

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 26 MARCH 2009

CONSERVATION AREA REVIEW

FRITHAM WITH EYEWORTH AND BURLEY

CHARACTER APPRAISALS AND PROPOSED CHANGES TO BOUNDARIES

Report by: Paula Freeland, Head of Environmental Services

Summary:

This report summarises the background to the review of conservation areas being carried out by the National Park Authority. It presents character appraisals for the conservation areas of Fritham with Eyeworth and Burley for adoption and proposes changes to the boundaries of the two areas.

Please note that, in order to reduce paper and printing and postage costs, the character appraisals covering the three areas have been set up electronically on the Authority's website and can be located by typing in the following path on your computer:

http://www.newforestnpa.gov.uk/index/aboutus/meetings_and_minutes/authority_meetings/authority_meetings_2009.htm

This will link to the meetings page on the Authority's website where the document can be located and downloaded. However, a hard copy of the papers can also be made available on request – please contact David Stone (Head of Member Services) on telephone 01590 646645.

Recommendations: To agree:

- 1. in accordance with the powers contained in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to designate the revised boundaries of Fritham with Eyeworth and Burley conservation areas shown on the plans at Annexes 2 and 3 to this report and that notice of the designation be duly given and advertised in accordance with the provisions of Section 70 of the Act;**
- 2. the adoption and publication of character appraisals of Fritham with Eyeworth and Burley conservation areas, including illustrations and maps.**

Resources and Corporate Plan:

Corporate Plan Objective C7: Support high quality building and open space design in village and town centres, reflecting the distinctive character of the built environment

Papers:

- NFNPA 292/09:** Cover paper
NFNPA 292/09 Annex 1: Additional planning controls in a conservation area
NFNPA 292/09 Annex 2: Existing and proposed conservation area boundary - Fritham with Eyeworth
NFNPA 292/09 Annex 3: Existing and proposed conservation area boundary - Burley.
NFNPA 292/09 Annex 4: Analysis of consultation responses

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NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 25 FEBRUARY 2009

CONSERVATION AREA REVIEW

FRITHAM WITH EYEWORTH AND BURLEY

CHARACTER APPRAISALS AND PROPOSED CHANGES TO BOUNDARIES

Report by: Paula Freeland, Head of Environmental Design

1 Background

- 1.1 A conservation area is defined in Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as an “area of special architectural or historic interest, the character of which it is desirable to preserve or enhance”. It is the quality and interest of the area, rather than that of individual buildings, which is the prime consideration in designating a conservation area.
- 1.2 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to designate conservation areas and to review their areas from time to time to consider whether further designation of conservation areas is called for.
- 1.3 In addition to normal planning requirements, further controls apply in conservation areas, including control over building demolition and work to trees with a trunk diameter greater than 75mm (3 inches). The additional controls are set out in **Annex 1**.
- 1.4 At point 6 of **Annex 1** reference is made to the use of Article 4(2) Directions which would enable the Authority to adopt extra planning controls within the conservation areas. The Directions remove the normal Permitted Development Rights from dwelling houses, meaning that planning permission is required for certain specified works. A Direction would be selective both between and within the types of development listed in **Annex 1**. A Direction would, therefore, relate to specific work areas which are cause for concern in respect of the character and appearance of the conservation area, and also would relate to selected properties.

- 1.5 In pursuance of its responsibilities under both national park purposes and through the duty imposed by the Planning (Listed Buildings and Conservation Areas) Act, the Authority is reviewing conservation areas in the National Park (Corporate Plan Objective C7), by means of desk analysis of historic records, mapping, detailed site survey and analysis of areas.
- 1.6 There are 18 conservation areas in the National Park. Four of these areas were newly designated in 2007 and character appraisals were adopted for them as part of the designation process.
- 1.7 Character appraisals are now being prepared for the rest of the conservation areas and at the same time the boundaries of the areas, last assessed in the 1990s, are, in accordance with best practice, being reviewed.
- 1.8 This current group of conservation areas to be considered is Fritham with Eyeworth and Burley. Character appraisals support this report and the report proposes changes to the boundaries of the two areas.

2 Proposed boundary changes

Fritham with Eyeworth

- 2.1 The existing and proposed conservation area boundaries are shown on the map in **Annex 2**.
- 2.2 The following **additions** to the conservation area are proposed:
 - Eyeworth. This is a major addition to the conservation area which is included as a satellite to the main area. This land was originally a post medieval Forest lodge and its enclosure. It was historically important in the late 19th and early 20th century as the site of a gunpowder works and retains elements of its former usage.
 - Minor additions to the present Fritham conservation area boundary. This to include sections of the perimeter track and its verges and the area of land between the Stoney Cross Road and the edge of the settlement. These additions all contribute to and enhance the setting of the buildings within the settlement.

Burley

- 2.3 The existing and proposed conservation area boundaries are shown on the map in **Annex 3**
- 2.4 The following **additions** to the conservation area are proposed:
 - Burley Lawn up to and including Mill Lane. It is proposed to include this section of Burley Lawn as a residual piece of common land

which forms the setting for the historic properties which border it to the north, west and south. It is separated visually from the rest of the Forest at its eastern edge by Mill Lane.

- Bisterne Close Road and its green verges at the eastern end of the settlement. The addition of this land is important to the setting of the historic properties at the eastern end of Bisterne Close.
- The track and green verge from Cottesmore House (YHA) westwards to its junction with Station Road and to include the cricket ground. This area is important to the setting of the large houses along the southern edge of Bisterne Close and the recreational facility for the village provided by the cricket ground. The cricket ground is also important as it provides the visual context for the primary school and the south eastern entrance into the village.
- Moorhill Road and its verges from the junction with Station Road to Goats Pen Cottage/The Cottage. The addition of this strip of land provides the visual link to the dispersed area of settlement at Shappen Bottom and the area around Moorhill House Hotel.
- Castle Hill Lane and its verges along its entire length and to include the Castle Hill earth works. This area is included as it is an important access track for the properties on the western edge of the conservation area and forms a strong visual boundary in long distance views from outside the conservation area. Castle Hill earth works have been included as they form a strong historic link to the prehistoric origins of the settlement.
- Coach Hill Lane and its verges from Gorselands Nursing Home to Bromfields. This strip of land has been included as it forms a strong visual boundary to this section of dispersed settlement on the northwest side of the conservation area.
- Forest Road and its verge from Rye Close eastwards to and to include the road junction at Wood's Corner. This strip of land has been included as it forms a visual context for the Forest edge encroachments and the properties on the northern edge of the conservation area.

3 Character appraisals

- 3.1 The Authority has a duty to ensure that the character of a conservation area is preserved or enhanced, particularly when considering applications for development.
- 3.2 In order to do this, it is important to understand what gives the area its distinct and unique character. This is derived from a number of factors including historic development, landscape and topography, the style, type

and form of the buildings, spaces between buildings, materials, textures, colours, detailing and less tangible aspects such as sounds and smells which can contribute to the special character of the area.

- 3.3 Character appraisals have been prepared to identify these special qualities and to highlight features of particular significance. By establishing what makes a conservation area special, the reasons for designation should be clearer to those who live, work or propose to carry out development within them. The appraisals are intended as an overview, providing the framework within which individual planning applications can be assessed.
- 3.4 When determining applications, the planning authority considers factors such as size, scale, materials and design in order to assess the likely impact of the proposed development on the character of the conservation area. The character appraisals have been written to work in conjunction with planning policies and are reflected in ongoing policy development.
- 3.5 The two character appraisals are intended to be published as one document. Final published versions of the appraisals will include photographs and maps showing the boundary of the conservation area and detailed information picking out some of the features which contribute to the character of the area, including listed buildings, buildings of local interest, prominent trees and important hedges, traditional boundary treatments and views.

4 Consultation process

- 4.1 County and District Councillors and the Parish Councils representing the areas concerned have been consulted, together with the New Forest Consultative Panel and representatives from other organisations including the Ninth Centenary Trust, New Forest District Council and English Heritage.
- 4.2 Letters were sent to all properties directly affected by the proposals.
- 4.3 Open afternoons and evenings were held in Fritham and Burley with an exhibition, information about the proposals and officers available to answer questions. Similar information was made available on the Authority's website.
- 4.4 A questionnaire was prepared to seek individuals' views.

5 Consultation responses

- 5.1 An analysis of responses is set out in **Annex 4**. A summary is provided below.

Parish Councils

- 5.2 Burley Parish Council - considers the draft document to be an excellent report. Concern is noted that extension of the conservation area to include the cricket ground may provide an obstacle to future rebuilding of the sports pavilion (but they are aware of the need for a high quality building in this prominent location).

Other respondents

- 5.3 New Forest Association – supports the proposals.
- 5.4 The Forestry Commission initially raised concerns about the proposed extensions and potential for increased regulatory requirement.
- 5.5 Letters were received from three members of the public in relation to Fritham with Eyeworth. One supports the proposals and offers additional historical information. Two express concerns in relation to the proposed additions.
- 5.6 One letter was received from a member of the public in relation to Burley which comments specifically on the character appraisal; some amendments have been made to the appraisal.

Questionnaires

- 5.7 Four questionnaires were received in relation to Fritham with Eyeworth. Three support the proposed boundary changes, one objects (two also had accompanying letters as noted at 5.6).
- 5.8 Two questionnaires were received in relation to Burley. Both support the proposed boundary changes (one also had an accompanying letter as noted at 5.7).

6 Changes as a result of consultation responses

Character appraisals

- 6.1 The character appraisals have been amended in the light of the comments provided.

Boundaries

- 6.2 Amendments have not been made to the proposed boundaries of the extended conservation areas. The concerns raised in relation to the proposed additions to Fritham with Eyeworth do not raise criteria which are considered to justify amendment to the proposals.
- 6.3 National Park officers met the Forestry Commission to discuss concerns about increased regulatory requirements, where the boundaries include

Forestry Commission land. A system is to be agreed for tree works notification in relation to ongoing and routine work, in order to address this concern. This system will be equally applicable to other applicants seeking to undertake regular routine maintenance work to trees in any conservation area.

7 Conclusions

- 7.1 The special historic and architectural interest of the areas described in this report is sufficient to merit preservation or enhancement by means of designation as conservation areas. The character appraisals define the special character of these areas and give justification for the boundaries proposed.

Recommendations: To agree:

- 1. in accordance with the powers contained in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to designate the revised boundaries of Fritham with Eyeworth and Burley conservation areas shown on the plans at Annexes 2 and 3 to this report and that notice of the designation be duly given and advertised in accordance with the provisions of Section 70 of the Act;**
- 2. the adoption and publication of character appraisals of Fritham with Eyeworth and Burley conservation areas, including illustrations and maps.**

Additional planning controls in a conservation area

Conservation Area Consent

- 1 This is normally needed to demolish all or the very substantial majority of any building with a total cubic content exceeding 115 cubic metres. Consent is also needed for the entire removal of any gate, wall, fence or railing more than 1 metre high abutting a highway, public footpath or open space, or more than 2 metres high elsewhere.

Planning Permission

- 2 Planning controls over what householders can do to their properties in a conservation area are effectively identical to those applying within a National Park.
- 3 Planning applications, which, in the opinion of the Authority, would affect the character or appearance of the conservation area, must be advertised and opportunity must be given for public comment. This may include proposals outside the conservation area which nevertheless affect its setting.

Trees

- 4 Trees in a conservation area have the same protection as those covered by Tree Preservation Orders. It is an offence to fell or prune such trees without prior written consent from the Local Planning Authority. The Authority must be given six weeks notice of the intention to carry out work to protected trees in a conservation area.

Design of new development

- 5 The Authority has a duty to ensure that the character of a conservation area is preserved or enhanced, particularly when considering applications for development.

Adoption of additional planning controls

- 6 The National Park Authority may in the future also decide to adopt extra planning controls within conservation areas by the use of an Article 4(2) Direction. This Direction removes the normal Permitted Development Rights from dwelling houses, meaning that planning permission is required for certain specified works, as set out below (a direction can be selective both between and within these types of development):
 - for the erection, alteration or removal of a chimney from a dwellinghouse;

and any of the following permitted development rights for development *which would **front** a highway, waterway or open space:*

- the enlargement, improvement or other alteration of a dwellinghouse;
- the alteration of a dwellinghouse roof;
- the erection or construction of a porch outside any external door of a dwellinghouse;
- the provision, within the curtilage of a dwellinghouse, of a building, enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure;
- the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such;
- the installation, alteration or replacement of a satellite antenna on a dwellinghouse or within its curtilage;
- the erection or demolition of a gate, fence, wall or other means of enclosure within the curtilage of a dwellinghouse; and
- the painting of a dwellinghouse or a building or enclosure within the curtilage of a dwellinghouse.

- 7 The use of an Article 4(2) direction would be restricted to specifically chosen buildings and would seek to preserve their intrinsic value.