

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 24 JANUARY 2008

CONSERVATION AREA REVIEW

PROPOSED DESIGNATION OF CONSERVATION AREAS

**FOREST SOUTH EAST
FOREST CENTRAL (NORTH AND SOUTH)**

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 South East, and Forest Central (North and South) 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 South East**
 - **Forest Central (North and South)**

to cover the areas shown on the plans annexed to this report (Annex 1 and 3 respectively) and that notice of the designation be duly given and advertised in accordance with the provisions of Section 70 of the Act.
2. **The Character Appraisals of these areas, including illustrations, maps and additional summary material as suggested by English Heritage, 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 Minstead and Emery Down 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 (MP 3.2e, 4.8b, 4.8f and Defra e)

Papers:

NFNPA 227/08	Cover paper
NFNPA 227/08 Annex 1	Additional planning controls in a conservation area
NFNPA 227/08 Annex 2	Proposed conservation area boundary, Forest South East
NFNPA 227/08 Annex 3	Character Appraisal text, Forest South East
NFNPA 227/08 Annex 4	Proposed conservation area boundary, Forest Central (North and South)
NFNPA 227/08 Annex 5	Character Appraisal texts, Forest Central (North) and Forest Central (South)
NFNPA 227/08 Annex 6	Analysis of consultation responses and copies of correspondence, Forest South East
NFNPA 227/08 Annex 7	Analysis of consultation responses and copies of correspondence, Forest Central (North) and Forest Central (South)

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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 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.
- 1.5 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. 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.

1.6 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.

1.7 Two new conservation areas are proposed in this report: **Forest South East** and **Forest Central (North and South)**.

2 Proposed conservation areas

Forest South East

2.1 The proposed conservation area boundary is shown on the plan in **Annex 2**. It includes the areas of East Boldre, East End, Norley Wood, Pylewell Park, South Baddesley, Walhampton and Boldre.

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**.

Forest Central (North and South)

2.3 The proposed conservation area boundary is shown on the plan in **Annex 4**. It is divided into two and includes to the north, the areas of Bramshaw, Penn Common, Furzley, Brook, Canterton, Newbridge, Cadnam Green, Cadnam and the countryside between; and to the South the areas of Minstead, London Minstead, Emery Down, Newtown, Stoney Cross and the countryside between.

2.4 Character Appraisals of the two areas have been prepared to inform the proposed designation, in accordance with guidelines produced by English Heritage and Central Government. The appraisal texts are included at **Annex 5**.

2.5 This proposal incorporates two existing conservation areas, Minstead and Emery Down. These are therefore 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.

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 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 South 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 Boldre Parish Council does not consider it appropriate to make the area a conservation area.
- 5.1.2 East Boldre Parish Council state they are very much in favour of the proposals and make reference to regret at the loss of small cottages in the area.

Other respondents

- 5.1.3 One letter was received from a local resident which endorses the view of Boldre Parish Council not to support the proposal.
- 5.1.4 New Forest District Council considers that the reason for the recommendation makes sense, and makes some detailed comments in respect of the Character Appraisal.
- 5.1.5 The New Forest Association supports the proposals. It makes reference to the development pressure the area is under and the impact of the cumulative effect of unsympathetic changes.
- 5.1.6 Richard Reeves, Librarian, New Forest Museum, has provided detailed and helpful comments on the Character Appraisal.
- 5.1.7 The Verderers of the New Forest accept that in principle the conservation areas should be made. They are concerned that the efficient management of commoners small holdings should not be stifled and raise issues in relation to the management of trees and hedges.
- 5.1.8 English Heritage is supportive of Conservation Area designation for the area, and notes that while the natural environment of the New Forest is often recognised, the area's significant sense of place, cultural and physical heritage is perhaps far less well understood, recognised and valued. The Appraisals are an important piece of work towards managing this heritage. It is also suggested that the bullet points set out as *key characteristics* in the Appraisal could usefully summarise the historic value and significance to be attributed to each area.

Questionnaires

- 5.1.9 Two thirds of the questionnaire respondents are in favour of the proposals. The local distinctiveness of the area is clearly recognised. Over half the respondents agree with the proposed boundary. A small number of suggested additions and comments on these are set out in **Annex 6**. Nine questionnaire respondents (out of 45) 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.

Forest Central (North and South)

- 5.2 An analysis of responses is set out in **Annex 7**, together with copies of correspondence. A summary is provided below.

Parish Councils

- 5.2.1 Minstead Parish Council supports the proposals.
- 5.2.2 Lyndhurst Parish Council has no objection to the proposals.
- 5.2.3 Bramshaw Parish Council is in favour of the proposals (and suggests an extension of the boundary).

Other respondents

- 5.2.4 Councillor Force raises issues about vehicle speed and traffic calming, and asks if there are any National Park opportunities for funding of traffic calming works. Any proposals for traffic calming could be managed through a conservation area management plan. At present there are no funds available for works in conservation areas specifically. (Letter passed to Chris Gregory, Tourism and Transport Officer, in respect of other opportunities for funding and issues raised).
- 5.2.5 Richard Reeves, Librarian, New Forest Museum, has provided detailed and helpful comments on the Character Appraisal.
- 5.2.6 The New Forest Association supports the proposals, recognising the value of the historic settlement pattern of the areas.
- 5.2.7 The Verderers of the New Forest accept that in principle the conservation areas should be made. They are concerned that the efficient management of commoners small holdings should not be stifled and raise issues in relation to the management of trees and hedges.
- 5.2.8 English Heritage is supportive of Conservation Area designation and notes that while the natural environment of the New Forest is often recognised, the area's significant sense of place, cultural and physical heritage is perhaps far less well understood, recognised and valued. The Appraisals are an important piece of work towards managing this heritage. It is also suggested that the bullet points set out as *key characteristics* in the Appraisal could usefully summarise the historic value and significance to be attributed to each area.

- 5.2.9 Mr W and Mrs M Dibben (supported by Mr and Mrs Cooper) consider there is no justification for the proposed designation.

Questionnaires

- 5.2.10 More than 80% of the questionnaire respondents are in favour of the proposals. The local distinctiveness of the area is clearly recognised. 59% of the respondents agree with the proposed boundary. Two questionnaire respondents (out of 17) 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.

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

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to cover the areas shown on the plans annexed to this report (Annex 1 and 3 respectively) and that notice of the designation be duly given and advertised in accordance with the provisions of Section 70 of the Act.
2. **The Character Appraisals of these areas, including illustrations, maps and additional summary material as suggested by English Heritage, be published.**
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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 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.