

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 29 JANUARY 2009

CONSERVATION AREA REVIEW

BEAULIEU, BUCKLER'S HARD AND EXBURY

CHARACTER APPRAISALS AND PROPOSED CHANGES TO BOUNDARIES

Report by: Paula Freeland, Head of Environmental Design

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 Beaulieu, Bucklers Hard and Exbury for adoption and proposes changes to the boundaries of the three 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/au_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.

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.

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 the Beaulieu, Buckler's Hard and Exbury shown on the plans at Annexes 2, 3 and 4 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. to the adoption and publication of the character appraisals of Beaulieu, Bucklers Hard and Exbury 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 284/09:** Cover paper
- NFNPA 284/09 Annex 1:** Additional planning controls in a conservation area
- NFNPA 284/09 Annex 2:** Beaulieu Conservation Area: showing proposed exclusions and proposed inclusions resulting from the consultations
- NFNPA 284/09 Annex 3:** Existing and proposed conservation area boundary (Bucklers Hard)
- NFNPA 284/09 Annex 4:** Existing and proposed conservation area boundary (Exbury)
- NFNPA 284/09 Annex 5:** Analysis of consultation responses

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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 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 Beaulieu, Buckler's Hard and Exbury. Character appraisals are presented with this report and the report proposes changes to the boundaries of the three areas.

2 Proposed boundary changes

Beaulieu

- 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 following two rounds of consultation:

First consultation

- Abbey Precinct. It is proposed to include the remaining land and historic features belonging to the medieval Abbey Precinct which lie to the north and east of the existing conservation area boundary. This includes several lengths of the medieval Precinct wall and the remains of the Abbey fulling mill. This area is important historically to the early history of the site and contains several ancient monuments.
- Beaulieu River and environs. The addition of the area of river and mud flats to the south of the Abbey Precinct and causeway and the land on the east bank of the river. These features make an important contribution to the setting of the historic core of the conservation area.

- Eastern entrance to the village. Home Farm and its related former agricultural buildings including the Out of Town Centre and Home Farm Cottages and Palace Lane, west from Home Farm to the boundary of the existing conservation area together with adjacent dwellings and curtilages to the north and south of the lane. This area forms an important visual entrance to the existing conservation area and contains a number of listed buildings and buildings of local, cultural and vernacular interest.
- Beaulieu by-pass and historic scattered linear development. The addition of Rose Cottage, Myrtle Cottage and associated curtilages. These form the entrance into the historic settlement from the southwest along Hatchet Lane. There is also a proposed minor adjustment to the south east boundary in order to follow the natural landscape boundary.

Second consultation

- Beaulieu River gateway. The addition of the river valley south of the village to Spearbed Copse on the east bank of the river including the river bank, properties and landscape up to and including Dock Lane to the east. On the west bank the river bank and all land and properties between the Solent Way footpath and the river south down to the north boundary of Keeping Marsh. This section of river and valley form a very important gateway from the south into the historic core of the conservation area and includes the 20th century expansion of the settlement along the east bank of the river.

2.3 The following **exclusion** from the conservation area is proposed:

- The agricultural land to the west of the by-pass. This land has been severed from the settlement both visually and physically by the construction of the by-pass and no longer makes a contribution to the character of the conservation area and is located behind a natural hedgerow boundary.

Buckler's Hard

2.4 The existing and proposed conservation area boundaries are shown on the map in **Annex 3**

2.5 The following **additions** to the conservation area are proposed:

- Buckler's Spring and West Timber and their associated curtilages to the south west of the current conservation area boundary. These two dwellings and their associated land are

in a prominent location on the approach to the historic settlement.

Exbury

- 2.6 The existing and proposed conservation area boundaries are shown on the plan in **Annex 4**.
- 2.7 The following **additions** to the conservation area are proposed:
- Re-alignment of the eastern boundary of the conservation area. This will follow the existing natural landscape boundaries and curtilage boundary to the ancillary buildings of Exbury House, including the water tower and the area to the south of South Lodge.
- 2.8 The following **exclusion** from the conservation area is proposed:
- The tennis court and land to Marise Cottage. These do not make a contribution to 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 three 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 An open afternoon and evening was held in Beaulieu 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.
- 4.5 As a result of consultation on initial proposals, further additions to Beaulieu conservation area was proposed and further consultation took place. The organisations set out in 4.1 were again consulted. Letters were sent to all properties affected by the further addition and information was made available on the National Park Authority's website.

5 Consultation responses

- 5.1 An analysis of responses is set out in **Annex 5**. A summary is provided below.

Parish Councils

5.2 Beaulieu Parish Council

The Parish Council responded in respect of the second consultation confirming that they have no objection to the proposed boundaries.

5.3 Exbury Parish Council

The Parish Council notes that the proposed changes to Exbury Conservation Area are uncontentious and no comments have been recieved since the public display in the Exbury Club. The only anomaly is the exclusion of Marise Cottage which was the village laundry.

Other respondents (first consultation)

5.4 Councillor Thornber has no significant reservations about the changes.

5.5 Councillor Vickers notes that he has raised the proposals with Exbury and Lepe and Beaulieu parishes and that no issues have been raised by them or the residents.

5.6 The Countryside Education Trust object to the inclusion of the entire Out of Town Centre site in Beaulieu conservation area.

5.7 Exbury Estate is in favour of the amendments recommended.

5.8 The Hon. Ralph Montague suggests alternative changes to the boundary of Beaulieu conservation area (character areas A, B, C, F and H) and to the boundary of Bucklers Hard conservation area. Also provides detailed information in relation to the character appraisals.

5.9 New Forest Association suggests change to name of Beaulieu Conservation area character area A, draws attention to the importance of on the ground interpretation in relation to the Abbey Precinct and the need for the visitor attraction to remain a dynamic and changing enterprise and suggests extension of Beaulieu conservation area character area B.

5.10 Letters were received from two members of the public. One suggests that the Three Dials building should not be included in Beaulieu conservation area. The other provides detailed information in relation to the character appraisals.

Questionnaires (first consultation)

- 5.11 One questionnaire was completed in relation to Beaulieu conservation area. The author notes agreement in part with the boundary changes but provides no further comment on this. It is considered that the character appraisal covers all important characteristics of the conservation area. The issue of traffic detracting from the character of the conservation area is raised.

Other respondents (second consultation)

- 5.12 Responses were received from Councillor K Thornber and Mr J Beaumont supporting the proposals.
- 5.13 One letter was received from a member of the public expressing concern about the implications of notification of the local authority of intention to carry out works to trees.

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 (see **Annex 5** for specific detail).

Boundaries

- 6.2 The comments received in respect of the original proposals for the boundary of Beaulieu conservation area were considered and a further area was proposed for inclusion, as set out below. A second consultation took place on this area.
- Beaulieu River gateway. The addition of the river valley south of the village to Spearbed Copse on the east bank of the river including the river bank, properties and landscape up to and including Dock Lane to the east. On the west bank the river bank and all land and properties between the Solent Way footpath and the river south down to the north boundary of Keeping Marsh. This section of river and valley form a very important gateway from the south into the historic core of the conservation area and includes the 20th century expansion of the settlement along the east bank of the river.
- 6.3 Responses to the second consultation for inclusion of the area described as Beaulieu River gateway were supportive with the exception of one respondent expressing concern about notification in respect of tree works. However this concern would appear to be based on a misunderstanding of requirements.

- 6.4 The boundary of the conservation area at character area A has been amended to exclude the tarmac area but retain the principal standing historic structures.
- 6.5 It was suggested that the boundary of Bucklers Hard conservation area be extended to the east, along the river's edge to include riverside properties. It is considered however that Buckler's Hard conservation area focuses on the historic nucleated village and it would therefore be difficult to justify its extension down the river.
- 6.6 Correspondence received supports the proposals for changes to the boundary of Exbury conservation area. No changes have therefore been made to the proposals.

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 the Beaulieu, Buckler's Hard and Exbury shown on the plans at Annexes 2, 3 and 4 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. to the adoption and publication of the character appraisals of Beaulieu, Bucklers Hard and Exbury 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.