

Conservation Area Re-appraisal Adoption: Langley Abbey
Report by Historic Environment Manager

Summary: Members agreed in June 2013 to a public consultation exercise on the re-appraisal of the existing Langley Abbey Conservation Area. The re-appraisal of the Langley Abbey conservation area is highlighted as one of the work plan objectives for 2013/14.

The purpose of this report is to give members the opportunity to consider a summary of the responses from the consultation exercise and consider the formal adoption of the appraisal and management proposals for the area.

The identification of further potential conservation areas and the re-appraisal of existing conservation areas is in line with Government guidance and is a continuing process.

Recommendations:

- (i) That the consultation response be noted.
- (ii) That officers be delegated to make appropriate amendments.
- (iii) That the Langley Abbey Conservation Area appraisal and management proposals be adopted.

1 Introduction

- 1.1 Members have agreed to initial assessment work being carried out to determine the potential for new conservation area designation and re-appraisal of existing Areas, taking into account the duty of the Authority to identify and designate and maintain up to date appraisals of such Areas.
- 1.2 It was reported to the Committee that an informal agreement had been reached with the Districts' conservation officers whereby areas that fell mainly within the Broads Authority area would have the appraisal work carried out by the Broads Authority and areas that fell mainly outside the Broads Authority area would have the appraisal work carried out by the relevant district.
- 1.3 The existing Langley Abbey Conservation Area is shared with South Norfolk Council but falls mainly within the Broads Authority boundary therefore the detailed re-appraisal has been carried out by The Broads Authority. The re-appraisal suggests a boundary change in the South Norfolk part of the area

and South Norfolk District Council has therefore been involved in the consultation process.

- 1.4 In this instance the Broads Authority who initiated the appraisal process agreed to organise and fund the public consultation exercises on behalf of both Authorities. The response from the public consultation exercises is outlined below.
- 1.5 A copy of the consultation drafts of the Langley Abbey conservation area re-appraisal, management proposals and proposed boundary is available via the this link <http://broads.defacto-cms.com:8080/broads/authoring/authority/conservation-area-consultation.html>
http://www.broads-authority.gov.uk/broads/live/authority/conservation-area-consultation/LA_CAA_second_Consultation_draft_BH_amends_November_11_2013_PS_amends_Jan_14_adoption_draft.pdf

2 Public Consultation Exercise

- 2.1 A joint consultation exercise was undertaken with South Norfolk Council as the conservation area includes land in both planning authority areas as defined on the maps included in the character appraisals.
- 2.2 A similar report requesting endorsement for adoption of the re-appraisal will be placed before South Norfolk Council Members in the near future.
- 2.3 Consultation with interested parties and organisations has been undertaken in accordance with the Broads Authority 'Statement of Community involvement. In addition, a letter and summary leaflet was delivered to all residents living within the conservation area boundary (total c.25 households). Also copies of the appraisal documents were made available both online and in hard copy format in the Broads Authority offices. The leaflet also contained a comments section and consultees were also able to comment on line. Copies of the appraisal document were also sent to the Parish Council and other stakeholder consultees. A copy of the summary leaflet was displayed on the Parish notice board at the village hall.
- 2.4 In addition a public open afternoon was held in the village hall on Saturday 23 November 2013 attended by officers from the Planning Team of the Broads Authority. Only four members of the public called in during the session to ask questions about the re-appraisal and propose or suggest minor amendments to the re-appraisal, boundary and/or raise issues of concern. Two of those attending were supportive of designation, considering that it would benefit the villages and local community. Two were initially opposed to designation in particular the boundary change which included their dwelling but following discussions decided not to submit a formal objection to the proposal.
- 2.5 As well as responses that were received from residents, the Authority also received written responses. A total of four written responses were received three in support of the proposal and one against.

- 2.6 A table of responses received for each of the consultation is appended to the report (Appendix 1).
- 2.7 The response to the consultation was poor with only eight responses in total however only one response was received which formally objected to the proposal.
- 2.8 From the statutory/amenity bodies consulted, responses were received as follows:

Langley with Hardley Parish Council – Support the proposal – suggested amendment regarding stone lane and that the consultation might have included all properties in the Parish.

Local Ward Member – comments awaited.

English Heritage – Supports proposal.

Norfolk County Council's Heritage Landscape Officer – supports proposal.

South Norfolk Council's Conservation, Design and Landscape Manager - supports the re-appraisal and boundary change.

Broads Society – Comments awaited.

CPRE Norfolk – Comments awaited.

3 Assessment

- 3.1 The written response to the consultation was disappointing with limited response received. However, only one response opposing the re-appraisal was received.
- 3.2 The response to the open afternoon was also disappointing with only four members of the public attending and although some initial concern was expressed to the extension, no formal opposition to the re-appraisal was registered at the event. However attendees did include the most affected properties.
- 3.3 A full summary of responses received is appended to the report (Appendix 1). The poor level of turn out for the open afternoon and the low response rate generally are disappointing. The fact that there was no significant level of opposition to the proposal, however, is welcomed. The re-appraisal documents are proposed to be amended as a result of the public consultation exercise and incorporate both minor factual corrections arising from the process and also suggestions from residents regarding the text of the re-appraisal in particular the “opportunities for enhancement”.

- 3.4 The response at the open afternoon regarding the boundary amendment has prompted officers to carry out a brief re-assessment of the pair of cottages in question within the proposed extension in line with the latest English Heritage guidance. English Heritage publication “Understanding Place: conservation area designation, appraisal and management” (March 2011).
- 3.5 The guidance makes clear when it might be appropriate to extend the boundary of conservation areas. This includes extensions where the inclusion of buildings will both conserve and enhance the character of the existing Conservation Area.
- 3.6 Assessing the dwellings in question against the criteria it is considered that the dwellings are a pair of C19 estate cottages of which near identical examples exist within the current boundary. This being the case and although the cottages have been somewhat altered from their original form, they are considered to make a positive contribution to the street scene. Their inclusion within the boundary of the conservation area is therefore considered justified and it is proposed to extend the boundary of the existing conservation area to include the two dwellings.
- 3.7 The cottages in question are within that part of the area within the jurisdiction of South Norfolk Council and, in that respect, the ultimate decision regarding their inclusion lies with them although, as the Broads Authority have carried out the re-appraisal and consultation exercise, it is considered that a recommendation regarding their inclusion be made.
- 3.8 There is clearly support from other statutory consultees and stakeholders, where received, for the re-appraisal and extension of boundary.
- 3.9 As regard the comments of Langley with Hardley Parish Council regarding the consultation process, it is considered that whilst it would be possible to include the whole parish in the consultation in the case of Langley with Hardley the area actually only constitutes a relatively small percentage of the Parish. There can be confusion resulting from too wide a consultation surrounding relevance and issues surrounding the expense of leaflets and distribution need to be considered. Furthermore the leaflet was displayed on the notice board outside the village hall and an article submitted to Chet news regarding the consultation. The Historic Environment Manager has written to the Parish in response to their comments. This Parish Council remain supportive of the re-appraisal proposal.
- 3.10 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that
- (1) Every local planning authority—*
- (a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and*
- (b) shall designate those areas as conservation areas.*

(2) It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.

- 3.11 English Heritage produced new guidance on the appraisal of conservation areas and the drawing up and adoption of character appraisals for such areas in 2006 – updated in 2011. The Broads Authority have followed this advice in re-appraising Langley Abbey to determine whether or not it remains worthy of conservation area designation and to assess the minor amendments to the previous conservation area boundaries.
- 3.12 The effects of designating a conservation area within the Broads Authority are less than outside its executive area. The Broads is designated as article 1(5) land for the purposes of planning and permitted development. This means that the additional restrictions that apply in conservation areas in the main already apply in the Broads Authority.
- 3.13 The exceptions to this are:
- (a) The requirement to notify the Authority regarding works to trees within the designated area and,
 - (b) Conservation area consent is required for the total demolition of a building within the designated area.
- 3.14 It is considered that
- (a) the support for the re-appraisals from the statutory consultees;
 - (b) the support for re-appraisals resulting from the Public consultation exercise;
 - (c) the Broads Authority has statutory duty to review existing conservation areas and their boundaries and provide up to date appraisals for them and;
 - (d) the limited additional restrictions for that part of the Area within the Broads;

in this instance, outweigh any limited additional restrictions the minor alterations to the boundaries of the conservation areas may have on landowners.

4 Continuing Appraisal Work

- 4.1 As part of the continued evaluation, protection and enhancement of cultural heritage within the Broads and in line with the Governments Best Value Performance indicators, it is proposed to continue the programme of providing up to date appraisals, boundaries and management proposals for the existing conservation areas in the Broads Authority area and also identify any further areas which may be appropriate for formal designation as new conservation

areas. This is consistent with the Broads Authority's stated aim within the Broads Pan 2011.

- 4.2 These detailed appraisals will form the basis of further reports to Planning Committee prior to a public consultation.

5 Financial Implications

- 5.1 There are limited financial implications in adopting a new conservation area appraisal at Langley Abbey for the Broads Authority, South Norfolk Council and the owners and occupiers of dwellings who are not currently but are now proposed to be included within the area.
- 5.2 For the owners and occupiers, within the extension, there are implications through having to submit additional information to South Norfolk Council when submitting a Planning Application and that a higher standard of design and materials are required within a conservation area in order to protect and enhance the special character of the area. However, for many owners this might be considered to be outweighed by the fact that development management aimed at protecting and enhancing the area, is on balance, a positive outcome.
- 5.3 Additional workload as regard the management and protection of trees within the designated areas will result additional Officer time in terms of processing and assessing applications to carry out works to trees. Again it should be noted that the proposed extension to the boundary is minor and located within the jurisdiction of South Norfolk District Council.
- 5.4 For the Broads Authority the increase in statutory management resulting from the designation in relation to the built environment or trees is not increased as no extension of the area within the Broads executive area is proposed. The need for the Broads Authority to pay reference to the re-appraisal document and assess proposals against it in terms of their design, use of materials and impact on trees will place a very limited additional demand on Officer time.
- 5.5 There are financial implications of a continuing appraisal programme for existing and proposed conservation areas within the Broads in terms of initial assessment and if required more detailed appraisal.
- 5.6 The Authority has a cultural heritage budget of £25,000 part of which will fund carrying out this continuing appraisal programme. The Historic Environment Manager as part of the continuing evaluation, protection and enhancement of cultural heritage in the Broads will continue to identify and carry out initial assessment work. The budget will be used where considered appropriate to fund the detailed appraisal work.

6 Legal Implications

- 6.1 Designation. Section 69, Planning (Listed Building and Conservation areas) Act 1990 requires local Authorities to identify conservation areas and to

designate them after consultation with The Parishes concerned, statutory undertakers and with other interested bodies.

- 6.2 Public Participation. Any application for permission to carry out development which Affects the character and appearance of the conservation area must be publicly advertised on site and in the local press not less than 21 days before it is determined by the Local Planning Authority. This may in some cases apply to development on the fringes or margins of the conservation area where it is considered the development may affect the character and appearance of the conservation area.

7 Conclusions

- 7.1 The consultations have produced a disappointing number of almost entirely positive responses. Statutory consultees are clearly in support of the proposal. The Public response was also generally in favour of designation. None of the owners of land now proposed to be included in the conservation areas as a result of the extension to the boundaries have raised a formal objection to the proposals.
- 7.2 The Authority has a statutory duty to review existing conservation areas and their boundaries and to publish up to date appraisals of them. Additionally the Government has given conservation area designation and management priorities by making them Best Value indicators.
- 7.3 If agreed by members the appraisal will be adopted with immediate effect although final designation for the extension to the boundary will need to be advertised in the Local Press and the London Gazette.
- 7.4 It is therefore considered that:
- (i) the area identified by the attached boundary map and described in the attached appraisal in the Parish of Langley with Hardley is worthy of conservation area designation, and that:
 - (ii) members agree to adopt the attached Langley Abbey Conservation area appraisal, management proposal and endorse the proposed extension to the existing boundary subject to the minor revision by officers to the appraisal documents to incorporate appropriate amendments resulting from the consultation process.

Background papers: None

Author: Ben Hogg
Date of report: 11 February 2014

Appendices: APPENDIX 1 – Langley Conservation Area Re-Appraisal

**Langley Conservation Area re-appraisal
Consultation results**

The re-appraisal was prepared in consultation with South Norfolk Council as part of the conservation area is within their boundary.

A public exhibition was held on Saturday 23 November 2013, which was attended by officers from the Planning Team of the Broads Authority and by 4 members of the public to ask questions, propose or suggest minor amendments to the re-appraisal or boundary and raise issues of concern.

From	Comment	BA response
Resident at exhibition	Boundary amendment (within South Norfolk Council boundary) – initial concern about implications of designation, but no formal objection submitted.	Boundary amendment confirmed with South Norfolk Council
Resident at exhibition	30 – 33 Langley Green – building previously used as the village school	Conservation area re-appraisal text amended accordingly
Written response post exhibition	Concerns about the scale and appropriateness of the use at Langley Abbey and the effects on the scheduled monument and the character of the conservation area. Comments about agricultural practices.	Existing comments in the conservation area re-appraisal text amended to reflect this.

From the statutory/amenity bodies consulted, responses were received as follows:

Organisation	Comment	BA response
Langley with Hardley Parish Council	<ul style="list-style-type: none"> Stone Lane - incorrect spelling of name: part is public highway The consultation could have been better publicised to residents living outside the conservation area 	<ul style="list-style-type: none"> Conservation area re-appraisal text amended accordingly Usual Broads Authority practice is to consult directly with residents inside the conservation area boundaries only, to reduce printing costs and avoid raising concerns amongst residents not affected by the proposals. The consultation was advertised in the Chet News and all residents were welcome to attend the open afternoon.
English Heritage	<ul style="list-style-type: none"> Query regarding the boundary excluding part of the revised scheduled area Welcomed the re-appraisal and suggested a more descriptive map for the final document 	<ul style="list-style-type: none"> This was considered, but the scheduled boundary does not follow a feature visible on the ground, whereas the current boundary follows a well defined hedge/ditch line. To be included in any published document

Norfolk County Council's Heritage Landscape Officer	<ul style="list-style-type: none"> • Query regarding boundary excluding part of the revised scheduled area • Suggested minor changes and additions to the text 	<ul style="list-style-type: none"> • This was considered, but the scheduled boundary does not follow a feature visible on the ground, whereas the current boundary follows a well defined hedge/ditch line • The text has been amended to reflect these comments
South Norfolk Council		
Broads Society		
CPRE		