

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 8
8 APRIL 2014	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement	
Contact Officer(s):	Jim Daley Principal Built Environment Officer Simon Machen Director of Growth and Regeneration	Tel: 01733 453522 Tel. 01733 453475

THE BANTON CONSERVATION AREA APPRAISAL

RECOMMENDATIONS	
FROM : Jim Daley - Planning Services	Deadline date : N.A.
That Committee:	
<ol style="list-style-type: none"> 1. notes the outcome of the public consultation on the Banton Conservation Area Appraisal (Appendix 1) 2. recommends that the Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement considers and approves the proposed conservation area boundary change (Appendix 2) 3. supports the adoption of the Banton Conservation Area Appraisal and Management Plan as the Council's planning guidance and strategy for the Banton Conservation Area 	

1. ORIGIN OF REPORT

- 1.1 A review of the Banton Area was carried out in 2013 as part of the Council's on-going review of all 29 of Peterborough's designated Conservation Areas. A detailed written appraisal has been prepared for the area and, following public consultation and subsequent amendment, it is now proposed that the Banton Area Appraisal is formally adopted as the Council's planning guidance and strategy for the area.

2. PURPOSE AND REASON FOR REPORT

- 2.1 This report is submitted to the Committee for approval of the Banton Conservation Area Appraisal and Management Plan. A PDF file of the appraisal has been sent to members. This report provides an update on the outcome of the public consultation on the Draft Banton Conservation Area Appraisal and Management Plan.
- 2.2 This report is for the Committee to consider under its Terms of Reference No. 2.5.1.5 to be consulted by, and comment on, the Executive's draft plans which will form part of the Development Plan proposals at each formal stage in preparation.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
Date for relevant Council meeting	N/A	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	N/A

4. BACKGROUND

- 4.1 The draft Appraisal was subject to public consultation from 17 January to 28 February 2014. A copy of the document was published on the Council's website, and copies were provided to Bainton Parish Council, Ward member and English Heritage. A letter and summary leaflet were sent to all properties in the village, Ashton and other interested parties, including planning agents, Peterborough Civic Society and Burghley Estates.
- 4.2 13 representations were received and these are summarised together with the Conservation Officer's response in Appendix 1. The Appraisal has been revised to take account of some of the representations received and the approved version will be available on the Council's web site.
- 4.3 It is proposed to amend the north-west boundary of the conservation area to include all the historic former parkland to Bainton House and the southern boundary to include areas of ridge and furrow to the south of Barnack Road and the site of the medieval manor house.

5. ANTICIPATED OUTCOMES

- 5.1 The Bainton Conservation Area Appraisal fulfils the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to 'draw up and publish proposals for the preservation and enhancement of conservation areas. The Appraisal identifies the special character of the Bainton Conservation Area and confirms that it merits designation as a conservation area. It also includes a Management Plan (as required by regulations) which identifies works and actions to secure the preservation and enhancement of the conservation area.

6. REASONS FOR RECOMMENDATIONS

Adoption of the Bainton Conservation Area Appraisal as the Council's planning guidance and strategy for the Area will:

- fulfil the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to prepare and publish proposals for the preservation and enhancement of Conservation Areas.
- provide specific Conservation Area advice which will be used as local design guidance and therefore assist in achieving the Council's aim of improved design standards and the delivery of a high quality planning service.
- have a positive impact on the enhancement of the Conservation Area by ensuring that new development in the historic environment is both appropriate to its context and of demonstrable quality.

7. ALTERNATIVE OPTIONS CONSIDERED

- Do nothing – this would be contrary to Government guidance (Planning (Listed Buildings & Conservation Areas) Act 1990) and Guidance on Conservation Area Appraisals, English Heritage 2005

8. IMPLICATIONS

- 8.1 There are no specific financial implications for the City Council identified in this report.
- 8.2 The Appraisal and Management Plan identify works to conserve and enhance the Conservation Area. The implementation of some of these works will however require the involvement of the City Council, specifically in relation to future works to the public realm. This may have cost implications but these cannot be quantified at this time. Works will also involve co-ordination across Service Departments of the Council

- 8.3 Potential public sector funding partners may emerge for some works, depending on the grant regimes and other opportunities that may exist in the future. Other works, such as the replacement of non-original features, may be carried out entirely by private owners without public funding.
- 8.4 The City Council will seek to attract additional resources in partnership with other interested parties and funding bodies to help implement works identified in the Conservation Area Appraisal and Management Plan.

9. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

Guidance on Conservation Area Appraisals, English Heritage 2005

Guidance on the Management of Conservation Areas, English Heritage 2005

APPENDIX 1

Summary of comments received at the consultation stage of the Bainton Conservation Area Appraisal, together with the Council's response to the issues raised.

	Comments
English Heritage	English Heritage supports the preparation of up-to date appraisal and management plans for all conservation area. The Bainton appraisal has been well researched and welcome the careful analysis on building periods, building materials and boundary treatments. The use of historic maps also assists in understanding how these areas have developed over time. There is logic in the proposed extensions though the inclusion of Ufford Road is less clear-cut. The buildings clearly do not meet the criteria of 'special architectural or historic interest (as required by para. 127 of the NPPF) but the arcadian character derived from the trees adds to the quality of the area. As an alternative, consideration could be given to the use of tree preservation areas in Ufford Road rather than inclusion in the Conservation Area
Comments	Comments noted. It is proposed to omit the proposed boundary extension to include properties at Ufford Road. Other measures to protect the landscaped character of the area will be examined.
Resident	The proposed management plan would be beneficial to maintain the character of the village and further enhanced with sympathetic subtle additions. Site specific enquiry.
Comments	Comments noted.
Resident	Suggest that the boundary extension includes properties on the B1443 (Barnack Road) which are the same as those included in Ufford Road, and also include the public footpath to the main road.
Comments	Comments noted. A conservation area should have definable 'special character'. Conservation areas can include properties which do not have architectural or historic character to justify inclusion in their own right. However, it would be expected that such an area provided a 'special character' in other respects to justify inclusion. As part of the appraisal process the whole of the village, including these properties suggested, were considered for possible inclusion in an extended conservation area. It is considered that although the area has some merit it does not possess sufficient definable 'special interest' (architectural or historic interest) and to include the area would not add to the special character of the conservation and fulfil the criteria of conservation area designation. While the suggested area illustrates the history and growth of the village it does not have architectural and historic consistency (special character) to justify inclusion and to do so would likely weaken the strength of the overall conservation area. Also, the additional controls on householders as a result of conservation designation must be balanced against the wider public gain.
Resident	In favour of the proposed extensions. The creep of block paving instead of chippings and shingle that complements the local stonework does not comply with the conservation look. A number of power (PV) panels have been installed on roofs within the conservation area. If continued to the whole village this would change the character of the buildings completely.
Comments	Comments noted. The use of permeable hard surfaces is permitted development under the General Permitted development Order. There are surfacing materials that would be appropriate to the character of village and residents can be encouraged to consider the visual appearance when considering such work. Solar panels that do not project more than 200mm off the plane of the roof are permitted development. The use of Article 4 Directions to withdraw permitted development rights is an option open to the LPA if the visual impacts would harm the character and appearance of the village.
Resident	Objection to inclusion of property at Ufford Road in an extended conservation area. The use of tree preservation orders would seem more appropriate to protect the arcadian character. No reasons for inclusion in the plan. A number of (existing) tree preservation orders apply to the property.
Comments	Comment noted. It is proposed to omit the proposed boundary extension to include properties at Ufford Road. Other measures to protect the landscaped character of the area will be examined.
Resident	Suggest including the two ponds (west) of the site of the former manor house as they are beautiful wetlands and would make a positive contribution to the character of the village.
Comments	This comment is noted, although the appraisal has not been altered to accommodate the above comment. A conservation area should have definable 'special character'. The area is undoubtedly visually attractive. However, this area is a relatively recent creation and does not provide a 'special character' in other respects to justify inclusion. While the suggested area has visual and wildlife value it does not have architectural and historic consistency (special character) to justify inclusion. The positive contribution the area makes

	to the village would continue with or without conservation area designation.
Resident	Support the proposed conservation area boundary extensions and management plan.
Comment	Comment noted
Resident	Appraisal welcomed and supported. Comment made regarding lack of walking route on open land and seeking restitution of a former permissive path over the former parkland of Bainton House.
Comment	Comments noted. Access opportunities are outside the scope of the appraisal, and this request for improved access will be forwarded to the rights of way officer
Resident	Support many of the proposals and extensions except the extension to include properties at Ufford Road when it is the landscaping which has been highlighted as contribution to the character of the village. Existing tree preservation orders are in place and protect the landscape. Revisit the TPO's to ascertain if further trees need to be included.
Comment	Comments noted. It is proposed to omit the proposed boundary extension to include properties at Ufford Road. Other measures to protect the landscaped character of the area will be examined.
Landowner	<ol style="list-style-type: none"> 1. Support inclusion of the additional former parkland and ridge and furrow features 2. Not convinced that including some houses and not others is a good move. 3. Not against the inclusion of the medieval moat areas included in the extended conservation area provided the management of it under the current H.L. scheme or any future Defra scheme is not constrained in any way.
Comments	<ol style="list-style-type: none"> 1. Comments noted. 2. It is proposed to omit the proposed boundary extension to include properties at Ufford Road. Other measures to protect the landscaped character of the area will be examined. 3. Inclusion of the former medieval manor site will not affect any current or future management agreements with Defra or others.
Resident	Support and in agreement with the aims of the appraisal and proposed extensions. Request that the conservation area is also extended to include the establishment of a protected verge beyond the stream on the south side of the property. There may be intermittent toxic and water pollution and to monitor this. Also, wish to have light pollution addressed in the appraisal. All residents should be specifically consulted prior to any changes made to roads and footpaths.
Comments	Comments noted. The verge suggested for inclusion in an extended conservation area does not have a particular definable 'special character'. The verge adds to the visual attractiveness of the area, but does not possess a 'special character' in other respects to justify inclusion. The areas positive contribution to the village would remain with or without conservation area designation. This matter will be brought to the attention of the wildlife officer for consideration as a designated 'protected highway verge' Any local pollution concerns would be investigated by Environmental Management. External lighting at domestic properties is a matter of personal choice, although excessive building and curtilage lighting can be a disturbance to others. The appraisal will be amended to include a reference to extraneous curtilage and building lighting and the impact this can have on the enjoyment of the neighbourhood by all. Any highway works would be the subject of consultation with Bainton Parish Council and resident's in the first instance.
Resident	<p>Support and in agreement with the aims of the appraisal and proposed extensions.</p> <ol style="list-style-type: none"> 1. Support the inclusion of the frontage to properties at Ufford Road in an extended conservation area, and not sure of the merit of including the buildings and rear gardens. 2. Suggest including properties to the south side of Barnack Road opposite the parkland in the extended conservation area. 3. Three further areas of ridge and furrow landscape identified for inclusion in an extended conservation area. 4. A proposed lime tree to the small green outside Bainton House is not appropriate. The current crab apple tree is in proportion to the size of the green and adds character. An oak would be preferable if a large tree is considered necessary. 5. Excessive lighting to properties and outbuilding and is out of keeping with the rural setting of the village causing unnecessary light pollution, and should be addressed. 6. Text errors and advised corrections.
Comments	<p>Comments noted.</p> <ol style="list-style-type: none"> 1. It is proposed to omit the proposed boundary extension to include properties at Ufford Road. Other measures to protect the landscaped character of the area will be examined. 2. A conservation area should have definable 'special character'. Conservation areas can include properties which do not have architectural or historic character to justify inclusion in their own right. However, it would be expected that such an area provided a 'special character' in other respects to justify inclusion. As part of the appraisal process

	<p>the whole of the village, including these properties suggested, were considered for possible inclusion in an extended conservation area. It is considered that although the area has some merit it does not possess sufficient definable 'special interest' (architectural or historic interest).and to include the area would not add to the special character of the conservation and fulfil the criteria of conservation area designation. While the suggested area illustrates the history and growth of the village it does not have architectural and historic consistency (special character) to justify inclusion and to do so would likely weaken the strength of the overall conservation area. Also, the additional controls on householders as a result of conservation designation must be balanced against the wider public gain.</p> <p>3. One of the proposed areas of ridge and furrow landscape (north edge of the village) is included in the existing conservation area. The other two areas will be further assessed for their significance as historic field systems associated with the settlement. Landowners will be contacted to discuss measures that would assist their retention as pasture land.</p> <p>4. External lighting at domestic properties is a matter of personal choice, although excessive building and curtilage lighting can be a disturbance to others. The appraisal will be amended to include a reference to extraneous curtilage and building lighting and the impact this can have on the enjoyment of the neighbourhood by all.</p>
Landowner	<p>1. Objection to the proposed north west extension of the conservation area to include the full extent of the former parkland to Bainton House. The extension would affect three trees. Unsure how designation would protect the trees to the ridge and furrow landscape. The ridge and furrow is already heavily protect by the including a H.L. scheme agreement with Natural England, the (protection) of the tenant farmer, and the EIA regulations if there was (to be) any change to plough (the land) as it is permanent pasture. More protection will only create more cost and bureaucracy for the council and landowner.</p>
Comments	<p>1. Comments noted</p> <p>2. The Bainton Appraisal has identified the special character of the present conservation area. The 1886 Ordinance Survey series map shows this land having a parkland character similar to the adjoining curtilage land to Bainton House. English Heritage support the inclusion of this land. Designation would recognise the full extent of the former historic parkland to Bainton House and the former manorial site. Regulatory control arising from conservation area extension in this location would only relate to future works to trees. No fee is payable for notifying the Council of proposed works to trees in a conservation area. The designation as a conservation area also allows the council's trees and woodlands officer to visit and provide free professional advice on tree management.</p>

APPENDIX 2

Proposed Bainton Conservation Area boundary alteration



Title Bainton Conservation Area Proposals
Department Planning & Building
Scale 1:5000
Date 26th March 2014
Drwg. No. Name CE
PCC GIS
PETERBOROUGH CITY COUNCIL

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