



BENINGTON CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

DRAFT FOR CONSULTATION 2018

Consultation period 29 November 2018 - 24 January 2019. Further consultation 9 September -30 September 2019, land and buildings rear of School.



Some fine detail of the interior of St. Peter's church. Top, delicate old wall paintings; middle, tomb and effigies of members of the Benstede family; bottom, long solid wooden plank pew seat (some pews date from the 15th century).

East Herts District Council, Pegs Lane, Hertford, SG13 8EQ

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This document has been produced by officers of East Hertfordshire District Council to assess the current condition of the Benington Conservation Area, to identify where improvements can be made and to advise of any boundary changes that are appropriate. The document is in draft form and will be subject to public consultation and agreement by District Council Members.

The content of Appraisals written from 2016 which include this paragraph may differ from predecessor documents. Selected revisions have been incorporated to reflect content and policies set out in the District Plan which was adopted on 23rd October 2018, changes to legislation, ~~the emerging District Plan~~, nomenclature, consolidation, and other improvements resulting from experience gained to date. This process is ongoing.

The document will be subject to public consultation a process that will be advertised separately. Any comments received (omitting personal details) will be available for public inspection. To comply with data protection legislation the local planning authority will destroy such personal details provided within six months of adoption of the appraisal.

1. INTRODUCTION.

1.1. The historic environment cannot be replaced and is a resource that is both fragile and finite. Particularly in an age when society and its needs change with rapidity, the various historic and architectural elements of conservation areas can be perceived to interact in a complex manner and create a 'unique sense of place' that is appreciated by those lucky enough to reside in such special places and the many interested persons who appreciate and visit them.

1.2. East Hertfordshire District has a particularly rich and vibrant built heritage, currently featuring 42 conservation areas and approximately 4,000 fine listed buildings displaying a variety of styles representative of the best of architectural and historic designs from many centuries. Generally and very importantly the clear distinction between built form and open countryside has been maintained.

1.3. The District is situated in an economically buoyant region where an attractive environment, employment opportunities and excellent transport links, road rail and air, make it a popular destination to live and work. In

addition to London a short commuting distance away, the District is influenced by other factors beyond its administrative area, such as Stansted Airport and the towns of Harlow, Stevenage, Royston and Cambridge. With such dynamics it is inevitable that the historic environment will be subject to pressures which emphasize the need to protect it.

1.4. The ~~East Hertfordshire Local Plan Second Review, previous Local Plan adopted in April 2007, adopted in April 2007,~~ recognises these facts and committed the Council to review its Conservation Areas and their boundaries, a process which is now nearing completion. The production of this document is part of this process. The replacement District Plan which was adopted on 23rd October 2018 contains the current policies affecting conservation areas.

1.5. Conservation areas are environments which are considered worthy of protection as a result of a combination of factors such as the quality of design and setting of the buildings or their historic significance. In addition to the individual qualities of the buildings themselves, there are other factors such as the relationships of the buildings with each other, the quality of the spaces between them and the vistas and views that unite or disrupt them. The relationship with adjoining areas and landscape, the quality of trees, boundary treatments, advertisements, road signage, street furniture and hard surfaces, are also important features which can add to or detract from the conservation area.

1.6. This Appraisal recognises the importance of these factors and will consider them carefully. Once approved this document will be regarded as a 'material consideration' when determining planning applications. Where appropriate the documents put forward simple practical management proposals to improve the character of the conservation area and which are capable of being implemented as and when resources permit.

1.7. The recommendations concerning non-listed buildings and structures are normally formed by the field workers observations made from the public realm and seldom involve internal inspection or discussions with owners. Thus such recommendations contained in this Appraisal might be subject to reconsideration through the planning application process, where that is necessary, and which would involve the submission of additional information. Similar considerations apply to estimating dates of buildings and also to their legal status in relation to householder permitted development rights (i.e. either being considered as single dwellings or alternatively as flats). Similar considerations may apply as to determining whether or not a building is within the curtilage of a listed building.

1.8. This Conservation Appraisal will:

- Identify the special character of the conservation area.
- Identify elements that should be retained or enhanced;
- Identify detracting elements;
- Review the existing boundaries;
- Put forward practical enhancement proposals;

1.9. The document will be prepared in partnership with the Parish Council and the local community through the consultation process.

1.10. Acknowledgement and thanks are recorded to Hertfordshire County Council who's Natural Historic and Built Environment Team has been particularly helpful.

1.11. This document is written in three parts: Part A - Legal and Policy Framework; Part B - Appraisal; Part C - Management Proposals.

PART A - LEGAL AND POLICY FRAMEWORK

2. LEGAL AND POLICY FRAMEWORK.

2.1. The legal background for designating a conservation area is set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This 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'. The same section of the Act also requires that Councils undertake periodic reviews.

2.2. Section 71 of the Act requires Councils to 'formulate and publish proposals for the preservation and enhancement' of Conservation Areas and hold a public meeting to consider them.

2.3. Within Conservation Areas there are additional planning controls and if these are to be supported it is important that the designated areas accord with the statutory definition and are not devalued by including land or buildings that lack special interest.

2.4. Planning permission is required for the demolition of a building in a conservation area but is subject to certain exceptions. For example, it does not apply to Listed Buildings which are protected by their own legislation but is relevant to other non listed buildings in the conservation area above a threshold size set out in legislation*. Looking for and assessing such buildings is therefore a priority of this Appraisal.

* The demolition of a building not exceeding 50 cubic metres is not development and can be demolished without planning permission. Demolition of other buildings below 115 cubic metres are regarded as 'Permitted Development' granted by the General Permitted Development Order, subject to conditions that may require the Council's 'prior approval' regarding methods of proposed demolition and restoration.

2.5. Certain ecclesiastical buildings (which are for the time being used for ecclesiastical purposes) are not subject to local authority administration provided an equivalent approved system of control is operated by the church authority. This is known as the 'ecclesiastical exemption'. Importantly in such circumstances, church authorities still need to obtain any other necessary planning permissions under the Town and Country Planning Act 1990.

2.6. The Town and Country Planning (General Permitted Development) (England), Order 2015 (further amended) defines the range of minor developments for which planning permission is not required and this range is more restricted in conservation areas. For example, the Order currently requires that the addition of dormer windows to roof slopes, various types of cladding, satellite dishes fronting a highway and a reduced size of extensions, all require planning permission in a conservation area.

2.7. However, even within conservation areas there are other minor developments associated with many non-listed buildings that do not require planning permission. So as to provide further protection the law allows Councils to introduce additional controls if appropriate. Examples of such controls can commonly include some developments fronting a highway or open space, such as an external porch or the demolition of some gates, fences or walls or their alteration. The removal of existing important architectural features that are important to the character or appearance of a conservation area such as chimneys, traditional detailing or materials, distinctive porches, windows and doors or walls or railings can be subject to a more detailed assessment and if appropriate made subject to protection by a legal process known as an 'Article 4 Direction' which withdraws 'Permitted Development Rights'. The use of such Directions needs to be made in justified circumstances where a clear assessment of each conservation area has been made. In conducting this Appraisal, consideration will be given as to whether or not such additional controls are appropriate. The Council has introduced a similar Article 4 Direction elsewhere in the District: and agreed the general principle of introducing further Directions in other conservation areas.

2.8. Works to Trees. Another additional planning control relates to trees located within conservation areas. Setting aside various exceptions principally relating to size, any proposal to fell or carry out works to trees has to be 'notified' to the Council. The Council may then decide whether to make the tree/s subject to a Tree Preservation Order. This Appraisal diagrammatically

identifies only the most significant trees or groups of trees that make an important contribution to the character of the conservation area, particularly when viewed from the public realm. Other trees not specifically identified may still be suitable for statutory protection.

2.9. Some hedges may be protected by the Hedgerow Regulations 1997. This legislation is extremely complicated and only applies in certain situations that are determined by the location and extent of the hedge, its age and or its historical importance, the wildlife it supports and its number of woody species. The Regulations do not apply to domestic garden hedges.

2.10. National Planning Policy Framework 2018 [\(updated 2019\)](#). The principle emphasis of the framework is to promote sustainable development which has three main objectives which are Economic, Social and Environmental. Achieving good design is a key aspect of sustainable development and new development should make a positive contribution to local character and distinctiveness.

2.11. Of particular relevance to this document, the National Planning Policy Framework advises as follows:

- Plans should set out a positive strategy for the conservation and enjoyment of the historic environment.
- Conservation Areas. Such areas must justify such a status virtue of being of special architectural or historic interest and that the concept of conservation is not devalued through the designation of areas that lack special interest.
- Heritage assets. Heritage assets range from sites and buildings of local historic value to those of the highest significance. They are an irreplaceable resource and should be conserved in a manner appropriate to their significance to be enjoyed by present and future generations.
- Considerable weight should be given to conserving such heritage assets and the more important they are the greater the weight. For example the effect of an application affecting a non- designated heritage asset should be taken into account and a balanced judgment reached. Substantial harm to or loss of a grade II Listed Building or Registered Park or Garden should be exceptional whilst similarly, substantial harm to heritage assets of higher status, e.g. those listed grade I or II* should be wholly exceptional.
- Local Planning Authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance and proposals that preserve such elements should be treated favourably.
- The use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well being of the area.

- **Green Spaces.** Such areas of particular importance can properly be identified for special protection as Local Green Spaces in selected situations.

2.12. East Hertfordshire's environmental initiatives and Plan Policies. East Hertfordshire is committed to protecting conservation areas and implementing policies which preserve and enhance them; to support their preservation through the publication of design and technical advice and to be pro-active by offering grants and administering an Historic Buildings Grant Service. With regard to the latter grants are awarded on a first come first served basis in relation to works which result in the maintenance of listed buildings and other unlisted buildings of architectural or historic interest. The maximum grant will not normally exceed £2,000.

2.13. In respect of the above the Council has produced a number of leaflets and guidance notes that are available on line and on request. These guidance notes on the preservation and repair of historic materials and buildings provide useful information relevant to the preservation and enhancement of conservation areas. They will be updated as resources permit.

2.14. The Council also has a 'Heritage at Risk Register', originally produced in 2006, and further updated. This document is available on the Council's website. Grant assistance not exceeding £10,000 may be available for necessary works that lead to such buildings' long term security. The summer house and curtain wall at Benington Lordship is included on the Council's Register.

~~2.15. The East Herts Local Plan was adopted by the Council in 2007. The 'saved' policies set out in the plan remain in force and are relevant in relation to conservation area and historic building considerations. The Local Plan and its policies can be viewed on the Council's website or a copy can be obtained from the Council (contact details are set out in section 7).~~

~~2.165.~~ In accordance with the requirements of the Planning and Compulsory Purchase Act 2004, the Council ~~is in the process of~~ has prepareding a planning policy document which ~~will~~has ~~replaced~~now replaced the 2007 Local Plan. This ~~is~~ will be known as the East Herts District Plan (DP) ~~. Once adopted the DP which was adopted on 23 in October 2018 and which will~~ contains the relevant Council planning policies. ~~As currently drafted this emerging The District Plan advises that development in conservation areas should, inter alia, conform have regard to with~~ the content of the Appraisals.

~~2.176.~~ Benington conservation area was first designated in 1968 and boundaries revised/redesignated in 1981.

PART B - APPRAISAL

3. ORIGINS AND HISTORICAL DEVELOPMENT

3.1. There are about 20 records within or close to the existing conservation area held by the County Historic Environment Records. Some relate to Listed Buildings, with a selection of some descriptions being included later in this document. Other interesting entries relate to:

(a) Benington Castle which is described as a late 11th century motte and bailey with 12th century keep and 1832 mock Norman Gatehouse.

(b) Possible Medieval foundations which may have been of an ecclesiastical building were found circa 1870 in an orchard on the village green. Similarly a 15th century bronze seal of the Guild of St Nicolas was found in the same location at the same time.

3.2. Prehistoric. Unknown.

3.3. Roman settlement. Possible - Roman sherd find (see below reference to Samian bowl below).

3.4. The Domesday Book was a census commissioned by William I in 1086. In relation to Benington it notes concerning the land of Peter de Valognes that *Peter himself holds Benington. It is assessed at 10 hides and there are 3 ploughs and there can be 2 more. There are 16 villans with a priest and 17 bordars have 8 ploughs. There is 1 cottar and 5 slaves, woodland for 100 pigs (and) a park (apparently only one of three mentioned in Domesday) for wild beasts. In all it is worth £12; when received £6. TRE Almaer of Benington held this manor.* [Source: Domesday Book a complete translation, Alecto Historical Editions Penguin Books 2002.](#)

3.5. Interpretation: A 'Hide' was a standard unit of land measurement interpreted to be about 120 acres. A 'villan' was a peasant legally tied to land he worked on and of higher economic status than a 'bordar'. A cottar was a peasant occupying a cottage in return for services. TRE is an abbreviation essentially meaning 'In King Edward's time'.

3.6. Anglo Saxon. County records advise of a small number of residual sherds dating from the mid 9th/10th centuries having been found suggesting Anglo Saxon settlement. See also reference to Mercian kings set out below in Kelly's Directory 1874.

3.7. Medieval settlement. An abbreviated description from the County Historic Environment Records for Benington reads as follows. *...The parish church stands here next to the manorial centre and the main settlement, which has always been small, emerged around the meeting point of four lanes adjacent to the manor*

and church.... The 1840 tithe map shows only about a dozen properties in single plots around the green and along the approach roads.

3.8. Another description relating to medieval earthworks (ditch which had formed part of the churchyard's southern boundary and which probably was part of the defences of the Norman castle) advises as follows: *The lower fill contained Norman and later domestic refuse including meat bones and pottery and a single large sherd of a Flavian rouletted Samian bowl; nothing else on the site was Roman. The pottery ranged from hand-made Norman types to Herts Glazed ware, the overall date being 12th century.*

3.9. The 19th century. A picture of the settlement as it can be recognised in part today is set out in Kelly's Directory of 1874 which refers as follows: *Bennington (note double 'nn' spelling) is a parish...6 miles from Hertford, 6 south east from Stevenage station on the Great Northern Railway...The church of St Peter is very ancient with square tower containing a fine peal of 8 bells; it contains two fine monuments, one of which is of the Bensted family...Here is a National school for boys, girls and infants, under Government inspection: the school premises were greatly enlarged in 1872. The Wesleyans and Primitive Methodists have chapels here. The charities from different sources amount to about £20 per annum. A fair is held here yearly on July 10. Bennington was anciently a residence of the Kings of Mercia. A parliamentary council was held here by Bertulph, King of the Mercians about the year 850. The soil is mixed, principally heavy; subsoil chalk and clay. The chief crops are wheat, barley, beans & etc...and the population in 1871 was 581.*

3.10. Commercial activities in addition to farmers in the parish listed in Kelly's at this time were Post Office, carrier (to Hertford and Ware), bakers (2), carpenter, shopkeepers (3), blacksmith, shoemaker, builder, Bell PH, yeast dealer, beer retailer (2), Cricketers PH and shoemaker, tailor, bricklayer. This represents a wide range of local commercial activities and a high level of self-sufficiency, common even for small settlements at this time.



Picture 1. Church of St Peter Benington - date unknown probably late 19th early 20th century. Church interpreted as being covered in vegetation; fence no longer in place, neither is semi circular metal structure appearing to support a lantern. Reproduced courtesy of Hertfordshire Archives and Local Studies (HALS).



Picture 2. The pond in centre of village date probably late 19th/early 20th century. Reproduced courtesy of Hertfordshire Archives and Local Studies (HALS).

3.11. Mapping from 1874 -1894 (Plan 1) identifies the location of some of the activities listed above. It shows the Rectory, the school, Bell PH, Post Office opposite the Bell, Benington Lordship earthworks, chalk pit and lime kiln (now site of pumping station). Mapping from 1897 shows that that the Post Office had moved to a new location north of the school. Little had changed by 1920, the mapping of which shows the lych gate to the church, erected to commemorate those from the parish who gave their lives in WW1, the Parish Hall and greenhouse structures to the north of Benington Lordship and what is now Benington Bury Farm.

3.12. The publication, Place Names of Hertfordshire, Cambridge University Press 1970 advises several names, a selection of which is included thus: Belintone and Beninton (1086), Benetone (1235), Benytone (1279) Banyngton (1316). It has already been noted that Kelly's of 1874 refers to Bennington. Derivation of name – perhaps meaning farm by the river Beane (with connective 'ing').

3.13. Benington - a collection of historical anecdotes of a Hertfordshire village by Eve Duncan is interesting reading and is available for purchase in the church.

3.14. Plan 1 shows the existing Conservation Area plotted on historic map dating from 1874-1894.

4. ENVIRONMENTAL DESIGNATIONS AND CRITERIA USED TO IDENTIFY OTHER IMPORTANT ENVIRONMENTAL FEATURES

4.1. Scheduled Ancient Monuments. A National designation. Benington Castle is an ancient monument so scheduled - see below.

4.2. Areas of Archaeological Significance. Designated locally by EHDC on advice from HCC. ~~The areas identified by this Appraisal are areas as shown on the Council's most up to date mapping system and may sometimes differ from that shown on the adopted Plan.~~ The identification and refinement of such areas is an ongoing process. Much of the conservation area is so designated.

4.3. Listed buildings. A National designation. Individually listed buildings have been identified, plotted and a selection briefly described, such abbreviated descriptions being based on the national list, occasionally with additional comments *in italics* by the fieldworker. Full descriptions can be obtained on line at Historic England's website List.HistoricEngland.org.uk Listed buildings are protected from unauthorised demolition, alteration or extension. Structures, including railings and walls, within the curtilage of listed buildings, if they are pre-1948, are subject to the same controls as listed buildings.

4.4. The issue of deciding whether or not a building is 'curtilage listed' can sometimes be problematic and there is no exact legal definition of a building's curtilage. The main tests relate to the physical layout of the land surrounding the main building/s at the date of listing, the physical layout and functional relationship of structures to each other; ownership, past and present and use or function, past and present. Structures need to be ancillary or subordinate to the main Listed Building and form part of the land and not be historically independent. Protection is granted to such objects or structures within the curtilage of a Listed Building if they were built prior to July 1, 1948. In determining the extent of a Listed Building and its curtilage, a key assessment will be to examine the situation at the time of listing.

4.5. Non listed buildings of quality and worthy of protection. Several other non-listed buildings and structures that make an important architectural or historic contribution to the conservation area are identified by this Appraisal. The basic questions asked in assessing such buildings/structures are:

- (a) Is the non listed building/structure of sufficient architectural or historic interest whose general external form and appearance remains largely unaltered?**
- (b) Does the building contain a sufficient level of external original features and materials?**
- (c) Has the building retained its original scale without large inappropriate modern extensions that destroy the visual appearance particularly in respect of the front elevation?**
- (d) Is the building visually important in the street scene?**
- (e) Determining which properties to include or which to exclude is occasionally a matter of difficult judgement.**

4.6. Important trees and hedgerows are identified by this Appraisal. Their positions are shown very diagrammatically indeed and access to some rear areas has not been obtained. The basic criteria for identifying important trees and hedgerows are:-

- (a) They are in good condition.**
- (b) They are visible at least in part from public view points.**
- (c) They make a significant contribution to the street scene or other publicly accessible areas.**

4.7. Open spaces or gaps of quality that contribute to the visual importance of the conservation area where development would be

inappropriate are identified by this Appraisal. The basic question asked in identifying such areas is does the open space or gap form an important landscape feature contributing to the general spatial quality and visual importance of the conservation area? Private open spaces forming an important setting for an historic asset and unkempt spaces that have the potential to be enhanced are candidates for selection subject to complying with the principle question.

4.8. Other distinctive features that make an important visual or historic contribution are identified by this Appraisal. In relation to walls and railings those at and above prescribed heights in a conservation area 1m abutting a highway (including a public footpath or bridleway, waterway or open space) or 2m elsewhere, are protected and require permission for their demolition.

4.9. Reference has previously been made to the potential of introducing Article 4 Directions in justified circumstances. The Appraisals undertaken to date have identified elsewhere in the District that many historic architectural features of quality remain unaltered on some non listed buildings but, on the other hand, the exercise of Permitted Development rights has eroded other parts of some conservation areas. Should Members decide to proceed with such an initiative in Benington, such important historic detailing including features as identified below could justifiably be retained and inappropriate alterations to them controlled. **(Update: Members have introduced a similar Article 4 Direction elsewhere in the District)- and agreed the general principle of introducing further Directions in other conservation areas.**

- Chimneys, in good condition, contemporary with the age of the property, prominent in the street scene and generally complete with chimney pots.
- Selected windows, on front or side elevations, fronting and visible from the street/s, generally contemporary with the age of the property or of a sympathetic historic design and where the majority of windows of respective elevations retain their original characteristics and have not been replaced by disruptive modern glazing units.
- Other features might include good quality architectural materials and detailing constructed of wood, metal or other materials.
- Walls or railings which make a positive architectural or historic contribution to the visual appearance of the conservation area.
- It may also be appropriate to introduce Article 4 Directions to retain quality buildings below the prescribed Permitted Development threshold.

4.10. Features that are out of character with the conservation area and detract or are in poor repair are identified.

4.11. Important views are identified.

4.12. Conservation area boundaries. In suggesting any revisions to the Conservation Area boundaries, principal consideration is given as to whether or not the land or buildings in question form part of an area of special architectural or historic interest whose character or appearance should be conserved. The conservation area can include open land that has historical associations with the built form. This may particularly be the case if such open land is environmentally important and visually forms part of the conservation area's setting and is distinct from open farmland. Current advice from Historic England advises against the inclusion of agricultural land forming part of the wider landscape.

4.13. Wildlife sites. Those shown are identified on the ~~emerging~~ District Plan ~~(which may differ from those on the Adopted Plan due to updates)~~. There are none at Benington.

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4.14. Historic Park and Garden. This one designated nationally that is referred to in detail below being located at Benington Lordship (see below). The remnants of a further historic garden at Bury Lodge Farm are also described below.

4.15. For information there is another of local importance identified by East Herts District Council at Benington Place, Town Lane beyond the conservation area.

CHARACTER ANALYSIS.

5.1. **General Landscape setting.** The Council's Landscape Character Assessment produced in 2007 (which is Supplementary Planning Guidance) identifies the distinct landscapes of the District in terms of their wider settings. The conservation area is located within Area 71, the Benington - Sacombe Ridge. It is described as *an area of ancient countryside with small woods, winding green lanes and numerous stream-eroded valleys... Benington was one of only three deer parks listed at Domesday.* In respect of the gardens of Benington Lordship the document notes that *One of the main features of the gardens is a rectangular sunken terrace dating from the 17th or possibly 16th century.* Benington is described as a medieval settlement with a 14th century flint church and 'almost perfect' village Green (Pevsner).

5.2. **General overview.** Positive attributes. Benington conservation area is particularly fine with many listed buildings of high quality centred around the

village green where all the main roads converge and flanked by the church and Benington Lordship to the immediate west. Throughout the conservation area trees and some hedgerows make an important environmental contribution.

5.3. **Negative attributes.** Although not within the conservation area, the latter's historic nature is compromised by adjacent 20th century suburban developments accessed by Three Stiles which detrimentally impacts its eastern edge.

5.4. **Individually Listed Buildings.** There are 22 listed buildings/groups within the existing conservation area. Of this total, 41% date from the 17th century, 27% from the 16th century and 18% from the 19th century. The 12th, 13th and 20th centuries are also represented.

5.5. The above buildings are grade II except two which are Grade I (church and remains of Benington Castle) and three which are grade II* (Benington Lordship, The Bell PH and Beningtonbury/Peterscourt. Proportionally the numbers of Grade I and II* are high. Combined with the fact that several grade II buildings are former open hall houses, this makes the concentration of high quality buildings within Benington conservation area particularly important.

5.6. **Individually Listed Buildings.** A selection of Listed Buildings with abbreviated descriptions based on the National list is provided below. Any comments by the fieldworker are in *italics*.

5.7. Parish Church of St Peter - grade I. Late 13th or early 14th century nave and chancel, early 15th century west tower. Restored 1889 by John Oldrid Scott. Flint rubble with stone dressings. Steep old red tile roof to porch, chancel and similar roof, hipped at east, to north chapel. Parapet hides low pitched nave roof and embattled parapet to the Hertfordshire spike on the tower. Simple 15th century oak benches. Traceried tomb chest of Sir John de Benstede and his lady with life size recumbent effigies. The wall to the east has been pierced for a similar canopied tomb chest circa 1430 of Sir Edward de Benstede and his lady. The underside of the 4- centred arch is panelled with a central angel holding their souls in a napkin. The church stands on a prominent elevated site by the castle overlooking the green. Of outstanding interest for its chapel and tombs.



Picture 3. Grade I church of St. Peter occupies a prominent elevated location in the conservation area.

5.8.—Lych, Lych gate at St Peter's Church - Grade II. Circa 1919 for Canon Mills erected in memory of son and others killed in Great War. Oak timber frame on a knapped flint waist-high plinth with limestone capping, quoins, and buttress offsets. Red tile steep roof gabled to front. *Details read Erected by Canon Mills Rector of Benington in memory of his son...and 18 comrades from this parish who gave their lives in the Great War 1914-1919.*

5.9. No.11 Church Green - Grade II. 17th century or earlier, Timber frame on brick sill part painted, part stucco. Fake timbering applied to west gable facing road. Steep thatched roof. Unusual single-storey thatched house.



Picture 4. Unusual 17th century single storey thatched property with later fake timbering applied.

5.10. Remains of Benington Castle - Grade 1. Ruined keep of medieval ringwork castle. 1130's for the De Valognes family, slighted (*ignored?*) in 1176/7 by Henry II, garrisoned again in 1192/3, destroyed 1212 after Robert Fitz Walter was outlawed. Flint rubble walls 7- 8 ft thick with some herringbone-coursed flint facing and limestone quoins and plinth offset of dressed stone with diagonal tooling, exposed on exterior north wall. A small square stone tower about 44 feet x 41 feet with pilaster buttresses at the middle and ends of each face. A small square north east annexe may be original. Demolition involved removal of one side entirely. South wall is reduced to footings. A fallen mass of masonry lies on the north east annexe and an imitation Norman doorway was inserted circa 1842.



Picture 5. Grade 1 12th century remains of Norman castle for the De Valognes family.

5.11. Benington Lordship - Grade: II*. Country house. Late 17th century, east entrance and gatehouse circa 1842 by James Pulham a modeller from Broxbourne, for the Proctor family, west wing circa 1906 for Bott family. Knapped flint faced walls with stone dressings and gatehouse modelled in Pulham's Portland Stone Cement to appear to be weathered cubical ashlar. Red brick west wing. Steep old red tile roofs. A large square 3-storeys house of double-pile plan with 2 mid-wall chimneys. Symmetrical south front 7 windows wide. Box sash windows. Attached at north east is a tall Norman revival gatehouse with twin flint-faced circular towers. Runic inscription on cartouche over gate.

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Pictures 6 and 7. Benington Lordship a fine grade II* listed building with 7 window range to south elevation and a tall Norman revival gatehouse with twin flint-faced circular towers to north east.

5.12. Summerhouse and Curtain Wall at Benington Lordship - Grade II. Summerhouse and adjoining curtain wall. Circa 1842 by James Pulham for the Proctor family. Flint and stucco modelled to appear ashlar, Front a ruined tower with machicolations overhanging a wide Romanesque arched doorway of 2 recessed orders and hood mould each with chevron ornament. Demi-figures holding battle axes as stops. Winged head and cartouche with runic inscription over door. *This is included on the Council's Heritage at Risk Register where the objective is to secure consolidation of the ruin and prevent ongoing deterioration. Grant assistance may be available.*



Picture 8. Grade II summer House, a building included on the Council's Heritage at Risk Register.

5.13. Benington Bury, and Peterscourt - Grade II*. *Former Rectory, now 2 houses. 1637 for Nathaniel Dod, Rector. Divided in 1980's. Red brick with front plastered and stone dressings. Steep red tile roofs. Built as a 2-storeys and attics, central-chimney, lobby- entry, 2-cell plan house facing east with symmetrical red brick front with 2-storeys porch and 2 gables with moulded parapet and finials at apex and feet, and mullioned wood windows with labels. Good interiors to main range with 4-centred chamfered red brick fireplaces to hall and chamber over.*

5.14. Grotto at Peterscourt - Grade II. *Grotto-maze. Early 19th century incorporating 18th century red brick structure at ~~north-west~~North West corner. Brick-kiln wasters and stucco, covered in ivy. Open at top. A large maze with winding passages and chambers off with pools and central viewing mound, all built of grotto-work within an irregular enclosure of high brick walls. *Most unusual and delightful.**



Picture 9. The most unusual and delightful grotto at Peterscourt.

5.15. Scheduled Ancient Monument. This abbreviated description of Benington Castle is based on Historic England's entry details. Benington Castle is a motte and bailey west of Church Green. Such structures are medieval fortifications introduced into Britain by the Normans and comprised of a conical mound of earth or rubble, the motte, surmounted by a palisade and a stone or timber tower. In a majority of examples an embanked enclosure containing additional buildings, the bailey, adjoined the motte. They acted as garrison forts during offensive military operations, as strongholds, and, in many cases, as aristocratic residences and as centres of local or royal administration. Although many were occupied for only a short period of time, they continued to be built and occupied from the 11th to the 13th centuries, after which they were superseded by other types of castle.

5.16. Benington Castle is a well-documented example of a Norman motte and bailey castle with a tower keep. Its historical records date back to the 11th century. Benington Castle includes a large square mound, or motte, which measures 45m across and about 6m in height. The remains of a rectangular tower keep, of flint rubble construction, stand on the east side of the motte. The keep, a listed building Grade I, measures 13.5m by 12.5m with walls about 2.2m thick and up to 2.5m high. The south wall is reduced to its footings.

5.17. Also situated on the motte is Benington Lordship, a Grade II* listed Georgian house, the summerhouse, Grade II listed, and the curtain wall and gatehouse both of which were built in about 1832 and are also listed Grade II.

5.18. Surrounding the motte is a ditch about 6m deep and nearly 19m wide in some places. The bailey forms a semicircle to the north-east of the motte and was surrounded by a curtain wall, fragments of which have been found. A

second bailey surrounds the church and churchyard which are situated to the south of the motte. This area is not included in the scheduling as both church and churchyard remain in use by the parish. A third bailey is believed to have existed to the west of the motte.

5.19. The earthworks are considered to have been built by Peter de Valognes who was sheriff of the county in 1086. His son Roger erected the masonry castle in 1136. In 1176-7 one hundred picks were purchased for the demolition of the castle but it appears that this was never carried out as the castle was still strongly garrisoned in 1193. It was passed on shortly afterwards to Robert Fitzwalker on his marriage and was destroyed in 1212 on his outlawry. The house, the summerhouse, curtain wall, gatehouse, driveway, paths and fences are excluded from the scheduling although the ground beneath these features is included.



Picture 10. Defensive earthworks at Benington Lordship.

5.20. **Areas of Archaeological Significance.** Much of the conservation area is so designated.

5.21. **Important buildings within the curtilages of Listed Building.** The issue of deciding whether or not a building is 'curtilage listed' can sometimes be problematic and there is no exact legal definition of a building's curtilage. The buildings identified below have been considered curtilage listed on the basis of existing information for the purpose of this exercise. However should detailed information reveal otherwise their status of important buildings to be retained remains unaltered.

5.22. The Lodge to Benington Lordship. Probably of early 20th century origin, this red brick property with steeply sloping tiled roof and chimneys with windows is contemporary to its period - some decorative wooden detailing.



Picture 11. The Lodge an ancillary listed building to Benington Lordship probably dating from the early 20th century.

5.23. Curtilage building to east of Kitchen Garden and north of Benington Lordship, 19th century of red brick construction with steep tiled roof, chimneys and decorative barge board detailing.



Picture 12. 19th century curtilage listed building of quality to east of Kitchen Garden, Benington Lordship.

5.24. Building attached to and to north of Benington Bury. Does not appear to be included in the listed building description. Is shown on late 19th century mapping. Single storey with steeply sloping tiled roof, some scalloped decorative tiles.

5.25. Other non listed buildings that make an important architectural or historic contribution. This Appraisal identifies a small number of other buildings of high quality that are not listed but that should be retained. These generally date from the late 19th/ early/mid 20th century and are an important element in the high environmental quality of the conservation area and make a very positive contribution to its built form and historical evolution. Any Important architectural features they possess and worthy of retention are identified.

5.26. Beech House, Duck Lane. Probably 19th century with early 20th century extension to west. Late 20th century extension to east. Bay windows to both floors. Tiled roof and chimney stacks with pots. Porch detracts but historic parts of building worthy of retention. An Article 4 Direction may be appropriate subject to further consideration and notification.



Picture 13. Beech House although some modern additions detract, the historic parts of the building are worthy of retention.

5.27. Nos. 32 -36 Walkern Road. 19th century terrace constructed of red brick with slate roof and chimneys. Early/sympathetic windows; No. 36 has bay window to ground floor. An Article 4 Direction may be appropriate subject to further consideration and notification.



Picture 14. Nos. 32-36 Walkern Road.

5.28. The School House, Walkern Road. Dating from the 19th century this two storey property is of brick and knapped flint construction with steep tiled roof and decorative tiled detailing and ridge tiles, chimney stack to rear. Vertically hung tiles to front. An Article 4 Direction may be appropriate subject to further consideration and notification.



Picture 15. The School House, Walkern Road.

5.29. Benington Primary School. Of 19th century date with steeply sloping decorative tiled roof and decorative ridge tiles. Early /sympathetic windows. Decorative plaque to front reads Benington National School.



Pictures 16-17. Bennington School Parts of the building are visually most worthy of retention. Note spelling of Bennington (with double n) in centrally located stone detail.

5.30. Other distinctive features that make an important architectural or historic contribution. Walls and railings so identified are protected to varying degrees virtue of exceeding specified height relevant to the conservation area legislation or by being within the curtilage of a Listed Building unless otherwise noted.

5.31. Walls of varying heights and detailing defining the Kitchen Garden at Bennington Lordship. Of red brick construction with piers and rounded capping detail.



Picture 18. High quality wall enclosing western side of Kitchen Garden.

5.32. Dwarf flint wall capped with concrete to south of remains of Benington Lordship. This wall has recently been repaired following collapse of nearby mature tree.

5.33. Side wall to south of school about 1.5 m in height of red brick with rounded capping detailing. The latter (because not fronting the road and less than 2m is unprotected and thus potentially appropriate for protection by Article 4 Direction subject to further consideration and notification).

5.34. Entrance gates to Benington Lordship. Tall brick pillars topped with finial detail. Metal gates in need of repair. Date unknown but probably early 20th century as entrance point shows first on mapping dating from this time. Provenance of metal work unknown. In urgent need of repair. Potentially grant assistance available.



Picture 19. Fine entrance gates to Benington Lordship in urgent need of repair.

5.35. Good quality cast iron street lamp - lantern atop a tapering octagonal column probably of late 19th century date.



Picture 20. Cast iron lamp on tapering octagonal column probably of late 19th century date.

5.36. War Memorial. Commemorating those who gave their lives in both World Wars. Tapering stone column in sections with cross on two stepped octagonal raised Portland stone bases.



Picture 21. War Memorial in churchyard, adds to the visual quality of this important open space.

5.37. Gravestones in churchyard. See below.

5.38. Walls and associated building (potting shed?) to former kitchen garden at Bury Lodge Farm. Brick walls about 3m in height. Most attractive walls of 19th century date enclosing former kitchen garden. Generally in fair condition but some repair work desirable. May be eligible for grant assistance.



Picture 22. Walls to former kitchen Garden Bury Lodge Farm.

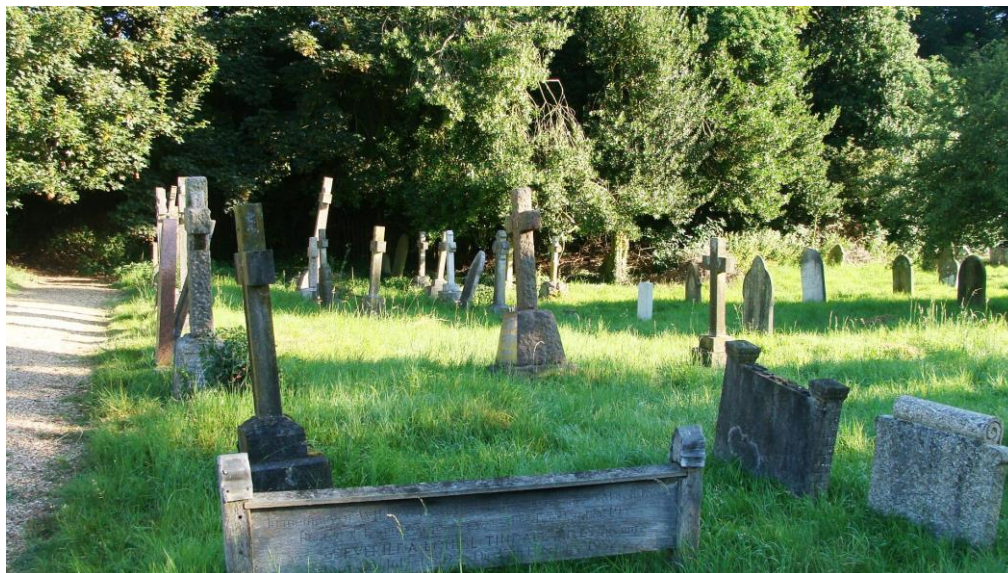
5.39. Short length of wall Bury Lodge Farm. Brick construction about 3m in height.



Picture 23. Brick wall Bury Lodge Farm worthy of retention.

5.40. ***Important Open Spaces.*** The spaces identified below are most important and should be preserved. Together with a significant number of trees they are an integral part of the conservation area and its overall high quality.

5.41. Churchyard. A linear space with traditional churchyard trees that is well maintained and at different levels. There are large numbers of gravestones many from the 19th/ early 20th century. Several war graves noted. Also grave of PC Benjamin Snow who died aged 32 in January 1871, killed arresting a poacher called John Chapman. Because the former did not have an official warrant for the arrest, the latter was found guilty of manslaughter only and thus avoided the death penalty. (The southernmost corner of the churchyard appears as part of the Historic Park and Garden designation which needs resolving).



Picture 24. St Peter's graveyard - an interesting linear space providing an elevated setting for the magnificent church and crammed with interesting gravestones.

5.42. Church Green and associated nearby smaller greens in the centre of the village is the meeting point of four roads. It is an uncluttered space of visual and focal importance to the village framed by important listed buildings in several locations. The mature trees it supports add to its overall high quality.



Picture 25. Church Green - an important focal point framed by important listed buildings.

5.43. Open grassland opposite Beech House. This open space is visually important, close to the centre of the village and forms an immediate open setting for nearby historic buildings to which its character and visual connection is closely linked, in part due to the open nature of its frontage.



Picture 26. An important open area at Duck Lane near the centre of the conservation area and also important the immediate setting of nearby historic buildings.

5.44. Open land to east of The Bell PH, Town Lane. Although currently overgrown and disused for the most part this open land performs an important general visual function in providing an open space within the conservation area at a point where modern development impacts nearby at Three Stiles. It is a gap on Town Lane between the important listed grade II* PH and nos. 12-14 Town Lane and clearly separated from the open countryside to its south.



Picture 27. Disused open land between the grade II* listed PH, the edge of the settlement which is also strategically important to the general setting of the conservation area. Its southern boundary clearly separates it from open countryside beyond.

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5.45. Open countryside to the east of Duck Lane. During the consultation process concern was raised relating to ensuring proper protection of the countryside to the east of Duck Lane. Historic England advises that conservation area designation is *not generally an appropriate means of protecting the wider landscape*. It should be noted however that such an area forms part of the 'Rural Area Beyond the Green Belt' and is subject to, and thus protected by, District Plan Policy GBR2. The Rural Area Beyond the Green Belt is a considerable and significant countryside resource, which Policy GBR2 seeks to maintain.

5.46. This appraisal therefore recognises the importance of maintaining the general openness of this area from inappropriate development and as such it will be protected by Policy GBR2 as a valued countryside resource.

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5.457. Important Historic Parks and Gardens. The extensive park and garden at Benington Lordship is partly located within the conservation area but extends expansively into open countryside beyond in a westerly direction. The boundaries of the conservation area include those areas of the designated garden most closely associated with the house. The abbreviated description below is based on Historic England details.

5.468. Benington Lordship - Grade II. A country house surrounded by mid-19th and early 20th century gardens, within a landscape park. In about 1700 the Caesar family of Benington Place (now Benington Park) built Benington Lordship on the site of an Elizabethan farmhouse, adjacent to the castle ruins. In 1826 the last John Chessyre sold Benington Lordship to George Proctor, who, circa 1832, commissioned a neo-Norman gatehouse, summerhouse and curtain wall to connect them, which together are known as The Folly, as well as additions to the house.

5.4749. In 1905 Arthur Bott, a Staffordshire engineer, bought the Lordship upon his return from working in India. Mr Bott and his wife Lilian enlarged the house and garden, taking in areas of the park, and built a new kitchen garden adjacent to the stables. The existing garden areas were remodelled by the Botts, influenced by the designers of the period. By the 1970s the gardens required renovation, and were restored. The main approach enters off the village green. The gardens, flanked by the park to the west and south, surround the house and are broken into several formal and informal compartments.

5.4850. The path along the south front of the house leads east into the forecourt between the house and keep. To the west the path leads to a flight of steps, linked to the south end of the adjacent veranda. The steps lead down to the gravel path which was formerly part of the south drive. The path is flanked to the east by the west sides of the house and Rose Garden, and to the west by the broad, terraced west lawn, overlooking two ponds in the valley at the bottom of the lawn (lawn and ponds incorporated into the garden in the early C20). The ponds are probably the remains of medieval fishponds. The park, laid to pasture and planted with scattered mature trees, lies west and south-west of the house and gardens.



Picture 28. View looking west to ponds.

5.4951. The Herbaceous Border, flanking a gravel path broken by steps down to the west, forms the northern boundary of the garden, and is itself bounded to the north by the south wall of the kitchen garden, stepped down to the west. The Border connects the orchard at its east end with the Rockery and north pond at its west end.



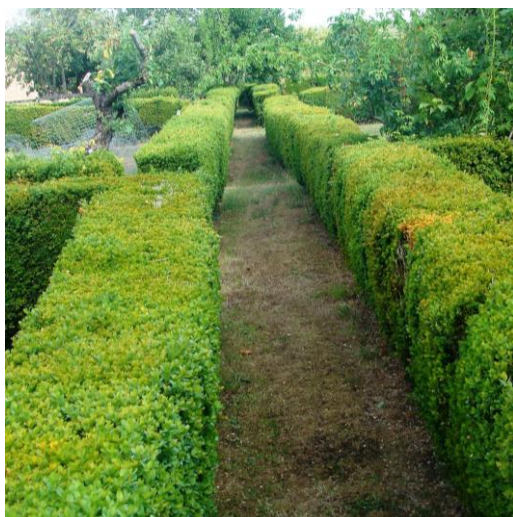
Picture 29. The herbaceous border to south of the Kitchen Garden.

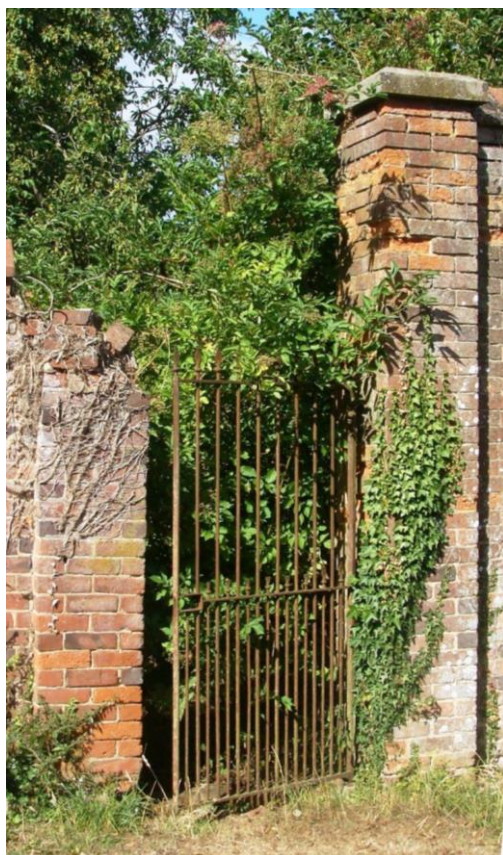
5.502. The rectangular, brick-walled kitchen garden (1906) lies adjacent to the north boundary of the site.



Picture 30. View into Kitchen Garden from south entrance.

5.543. Other Garden of Historic Importance. Garden probably of 19th century origin at Bury Lodge Farm. This shows on Plan 1 (the 1874 -1894 OS map). Walls and potting shed remain but greenhouses appearing on the mapping no longer exist. Walls enclosing former kitchen garden are about 3 m in height and appear in reason able condition although some repair work is needed. Without prejudice to outcome, grant assistance may be appropriate. The owners are encouraged to retain those historic elements of the garden which still remain, for example, the yew hedges.





Pictures 31-33. Former kitchen garden at Bury Lodge Farm. Top traditional box edgings which the owners are encouraged to retain. Below walls about 3m in height, some repairs desirable. Grant assistance may be available.

5.524. Particularly important trees and hedgerows. Those trees that are most important are shown very diagrammatically on the accompanying plans. As can be seen from the accompanying plan trees are important and extensive throughout the conservation area. Also and as previously advised some rear

boundaries and other areas were not accessible so in such locations information regarding trees may be limited.

5.535. Village approach. The village approach from the south with its overhanging trees on steep banks is visually important and a feature of this part of the conservation area.



Picture 34. Looking south out of the conservation area. A combination of overhanging trees and steep banks makes an important visual contribution to this part of the conservation area.

5.546. Water features. A pond at the junction of Duck Lane and Walkern Road in the centre of the conservation area makes a valuable visual contribution. Also two ponds to the west of Benington Lordship.



Picture 35. Attractive water feature junction of Duck Lane and Walkern Road.

5.557. Important views. A selection as shown on accompanying plans.

5.568. Elements out of character with the Conservation Area. Site of the Bell PH. The Bell PH is a most important listed building but the exposed nature of the car park together with various fencing elements currently detract. A young yew hedge has been planted to the front which when mature should secure visual improvements. Perhaps a few additional native trees strategically

planted within the hedge would in time provide vertical emphasis in keeping with other planting in the village nearby.



Picture 36. The exposed nature of the Bell PH car park will be much improved once the hedge to front has matured. Possible further improvements could be sought by some small number of strategically located tree planting. Note: since this photograph was taken the asbestos outbuilding in the picture is currently being refurbished.

5.5759. Utility poles and overhead services. There are several such poles and overhead services which detract to a modest degree although Benington is fortunate in the limited nature of this issue, commonly encountered in other conservation areas. Nevertheless the Parish Council may wish to contact the appropriate service company to establish whether or not opportunities exist to make selected improvements.

5.5860. Opportunities to secure improvements. Consider repair work and potential grant assistance with owners in relation to the summer house at Benington Lordship. Repair entrance gates to Benington Lordship. Consider repairs to walls at former Kitchen Garden, Bury Lodge Farm.

5.5961. Suggested boundary changes. It is proposed to amend the conservation area as follows:

(a) Minor extension at Benington Bury Farm area (part western boundary) to remove any ambiguity relating to historic wall remaining within the conservation area.

(b) Minor extension At Benington Bury Farm area to include entirety of residential building on eastern boundary.

(c) Minor extension to west of ponds at Benington Lordship to better reflect existing boundaries.

(d) Exclude field to north of buildings at Benington Bury Farm which visually appears as part of open countryside (but retain narrow strip to ensure there is no ambiguity relating to historic wall remaining within the conservation area).



Picture 37. Land to north of Benington Bury Farm, excluded from the conservation area as it reads more as being part of the open countryside.

(e) exclude an area of open land including ménage and associated buildings on the east side of Duck Lane, north-east of Beech House. This land is interpreted as being part of the open countryside.



Pictures 38 - 39. Modern buildings set in a wider landscape and now **proposed to be** excluded from the conservation area.

(f) exclude an area to rear of school principally consisting of buildings, hard surface and play areas. This area is not of special architectural or historic quality and is proposed for exclusion following detailed examination and consequential to the period of further consultation 9-30 September 2019.



Pictures 40-41. Area to rear of school, now proposed to be excluded from the conservation area.

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5.602 Looking at the Character Analysis (Plan 2) it can be seen there are many examples of the red line denoting the existing conservation area being off-set from the physical boundaries meant to be followed. These are particularly apparent on the Benington mapping and will be rectified in the production of the final document. Such positional inaccuracies are not referred to above.

5.613. Other Actions. Check issue of southern part of churchyard falling within an area designated by Historic England as an Historic Park and Garden.

6. OVERALL SUMMARY.

6.1. Benington's conservation area is of high quality. It is assuredly considered to be '*special architectural or historic interest, the character or appearance of which it is desirable to conserve or enhance*'. In addition to the diverse selection of important listed buildings of the highest quality there are

strong historical associations going back to the Norman period. Great care needs to be exercised in relation to new development proposals.

6.2. This Appraisal has also identified several late 19th/early 20th century non listed buildings that add to the quality of the built environment whose retention through the planning process and by additional controls is advised. There are also other features of importance that should be retained.

6.3. Throughout the conservation area trees play a most important role in visually enhancing the village street scenes in many locations. There are also important open spaces and historic gardens which need protecting.

6.4. In relation to the requirement to enhance, several improvements have been identified which are set out in summary tabular form in the Management section below. The suggested improvements, both large and small, will principally be implemented by the goodwill and with the co-operation of individual owners. However the Council may be able to offer advice and guidance and, subject to staff resources, will be prepared to do so, as and when appropriate. Some improvements may be potentially eligible for grant assistance.

6.5. Several alterations to the Conservation Area boundary have been proposed.

PART C - MANAGEMENT PROPOSALS.

7. MANAGEMENT PROPOSALS.

7.1. *Revised Conservation Area Boundary.* The revised boundary is shown on accompanying Management Plan to which the reader is referred and includes the following amendment/s.

(a) Minor extension at Benington Bury Farm area (part western boundary) to remove any ambiguity relating to historic wall remaining within the conservation area.

(b) Minor extension At Benington Bury Farm area to include entirety of residential building on eastern boundary.

(c) Minor extension to west of ponds at Benington Lordship, ~~to better reflect existing boundaries.~~

(d) Exclude field to north of buildings at Benington Bury Farm which visually appears as part of open countryside (but retain narrow strip to ensure there is no ambiguity relating to historic wall remaining within the conservation area).

(e) exclude an area of open land including ménage and associated buildings on the east side of Duck Lane, north-east of Beech House.

(f) exclude an area to rear of school principally consisting of buildings, hard surface and play areas.

7.2. General Planning Control and Good Practice within the Conservation Area.

All 'saved' planning policies are contained in the East Herts ~~Local District Plan Second Review~~ adopted ~~in April 2007 in October, 2018~~. It is currently against this document and the National Planning Policy Framework (NPPF) that the District Council will process applications. The NPPF is supplemented by Planning Practice Guidance. One such guidance note of particular relevance is 'Conserving and Enhancing the Historic Environment'. ~~When the 2007 Local Plan is replaced by the District Plan the latter's policies will then be relevant.~~ District Plan policies HA1, HA4, HA5 and HA6 are particularly relevant.

7.3. Applicants considering submitting any application should carefully consider the relevant District Plan policies and if necessary contact Officers to seek pre-application advice.

Telephone 01279 655261 (For development proposals ask for Development Management. For general conservation advice ask for a Conservation Officer).

E-mail: planning@eastherts.gov.uk

Website: www.eastherts.gov.uk

Or write to Development Management, East Herts. District Council, Wallfields, Pegs Lane, Hertford SG13 8EQ

7.4. Applicants may also wish to refer to one of the several Guidance Notes previously referred to which will be updated as resources permit.

7.5. Planning Control - Potential need to undertake an Archaeological Evaluation. Within the Scheduled Ancient Monument and within Areas of Archaeological Significance ~~(as shown on either the adopted Local Plan or emerging District Plan)~~, the contents of policies ~~BH1, BH2 and BH3~~ HA1 and HA3 are particularly relevant.

7.6. Listed Building Control and Good Practice. Those buildings that are individually listed are identified. Other pre-1948 buildings, structures or walls within the curtilage of a Listed Building are similarly protected in law. Policy HA 7 particularly applies.

7.7. Listed Buildings are a significant asset in contributing to the quality of the conservation area. It is essential that their architectural detailing is not eroded nor their other qualities and settings compromised.

7.8. Planning Control – Other Unlisted Buildings that make an Important Architectural or Historic Contribution. Within the existing Conservation Areas this Appraisal has identified several unlisted buildings/ groups of buildings that are considered to have sufficient qualities to be described thus. Any proposal involving the demolition of these buildings is unlikely to be approved. Policies HA2 and HA4 II particularly apply.

7.9. These buildings are: Beech House, Duck Lane; 32-36 Walkern Road; The School House, Walkern Road and part of Benington Primary School.

7.10. There are other distinctive features that are integral to some of the important unlisted buildings identified above that make an important architectural or historic contribution, including selected chimneys, windows and other architectural detailing where protection could be provided by removing Permitted Development Rights via an Article 4 Direction. The associated legislation is ~~complex. Should the Council consider such a course of action appropriate~~complex and 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. Policy HA4 I (f) particularly applies.

7.11. Planning Control – Other distinctive features that make an Important Architectural or Historic Contribution. This Appraisal has identified a number of walls and other features that make a particular contribution to the character of the conservation area. These will be protected from demolition within the parameters of legislation.

7.12. Planning Control – Important Historic Park and Garden. There is one such garden being that at Benington Lordship which is on Historic England's national register and listed grade II. Proposals that significantly harm the garden's special character will not be permitted. ~~and will be considered against Policy BH16.~~ Policies HA1, HA4 and HA8 particularly apply.

Other Garden of Historic Importance. Garden probably of 19th century origin at Bury Lodge Farm. The owners are encouraged to retain those historic elements of the garden which still remain, for example, the yew hedges. District Plan Policy HA2 particularly applies.

7.13. Planning Control – Important open land, open spaces and gaps. This Appraisal has identified the following particularly important open spaces: The Churchyard; Church Green and associated subsidiary greens; grassland opposite Beech House; land to the east of the Bell PH. These spaces will be protected. Policy HA4 I (e) particularly applies.

7.14. Planning Control – Open countryside to the east of Duck Lane. This land will be protected as a valued countryside resource. District Plan Policy GBR2 particularly applies.

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7.145. Planning Control – Particularly important trees and hedgerows. Only the most significant trees are shown very diagrammatically. It has not been possible to plot trees on inaccessible land. 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. **Policy NE3 III particularly applies.**

7.16. Planning Control – Water Features. Pond at the junction of Duck Lane and Walkern Road and two ponds to the west of Benington Lordship will be protected. District Plan Policy NE3 IV particularly applies.

7.157. Planning Control - Important views. A selection of general views is diagrammatically shown. ~~Policy BH6 is particularly relevant.~~ **Policy HA4 I (e) particularly applies.**

7.168. Enhancement Proposals. The Appraisal has identified utility poles that detract which are summarised in the Table below together with a proposed course of action; other actions are also identified. Within the staff and financial resources available, Council Officers will be pro-active and provide assistance. It must be recognized that such improvements will generally be achieved only by the owner's co-operation. The reader's attention is drawn to the potential of grant assistance in eligible circumstances.

Detracting element	Location	Proposed Action.
Utility poles and overhead services.	Various.	The PC may wish to selectively pursue with the appropriate services company.
Other actions, including opportunities to secure improvements.		
Discuss the potential of repair work and potential grant assistance with owners in relation to the summer house at Benington Lordship.		
Discuss the potential of repair work and potential grant assistance with owners in relation to the metal entrance gates to Benington Lordship.		

Discuss the potential of repair work and potential grant assistance with owners in relation to the walls at former kitchen garden, Bury Lodge Farm. Also encourage owner to retain other historical elements such as veteran trees and formal hedging.

Resolve issue of apparent conflict of southern area of churchyard being within an area designated by Historic England as an Historic Park and Garden.