

ESSENTIAL REFERENCE PAPER D

Consideration of boundary revisions to East End Green Character Appraisal and Management Proposals.

J.Bosworth July 2018

OPINION

1. Instruction. Following Members consideration of the above document I am instructed by Kevin Steptoe, Head of Planning and Building Control, to provide a further opinion relating to the areas proposed for deletion from the East End Green Conservation Area.

2. Legal Background, National Advice and EHDC practice.

- Councils have a statutory duty to review their conservation area boundaries and ensure such areas have sufficient special architectural or historic interest to justify such designation.
- In Historic England Advice note No1 2016 - *Conservation Area Designation, Appraisal and Management* advice is provided that *Conservation area designation is not generally an appropriate means of protecting the wider landscape ...but it can protect open areas particularly where the character and appearance concerns historic fabric, to which the principal protection offered by conservation area designation relates* (para.12). An updated advice note document of 2018 for consultation has the same reference at para.73.
- EHDC Members have approved many other appraisals adopting and interpreting similar principles to those set out above.

3. At their Executive meeting on 17th July 2018 Members deferred consideration as they wished further consideration to be given to the matter.

4. Areas proposed for deletion, the subject of this opinion. The East End Green appraisal proposes the removal of two large contiguous areas. Firstly, (a) an oval field and scrubland to the east of The Poplars, which I have interpreted as being the principal area subject of objections and secondly (b) a field to the east of East End Green Farm and associated buildings.

5. Area (a). The objection to the removal of this land is that it is historically important and in part is an integral part of the Parish land and is a visually important setting to the Green. It consists of an oval field surrounded by scrubland on its eastern flank. The scrubland is common land and advisedly owned by the Parish Council. It is unkempt and overgrown and the appraisal advises it should be improved. The field is open grassland enclosed by hedgerows. Within the field are various agricultural paraphernalia associated with horse paddock/grazing. There are no buildings although historically several once existed as can be interpreted from selected historical maps in

the appraisal document. Peripheral public access is available via a restricted byway. A mature hedge boundary separates the oval field from the main area of the hamlet. See Pictures 1 and 2.



Picture 1. Looking eastward across open oval field.



Picture 2. Dense scrubland to east of oval field.

6. Area (b). The field to the north of the road gently slopes down in a north westerly direction. It lies to the east of modern agricultural buildings within the curtilage of East End Green Farm. There are several mature trees, some of which have been retained in the conservation area. There are no buildings on the site. Peripheral public access is available via a public footpath on the northern boundary. See Picture 3.



Picture 3. Open field to north of road looking across towards countryside to north east. The building in the picture is a modern agricultural type located at the northern edge of East End Green Farm.

7. Opinion. It is my view that:

- East End Green is a small linear clearly defined community with buildings scattered around a Green and situated in a wider countryside setting of agricultural land.
- The areas proposed for exclusion are not of 'special' architectural or historic interest and as such fail to justify continued inclusion in the conservation area. The removal of historic fabric on one of the sites many years ago has significantly reduced any historic interest.
- Both sites, which are contiguous other than being bisected by a narrow road, form part of the open countryside which lies beyond the edge of the hamlet. As such I consider their removal from the conservation area is consistent with current Historic England advice being that *Conservation area designation is not generally an appropriate means of protecting the wider landscape...*
- Their removal from the conservation area is consistent with many similar boundary exclusions involving the wider landscape proposed by other EHDC Appraisals which Members have adopted elsewhere.
- The revised boundaries as proposed by the appraisal represent clear demarcations and obvious changes of character between edges of the settlement and open countryside beyond (a short length immediately to the east of The Poplars follows an arbitrary alignment but in so doing captures some trees worthy of retention). Other very minor details have been raised with the author of the appraisal.

Other associated matters.

- The removal of conservation area status will have little material impact. Up to date policies in the District Plan will control development proposals, unlikely as these may be in such an isolated location, further protected by Green Belt designation. As there are no buildings, enhanced conservation controls relating to demolition and permitted development will not apply. The countryside hedgerows will remain protected by the Hedgerow Regulations.
- The only meaningful control that will be removed relates to the protection of trees where such works have to be notified to the Council. However such notification has limited value and long term protection is only afforded by making Tree Preservation Orders (TPO). There are several potential candidates for TPO's within the conservation area as a whole (where one Area TPO ref. 4/81 already exists) as well as other areas which may be excluded from it.
- The appraisal's proposal to improve the scrubland is a worthwhile objective. A partnership arrangement achieving appropriate improvements would be a most positive outcome. The fact such improvements would relate to land proposed for exclusion from the conservation area is not a contradiction. Similar examples of enhancement beyond but adjacent to conservation areas have been identified elsewhere by other adopted appraisal documents.