

## **Report to the Cabinet**

**Report reference:** C-089-2013/14

**Date of meeting:** 7th April 2014



**Epping Forest  
District Council**

**Portfolio:** Safer, Greener and Transport

**Subject:** Staples Road and York Hill Conservation Area Character Appraisals

**Responsible Officer:** Maria Kitts (01992 564358)

**Democratic Services Officer:** Gary Woodhall (01992 564470)

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### **Recommendations/Decisions Required:**

- (1) To approve the adoption and publication of the Character Appraisals and Management Plans for the Staples Road and York Hill Conservation Areas in Loughton; and**
- (2) To approve the boundary amendment to the York Hill Conservation Area.**

### **Executive Summary:**

By law, Local Planning Authorities (LPA) are required to determine areas of special architectural or historic interest and designate them as conservation areas. The LPA should also publish proposals for the preservation and enhancement of these areas. The proposals take the form of conservation area management plans, and it is considered best practice to accompany these management plans with character appraisals which chart the history of an area, the reasons for its designation, and the key elements of its special interest. Character appraisals often precede management plans as they provide the knowledge and understanding required to inform the creation of a successful and meaningful management plan.

The character appraisals and management plans for both the Staples Road and York Hill Conservation Areas have been prepared following due process and are now ready to be adopted and published for use by the general public (particularly residents), the Council's Development Management Section, and any other interested parties. Once adopted, the documents will become a material consideration in the planning process and will inform the decisions made relating to proposed developments within the conservation areas.

As part of the appraisal process the adequacy of the conservation area boundaries was assessed. The Staples Road Conservation Area boundary will remain unaltered; however, it is intended to extend the boundary of the York Hill Conservation Area.

### **Reasons for Proposed Decision:**

Under the provisions of section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Local Planning Authorities are required to designate areas of 'special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. Section 71 of the same Act states that the Local Planning Authority has a duty to

'publish proposals for the preservation and enhancement' of their conservation areas. This takes the form of a conservation area character appraisal and management plan.

It is, therefore, a key statutory duty that these documents are published.

### **Other Options for Action:**

If the character appraisals and management plans are not published then the Council will not be fulfilling one of its statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990. In addition, the lack of a character appraisal could make planning decisions within these areas more difficult to defend at appeal.

### **Report:**

#### Staples Road Conservation Area

1. Work commenced on the appraisal in 2008 but, due to staffing changes, the final publication of the document has been substantially delayed. The original draft appraisal was prepared between May 2008 and September 2010, with public consultation taking place in September 2010, including a public meeting on 23rd September 2010. Comments and suggestions arising from the public consultation were incorporated into the document.
2. The Forward Planning Team, along with the Conservation Officer, commissioned a Heritage Asset Review (HAR) in 2012 (completed in May 2012). The aim of the study was to review the suitability of the District's conservation areas and locally listed buildings, forming part of the evidence base for the new Local Plan. The boundary of the Staples Road Conservation Area was found to be adequate in terms of protecting the special architectural/historic character of the area and did not require any amendments or variations.
3. A final draft has now been produced, which has not varied in content since the 2010 public consultation, and has been proven to be adequate by the 2012 HAR (see Appendix 1).
4. The appraisal explores the landscape setting, historical development, and architecture of the area in order to define the elements of special architectural and historic interest, and the general character of the area. These elements include: the unaltered streetscape; the contribution from noted architects; the colour, texture and general appearance of traditional building materials used; innovative architectural features, particularly on the schools; interesting historic building uses, people and events associated with the area; the forest edge environment; and its calm and quiet location (for further information see pages 6-7 of Appendix 1).
5. Following the discussion of the special interest and character of the area, the appraisal sets out the Council's objectives for the preservation and enhancement of the conservation area over the next five years in the form of a Management Plan (for further information see page 26 of Appendix 1).
6. The Staples Road appraisal was presented to and endorsed by the District Development Control Committee on 19<sup>th</sup> February 2014. No boundary changes or amendments were proposed.

#### York Hill Conservation Area

7. As with the Staples Road Character Appraisal, work commenced in 2008 and followed the same process (see paragraph 1).

8. One of the recommendations arising from the HAR was to slightly extend the south-eastern boundary of the conservation area to include no.10 Pump Hill. It was decided to carry this recommendation forward as the property at no.10 Pump Hill is an attractive early 20<sup>th</sup> century detached cottage on a prominent corner plot and is worthy of inclusion; in addition, its inclusion rationalises this part of the conservation area boundary.

9. Residents of the conservation area and other interested parties (including Loughton Town Council, Loughton Residents' Association, and the Hills Amenity Society) were notified of the proposed boundary amendment and invited to comment on the proposal between November and December 2012. The comments received were all positive and supportive of the boundary amendment. Discussions and a meeting at the Civic Offices also took place between the Conservation Officer and the owner of no.10 Pump Hill to address his concerns regarding the property's inclusion within the conservation area.

10. The final draft, incorporating the boundary amendment, has now been produced and is appended to this report (Appendix 2).

11. After documenting the landscape setting and historical development of the area, the appraisal defines elements of the area's special architectural and historic interest and the factors which contribute to its character. These include: resistance by residents to the enclosures within Epping Forest in the 19<sup>th</sup> century; the range of Grade II listed 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> century buildings; the 17<sup>th</sup> century Gardeners Arms public house; the complex pattern of development; the tall holly hedges and noticeable lack of pavements; its proximity to the forest; the number of triangular greens; the steep and dramatic hills; and the shape and size of house plots (for further information see page 6 of Appendix 2).

12. Following the discussion of the special interest and character of the area, the appraisal sets out the Council's objectives for the preservation and enhancement of the conservation area over the next five years in the form of a Management Plan (for further information see page 26 of Appendix 2).

### Outcomes

13. If the publication of the appraisals is approved it will result in better management of the conservation areas through the preservation of their special interest and character. The appraisals will be used to inform residents and developers on acceptable works within the conservation areas, and those works which could cause harm to the character of each area. It will also inform decisions made by Development Control to ensure a consistent approach to the preservation and enhancement of each area.

14. Following approval, the appraisals will be published on the Council's website and a limited number of hard copies will be available from Planning Reception at the Civic Offices, as well as other outlets in Loughton (Loughton Town Council Offices, Loughton Library). Letters will be circulated to residents of the conservation areas and any other interested parties notifying them that the appraisal has been published and is available to view on the Council's website. The appraisals will be reviewed after five years.

### **Resource Implications:**

Some officer time will be required to administer the printing and circulation of the documents and the notification letters, as well as any arising queries from members of the public. The Technical Officer for Conservation is a fixed term post until the end of 2014/15 and, therefore, has the capacity to deal with this workload.

**Legal and Governance Implications:**

The statutory powers relevant to this decision are found within sections 69 and 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Safer, Cleaner and Greener Implications:**

Improved understanding and protection of part of the District's historic environment.

**Consultation Undertaken:**

Public consultation on the content of the appraisals and management plans was undertaken in September 2010 with all comments and suggestions taken into account and, where appropriate, incorporated into the documents. This process adheres to sections 71(2) and (3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires local planning authorities to allow the contents of an appraisal and management plan to be considered by the public, and their views taken into account.

Further consultation with key stakeholders took place as part of the wider HAR in April 2012, in which, along with all the District's conservation areas and locally listed buildings, comments on the adequacy of the conservation areas were invited and considered by the appointed consultants.

With regards to York Hill Conservation Area, an additional period of consultation was carried out between November and December 2012 during which time residents and interested parties were notified of the intention to extend the conservation area boundary and asked to comment.

N.B. Both appraisal documents contain a section on 'Community Involvement' for further information.

**Background Papers:**

Staples Road Conservation Area Character Appraisal and Management Plan (Appendix 1)

York Hill Conservation Area Character Appraisal and Management Plan (Appendix 2)

**Impact Assessments:**Risk Management

No risks identified.

## Due Regard Record

<b>Date / Name</b>	<b>Summary of equality analysis</b>
6-Mar-14  Maria Kitts	<ul style="list-style-type: none"><li>- The adoption and publication of the conservation area character appraisals and management plans will provide residents, and other interested members of the public, with information on the unique elements which contribute to the character and special interest of the areas in which they live. They will also be used to inform planning decisions.</li><li>- The method of providing access to the documents has been identified as a potential issue, although this can be overcome.</li><li>- In order to ensure these documents are widely accessible to all, they will be available electronically on the EFDC website and in hard copy at the Civic Offices in Epping, and at other outlets within Loughton (closer to the conservation areas). A letter to each household within the conservation areas will notify residents of where and how they can view the documents.</li><li>- Furthering local understanding of the history and special interest of the conservation areas should strengthen the residents' sense of place and inclusion with the local community.</li></ul>