposals be supported for adoption.

1.0 **Background**

- 1.1 East Herts has a rich environmental heritage which includes 42 Conservation Areas. The East Herts Local Plan commits the Council to review its Conservation Areas, a requirement which is also set out in national legislation.
- 1.2 The review of Braughing Conservation Area is one of a series of reviews being undertaken.
- 1.3 Each document identifies the special character of the respective conservation area together with the elements that should be retained or enhanced and those which detract from the identified character. Existing boundaries are reviewed and, where appropriate, practical enhancement proposals are suggested.
- 1.4 Once Members have considered each document and it has been adopted by the Council, it becomes a 'material consideration' in the process of determining planning applications.

2.0 **The Braughing Conservation Area Character Appraisal and Management Proposals.**

- 2.1 The Braughing Conservation Area was designated in 1968 and reviewed in 1995 when the previous Character Statement and Areas of Opportunity were published.
- 2.2 The production of Management Proposals is a statutory duty under s.71 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The associated Character Appraisal is a necessary stage in the devising of Management Proposals as it analyses and describes the character and appearance of the conservation area that the Management Proposals seek to preserve and enhance.
- 2.3 S.71 of the Act requires that Councils put the Management Proposals to a public meeting, considers the responses received and makes any appropriate amendments before adopting the document.

2.4 The Braughing Conservation Area Character Appraisal and Management Proposals were drafted in mid-2016 and put to a public meeting in Braughing on the 6 September 2016. The meeting featured an exhibition showing the proposals and a Conservation Officer was there to answer any questions. The meeting was well attended with over 40 residents coming to view the proposals. There followed a period of public consultation from 6 September to 21 October 2016.

2.5 The 'Consultation Draft' document included a number of amendments to the boundary of the Conservation Area. These are designed to make the Conservation Area more logical and defensible, particularly in the context of Planning Appeals. They are detailed in 8.1 of the Management Proposals on p. 54. A large map showing these boundary amendments was displayed at the public meeting and has been included, along with the revised document, in **Essential Reference Paper C** to this report.

3.0 **Public consultation responses.**

3.1 Forty one consultee responses were received during the consultation period. These have been carefully considered and are detailed in **Essential Reference Paper B**. The headline responses and officer comments are as follows:

1/ The document received strong support from many quarters being described as 'excellent', a 'great piece of work' and 'detailed and thoughtful',

Officers' comment: Strong support for the document noted.

2/ The Parish Council expressed its support for the document and 'looked forward to working with the Council on taking the Management Proposals forward' (no further management proposals were suggested by the PC),

Officers' comment: Noted. The Parish Council and Neighbourhood Plan team have provided invaluable support in the bringing forward of this document,

3/ The Parish Council and the Conservation and Environment Team for the emerging Neighbourhood Plan tabled very valuable factual corrections to the text, minor queries and suggested tightening-up of some of the language,

Officers' comment: Factual corrections made and text clarified where appropriate to answer minor queries. There were some concerns at the use of the word 'harmful' to describe poor development. 'Harmfulness' is the test within the National Planning Policy Framework that Local Planning Authorities are required to apply when considering development or applications within conservation areas,

4/ Questions were asked by some consultees about the annotation of a tree and certain hedges on the Character Analysis map,

Officers' comment: The tree and hedges have been reconsidered and the Character Analysis map has been appropriately amended,

5/ The Management Proposals did not generate much comment apart from some aspects of the proposed boundary changes. The Braughing Society and a number of residents expressed strong opposition to the removal of various outlying fields from the Conservation Area as they fear this will open-up these areas to large-scale housing development. The Parish Council and Neighbourhood Plan team had no objection to these boundary changes but recommended in their responses that further explanation and reassurance should be offered by the Council to allay the fears of these residents (see 3.2.5/ below),

Officers' comment: The document has been amended at 4.11 and 5.15 to more fully explain current government policy and the rationale for the proposed boundary changes. To summarise:-

The National Planning Policy Framework (2012) and associated Planning Practice Guidance (2014) including the current Historic England Advice Note 1 'Conservation Area Designation, Appraisal and Management' (2016) are

consistently clear that areas of no architectural or historic interest should not be included within conservation areas. Paragraph 127 of the NPPF is explicit:-

127. When considering the designation of conservation areas, local planning authorities should ensure that an 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.

The East Herts Local Plan and emerging District Plan both underline this position. The above policies require that the boundary should describe a clear change in character or appearance such that it is both logical and defensible in law.

Consequently, the Management Proposals include a number of boundary changes necessary to make the Conservation Area consistent with the above national and local policies.

Officers advise that the concerns of these consultees, that such changes will expose Braughing to 'greedy developers' and 'massive bolt-on housing estates and 60% growth', are disproportionate and, in planning policy terms, unjustified;-

- i/ the surrounding fields are and will continue to be designated as 'Rural Area Beyond the Green Belt' and are, consequently, appropriately protected by policies in the Local and emerging District Plans,
- ii/ the growth requirement for Braughing is 10% under the emerging District Plan. The Neighbourhood Plan team are working on accommodating this growth on identified opportunity sites within the confines of the village,

6/ By contrast, a number of consultees wrote in support of these same boundary changes as new residents will help to support local businesses and infrastructure. Two residents described them as 'fair and just about right',

Officers' comment: Support for the proposed boundary

changes are noted.

7/ Some residents were concerned that protection of archaeological interest in the omitted areas might be lost,

Officers' comment: The concerns are misplaced as these areas will still retain their designation and the associated policies within the Local and emerging District Plan as 'Areas of Archaeological Interest/Significance',

8/ The Braughing Society and a number of consultees have misinterpreted the Character Analysis map and opposed the removal of Gravelly Lane from the CA when this is not, in fact, being proposed; another asked that the Congregational Chapel burial ground be included as 'Important Open Space' on the Character Analysis map when it already is,

Officers' comment: Noted. We acknowledge that the Character Analysis map is difficult to read in places. Essential Reference Paper B clarifies that Gravelly Lane is not being removed from the CA. The Character Analysis map has been appropriately amended to make the new boundary clearer,

9/ Some consultees suggested that land between Fleece Lane and Malting Lane should be included on the Character Analysis map as 'Important Open Space',

Officers' comment: This land has been resurveyed. It is not visible from the public realm and makes, therefore, no particular contribution to the Conservation Area. No amendment necessary,

10/ The classification of two unlisted buildings was questioned by some residents,

Officers' comment: These buildings have been resurveyed and officers agree with hind-sight with the consultees. The Character Analysis map has been duly amended,

11/ There were no objections to the proposed Article 4 direction with one consultee offering support,

Officers' comment: Noted. This and other Management Proposals will be considered for action in due course.

4.0 **Adoption of the Braughing Conservation Area Character Appraisal and Management Proposals document.**

- 4.1 No other relevant considerations have come to light since the public consultation and, as amended, the Braughing Conservation Area Character Appraisal and Management Proposals document is recommended for adoption by the Council. It can be found at Essential Reference Paper C to this report.
- 4.2. Further minor changes will be incorporated reflecting the status of the final document once Members have considered it for adoption.
- 4.3 Implications/Consultations. Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper A.**

Background Papers

Representations received from the 2016 consultation exercise.

<http://democracy.eastherts.gov.uk/mglIssueHistoryHome.aspx?Ild=19472&PlanId=245>

Contact Member: Councillor S Rutland-Barsby, Executive Member for Development Management and Council Support
suzanne.rutland-barsby@eastherts.gov.uk

Contact Officer: Kevin Steptoe – Head of Planning and Building Control, ext 1407
kevin.steptoe@eastherts.gov.uk

Report Author Mike Brown – Conservation and Urban Design Officer
mike.brown@eastherts.gov.uk