

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 26 MARCH 2008

CONSERVATION AREA REVIEW

PROPOSED DESIGNATION OF CONSERVATION AREAS

**FOREST NORTH EAST
WESTERN ESCARPMENT**

Report by: Paula Freeland, Head of Environmental Design

Summary:

This report sets out the background to the review of conservation areas being carried out by the National Park Authority. It proposes designation of two new conservation areas: Forest North East, and Western Escarpment, and presents Character Appraisals of these areas for publication.

Recommendations:

1. In accordance with the powers contained in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, that conservation areas are designated, to be known as:

- **Forest North East (Copythorne, Winsor, dispersed farms and arable land, Netley Marsh, Bartley, Woodlands, historic edge of Forest encroachment)**
- **Western Escarpment (Hatchet Green; Hale Park; dispersed dwellings and associated agricultural land; Woodgreen; Castle Hill and escarpment edge and scattered isolated development; Godshill and surrounding agricultural encroachment into the Forest; Frogham; Blissford and scattered isolated development; Hungerford, Hyde Common, Gorley Common and Ogdens; Edge of floodplain – Stuckton, North Gorley, South Gorley, Mockbeggar and Rockford; Highwood and Hangersley; 20th Century dispersed settlement within woodland)**

to cover the areas shown on the plans annexed to this report (Annex 2 and 4 respectively) and that notice of the designation be duly given and advertised in accordance with the provisions of Section 70 of the Act.

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2. **Character Appraisals of these areas, including illustrations and maps, be published.**
 3. **In accordance with the powers contained in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, that conservation areas known as Hatchett Green and Woodgreen are cancelled.**

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 241/08:	Cover paper
NFNPA 241/08 Annex 1:	Additional planning controls in a conservation area
NFNPA 241/08 Annex 2:	Proposed conservation area boundary, Forest North East
NFNPA 241/08 Annex 3:	Character Appraisal text, Forest North East
NFNPA 241/08 Annex 4:	Proposed conservation area boundary, Western Escarpment
NFNPA 241/08 Annex 5:	Character Appraisal text, Western Escarpment
NFNPA 241/08 Annex 6:	Analysis of consultation responses and copies of correspondence, Forest North East
NFNPA 241/08 Annex 7:	Consultation conservation area boundary, Forest North East
NFNPA 241/08 Annex 8:	Analysis of consultation responses and copies of correspondence, Western Escarpment
NFNPA 241/08 Annex 9:	Consultation conservation area boundary, Western Escarpment

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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 proposed areas.
- 1.6 There are 18 conservation areas in the National Park which are generally centred around nucleated historic settlements, such as Lyndhurst, Beaulieu and Bucklers Hard, with the exception of the scattered settlement of Burley and the two newly designated areas mentioned at 1.6. This review is assessing areas of the Park where there is a special relationship between buildings and the landscape as a result of the way in which the land has evolved and been managed. This includes settlements around the edges of unenclosed Forest which reflect encroachment and agricultural exploitation of the forest edge and areas of larger privately owned estates beyond.
- 1.7 This is the second in a series of reports to the Authority. Two new conservation areas Forest South East and Forest Central (North and South) were designated in January 2008 as part of this review.
- 1.8 The main effect of designation will be to recognise the special value of the area and alert all to the need to apply the highest possible design standards to the buildings and associated landscape. Character Appraisals of the areas will provide essential guidance for new development. Designation will also bring about additional planning controls.
- 1.9 Two new conservation areas are proposed in this report: **Forest North East** and **Western Escarpment**.

2 Proposed conservation areas

Forest North East

- 2.1 The proposed conservation area boundary is shown on the plan in **Annex 2**. It contains the settlements of Copythorne, Winsor, Woodlands and parts of Netley Marsh and Bartley.
- 2.2 A Character Appraisal of the area has been prepared, to inform the proposed designation, in accordance with guidelines produced by English Heritage and central government. The appraisal text is included at **Annex 3**.

Western Escarpment

- 2.3 The proposed conservation area boundary is shown on the plan in **Annex 4**. It contains the settlements of Hatchet Green, Hale, Woodgreen, Godshill, Stuckton, Frogham, Hyde, Hungerford, North Gorley, South Gorley, Mockbeggar, Rockford, Hangersley, Linford, and Poulner. The area also includes Hale House with its associated parkland and Moyles Court and its environs.
- 2.4 A Character Appraisal of the area has been prepared to inform the proposed designation, in accordance with guidelines produced by English Heritage and central government. The appraisal text is included at **Annex 5**.
- 2.5 This proposal incorporates two existing conservation areas, Hatchett Green and Woodgreen. Therefore these are to be cancelled as individual designations.

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 The 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 Local Plan Policies and will be reflected in future policy development.
- 3.5 The Character Appraisals presented with this report provide text only. Final published versions 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. Typical maps will be available to view at the Authority meeting. Any minor amendments to the text will also be carried out.

4 Consultation process

- 4.1 County and District Councillors and 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 Two open afternoons and evenings were held in each of the two proposed conservation areas, with an exhibition, information about the proposals and officers available to answer questions. The exhibitions will be on display at the Authority meeting. Similar information was made available on the National Park Authority's web site.
- 4.3 A questionnaire was prepared to seek individuals' views.

5 Consultation responses

Forest North East

- 5.1 An analysis of responses is set out in **Annex 6**, together with copies of correspondence. A summary is provided below.

Parish Councils

- 5.1.1 Copythorne Parish Council has no major adverse comments on the proposed conservation area but draws attention to what are considered to be the 'eccentricities' of the boundary, noting straighter lines would seem more appropriate in places.
- 5.1.2 Netley Marsh Parish Council has concerns about how the conservation area will be administered and that it could create an increase in bureaucracy. Also that it may cause confusion and disputes between neighbours, especially between those who are within the area and those who are not.

Public meeting

- 5.1.3 Netley Marsh Parish Council invited the public and representatives from the National Park Authority to attend a public meeting before their monthly parish meeting on 16 January. Over 100 members of the public attended together with Parish Council Members. At a

straw poll at the end of the meeting, all except one member of the public were in favour of the proposals, and the one member remained undecided.

Other respondents

- 5.1.4 Letters were received from eight members of the public. Six of these support the proposals and suggest the inclusion of additional areas. One objects to the proposal and one does not consider that there is sufficient justification to merit designation as a conservation area. Some of these suggestions have resulted in reassessment of the boundary to include additional areas.
- 5.1.5 R F Giddings expressed concern about the proposals and the inclusion of their site. Representatives from Giddings and Authority officers met to discuss these concerns and a paragraph has been included in the appraisal document which recognises the close relationship of the business with the New Forest and the nature of the site.
- 5.1.6 Atisreal write on behalf of Gifford Limited that they are concerned that the proposal will place more restrictions on their operations, could prejudice any future redevelopment proposals and would like their client's site excluded.
- 5.1.7 Councillor Puttock suggested that Tatchbury Mount be included.
- 5.1.8 The New Forest Association supports the proposals, noting that the cumulative impact of minor changes is rapidly destroying the area's character. The Association also recognises historic evidence for designation.
- 5.1.9 Richard Reeves, Librarian, New Forest Museum, has provided detailed and helpful comments on the Character Appraisal.
- 5.1.10 Peter Frost suggested inclusion of a number of additional areas.

Questionnaires

- 5.1.11 86% of the questionnaire respondents are in favour of the proposals. The local distinctiveness of the area is clearly recognised. 30% of the respondents agree with the proposed boundary. 56% suggested additions and comments on these are set out in **Annex 6**. Five questionnaire respondents (out of 57) said they did not think there should be a conservation area. It was clearly thought that there are opportunities to improve new development taking place in the area. Other information provided about features considered to detract from the conservation area would be a useful basis for developing a management strategy should a conservation area be designated.

Boundary changes as a result of consultation responses

5.1.12 The consultation boundary is shown on the plan in **Annex 7**. The boundary has been extended to include:

- Paradise Lane, Langford, the top part of Bourne Road, recognising that this area does relate to and form part of character area C.
- Tatchbury Mount Hill Fort in character area C as part of the historic development of the area.

Western Escarpment

5.2 An analysis of responses is set out in **Annex 8**, together with copies of correspondence. A summary is provided below.

Parish Councils

5.2.1 Hyde, Hale, Ellingham, Harbridge and Ibsley and Woodgreen Parish Councils support the proposals. Ellingham also suggest that the boundary should include the west side of Gorley Road.

5.2.2 Godshill Parish Council note differing views of members - one considering that there are already sufficient safeguards for the area, others supporting the proposals.

5.2.3 Ringwood Parish Council objects to the proposals to include the area which falls within the parish of Ringwood – North Poulner, Hangersley and Linwood. They do not believe that area meets the necessary criteria.

5.2.4 Councillor Treleaven expressed reservations over the inclusion of the semi-rural residential area of Cowpitts Lane, Hangersley Hill and the south west end of Linwood Road. He suggested that the southern boundary of the conservation area be redefined, commencing at Gorley Road/Cowpitts Lane junction, running along Cowpitts Lane and across to the junction with Hangersley Hill then up the hill to the junction with Forest Corner at the A31.

Other respondents

5.2.5 Mr Hickman, landowner, Hale Park, is supportive of the proposals.

5.2.6 Letters/e-mails were received from four members of the public. Two suggested boundary changes, two suggested amendments to the Character Appraisal and one also expressed concerns arising from the controls.

5.2.7 Richard Reeves, Librarian, New Forest Museum, has provided detailed and helpful comments on the Character Appraisal.

5.2.8 The New Forest Association supports the proposals.

5.2.9 New Forest District Council has no comment on those parts of the proposals that lie within the National Park boundary.

The boundary consultation boundary included some small areas outside the boundary of the National Park in the New Forest District. These are: at Searchfield to the north incorporating Searchfield Lodge and Seachfield Farm which relate to Hale Park; at Stuckton to the west, to incorporate buildings both sides of the Gorley Road; along the Gorley Road to incorporate the verge to the west where the National Park boundary follows the centre of the road. The purpose was to give a consistent boundary to the character areas.

The District Council considers that it cannot justify directing resources to pursuing the designations in their area.

5.2.10 English Heritage is generally content with the proposals and makes helpful suggestions where additional information is considered necessary in the Character Appraisal.

Questionnaires

5.2.11 91% of the questionnaire respondents are in favour of the proposals, 76% suggesting additions to the proposed area. The local distinctiveness of the area is clearly recognised. 65% of the respondents agree with the proposed boundary. Two questionnaire respondents (out of 34) said they did not think there should be a conservation area. Other information provided about features considered to detract from the conservation area would be a useful basis for developing a management strategy should a conservation area be designated.

Boundary changes as a result of consultation responses

5.2.12 The original proposed boundary is shown on the plan in **Annex 9**. The boundary has been altered to exclude those areas outside the National Park boundary.

6 Conclusions

6.1 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.

- 6.2 The areas are recognised by the public and other areas as having a special character. Public support for designation significantly outweighs the objections.

Recommendations

1. **In accordance with the powers contained in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, that conservation areas are designated, to be known as:**
 - **Forest North East (Copythorne, Winsor, dispersed farms and arable land, Netley Marsh, Bartley, Woodlands, historic edge of Forest encroachment)**
 - **Western Escarpment (Hatchet Green; Hale Park; dispersed dwellings and associated agricultural land; Woodgreen; Castle Hill and escarpment edge and scattered isolated development; Godshill and surrounding agricultural encroachment into the Forest; Frogham; Blissford and scattered isolated development; Hungerford, Hyde Common, Gorley Common and Ogdens; Edge of floodplain – Stuckton, North Gorley, South Gorley, Mockbeggar and Rockford; Highwood and Hangersley; 20th Century dispersed settlement within woodland)**

to cover the areas shown on the plans annexed to this report (Annex 2 and 4 respectively) and that notice of the designation be duly given and advertised in accordance with the provisions of Section 70 of the Act.
2. **Character Appraisals of these areas, including illustrations and maps, be published.**
3. **In accordance with the powers contained in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, that conservation areas known as Hatchett Green and Woodgreen are cancelled.**

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.