

**Geldeston, Ellingham and Ditchingham Dam Conservation Areas Re-appraisal  
Adoption**

Report by Historic Environment Manager

**Summary:** Members agreed in March 2012 to a public consultation exercise on the re-appraisal of the existing conservation areas in Geldeston, Ellingham and Ditchingham Dam. The re-appraisal of these conservation areas is highlighted as one of the Authority's Strategic Priorities for 2012/13.

The purpose of this report is for members to consider a summary of the responses from the consultation exercise and to consider the formal adoption of the appraisals, management proposals and the proposed amendments to the existing boundaries for those parts of the extension within the Broads Authority Executive Area.

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

**Recommendations:**

- (i) That the consultation responses be noted.
- (ii) That the Conservation Area Appraisals for Geldeston, Ellingham and Ditchingham Dam be adopted.
- (iii) That authority be delegated to officers to make the appropriate minor amendments to the conservation area appraisals, management proposals and the proposed amendments to the existing boundaries.

**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 At that time 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 Ellingham and Ditchingham conservation areas are shared with South Norfolk Council but fall mainly within the Broads Authority boundary; in the case of Geldeston the split is more equal. Here, all three detailed re-appraisals have been carried out by the Broads Authority. The re-appraisals suggest some boundary changes and South Norfolk Council have 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 Geldeston, Ellingham and Ditchingham Dam conservation area re-appraisals, management proposals and proposed boundaries are available via this link <http://www.broads-authority.gov.uk/authority.html> under Consultations at the bottom of the page. A revised map for Geldeston conservation area is at Appendix 1

## **2 Public Consultation Exercise**

- 2.1 A joint consultation exercise was undertaken with South Norfolk Council as the proposed conservation area boundaries include 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, leaflet and copy of the draft re-appraisal was delivered to all residents living within each conservation area boundary (total c.70 households Geldeston, c.20 households in Ellingham and c.50 households in the case of Ditchingham Dam) and 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.
- 2.4 In addition, public exhibitions were held in the villages on Saturday 11 August 2012 Ditchingham AM, Ellingham PM and Saturday 18 August AM at Geldeston, attended by officers from the Planning Team of the Broads Authority. At Geldeston 26, Ellingham 16 and in the case of Ditchingham dam 29 members of the public called in during the sessions to ask questions about the re-appraisal and propose or suggest minor amendments to the re-appraisal, boundary and/or raise issues of concern. The vast majority of people attending were supportive of designation, considering that it would benefit the villages and local community. 26 verbal responses were received regarding Geldeston, 16 regarding Ellingham and 22 regarding Ditchingham Dam.

- 2.5 As well as verbal responses that were received from residents, the Authority also received a number of written responses in each case. 12 written responses were submitted for Geldeston, five for Ellingham and seven for Ditchingham Dam.
- 2.6 The majority of the responses made comments and suggestions for alterations and factual corrections to the re-appraisal text. Some responses were seeking more specific advice as to the effects of being in a conservation area and others sought clarification as to proposed changes to the boundaries. A table of responses received for each of the consultations is appended to the report (Appendix 2).
- 2.7 The response to all three consultations was very positive with only two negative comments received. Both of these were regarding the Ditchingham Dam appraisal, one related to an objection over the extension of the boundary along the Dam and one questioned the use of resources for re-appraisal work. Neither of these responses objected to the principle of the designation, furthermore a total of 27 responses in support were received. In the case of Geldeston 38 responses in support were received and in Ellingham 16 responses in support.
- 2.8 One particular issue raised as a result of the consultation process in the case of Geldeston was the question of the proposed omission in the draft boundary of an area of land consisting of a field to the north east of the area within the South Norfolk District. Strong resistance to this omission was expressed both verbally at the meeting and in writing. This issue is examined more fully in the assessment below. In Geldeston the Parish Council and other individual's responses also questioned the consultation timetable and were concerned as no Parish Council meeting is held in August. As a result of these concerns the consultation deadline was extended by a further 4 weeks to 10 weeks to enable the Parish to prepare a response.
- 2.9 From the statutory/amenity bodies consulted, responses were received as follows:
- Ditchingham Parish Council – No formal response – although Parish Council members attended the open morning to discuss the matter and supported the proposals.
- Ellingham Parish Council – No formal response – although Parish Council members attended the open morning to discuss the matter and supported the proposals.
- Geldeston Parish Council – Detailed written response suggesting amendments and additions to the text - Support re-appraisal.
- Bungay Town Council – comments awaited.
- Ditchingham Dam Local Ward Member – supports re-appraisal.

Geldeston and Ellingham Local Ward Member – comments awaited.

English Heritage - comments awaited.

Norfolk County Council's Heritage Landscape Officer comments awaited.

South Norfolk District Council's Conservation, Design and Landscape Manager supports the re-appraisals.

Broads Society – Comments awaited.

CPRE Norfolk – Comments awaited.

### **3 Assessment**

- 3.1 The written response to the consultation from the residents was reasonable; based on the leaflets distributed, an approximate 17% response rate in Geldeston, 14% in Ditchingham Dam and 20% in Ellingham. Verbal responses both telephone and at the exhibitions was better with a 54% response in Geldeston and Ditchingham Dam and an 80% response rate for Ellingham.
- 3.2 The response to the Exhibitions was equally encouraging with 37% of those consulted attending the session in Geldeston, 58% in Ditchingham Dam and 80% in Ellingham. Of the verbal responses recorded during the exhibitions none formally objected to the re-appraisal and a large majority explicitly expressed support for the re-appraisal. In the case of Ditchingham Dam and Ellingham, most suggested minor amendments to the text. These included corrections of matters of fact as well as proposing opportunities for enhancement within the Village. In the case of Geldeston, concerns were raised about the exclusion of a portion of land from the boundary as well as issues about the consultation itself, which were, as stated above, addressed by extending the consultation period to enable the Parish council to respond. The subsequent response received from the Parish was detailed giving historical information and again objecting to the exclusion of the area of land to the north east of the area.
- 3.3 A full summary of responses received is appended to the report (Appendix 2). The good level of turn-out for the exhibitions and the high level of support for the re-appraisals expressed is encouraging. The re-appraisal documents are proposed to be amended as a result of the public consultation exercise and incorporate both factual corrections arising from the process and also suggestions from residents regarding the text of the re-appraisal in particular the "opportunities for enhancement" as appropriate.
- 3.4 In the case of the Geldeston re-appraisal there appears to be significant genuine concern regarding the omission of the field to the North East boundary of the conservation area. Concerns raised include the importance of the space as a green space within the village envelope, the mature trees surrounding the field and the biodiversity value of the area. The views in and

out of the area from the lane adjacent to the field and the street are also given as reasons to maintain its inclusion in the area. The reason for suggesting the omission of the field in the draft re-appraisal document was that the field was no longer within the development boundary of the village and therefore its inclusion might not be necessary.

- 3.5 Given the strong reaction from the consultation process, there is clearly a majority of the village who wish the field to remain included within the area. This includes the owner of the land in question. The response has prompted officers to carry out a re-assessment of the field in question in line with the latest English Heritage guidance and supporting information submitted by consultees justifying the inclusion of the field. Guidance in the English Heritage publication “Understanding Place: conservation area designation, appraisal and management” (March 2011).
- 3.6 The guidance does give instances when it might be appropriate to extend the boundary of conservation areas beyond the immediate built environment specifically para 2.2.7 relating to the inclusion of land which constitutes or provides views in or out of the conservation area or forms an approach to a settlement in terms of landscape character. Para 2.2.15 relates to open spaces which are important to settlements or identify clear settlement edge and contain significant trees. Para 2.2.17 relates to the inclusion of sites of biodiversity value.
- 3.7 Assessing the field in question against the criteria and information supplied as a result of the consultation, it is considered that the site could be classed as an edge of settlement and approach to settlement site which contains mature trees and is of biodiversity value. The site might therefore be argued to be worthy of inclusion in a designation. Furthermore, the site is already in the conservation area and the owner of the land as well of the majority of the village support the retention of the field within the boundary. In these circumstances its exclusion, given the level of support for retention, is considered unnecessary and it is therefore proposed to retain the field within the conservation area boundary.
- 3.8 The field in question is within that part of the area within the jurisdiction of South Norfolk Council and in that respect the ultimate decision regarding its 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 its inclusion be made.
- 3.9 There is clearly support from other statutory consultees, where received for the re-appraisals and public reaction to this consultation exercise has been supportive of designation and with a good response rate.
- 3.10 There are additional properties proposed to be included within the revised conservation area boundary and no objections have been received from the land owners of the proposed extensions to the conservation areas.

3.11 As regards the comments of Geldeston Parish Council regarding the consultation process, it is considered that these have been fully addressed by extending the consultation period to allow them to prepare a response. This response has been received and is supportive of the re-appraisal.

3.12 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.*

3.13 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 Geldeston, Ellingham and Ditchingham Dam to determine whether or not they remain worthy of conservation area designation and to assess the minor amendments to the previous conservation area boundaries.

3.14 The effects of designating a conservation area within the Broads Authority area 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.

3.15 The exceptions to this are:

- (i) the requirement to notify the Authority regarding works to trees within the designated area; and
- (ii) conservation area consent is required for the total demolition of a building within the designated area.

3.16 It is considered that:

- (i) the support for the re-appraisals from the statutory consultees;
- (ii) the support for re-appraisals resulting from the Public Consultation exercise;
- (iii) the Broads Authority's statutory duty to review existing conservation areas and their boundaries and to provide up to date appraisals for them;
- (iv) the limited additional restrictions for that part of the area within the Broads; and

- (v) 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 Government's 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 agreed strategic priorities for 2012/2013.
- 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 new conservation area appraisals at Geldeston, Ellingham and Ditchingham Dam for both the Broads Authority and the owners and occupiers of dwellings who are not currently but are now proposed to be included within the Areas.
- 5.2 For the owners and occupiers there are implications through having to submit additional information to the Broads Authority or 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 For the Broads Authority the increase in statutory management resulting from the designation in relation to the built environment is minimal as most permitted development rights within the area are already removed. The need for the Broads Authority to pay particular regard to a high standard of design and materials is considered to place a very limited additional demand on officer time.
- 5.4 Additional workload as regards the management and protection of trees within the designated areas will result in additional officer time in terms of processing and assessing applications to carry out works to trees. The special character of the areas, to an extent, is typified by mature gardens and trees and therefore any additional resources, in terms of officer time, justified. Also it should be noted that the proposed extensions to the boundaries are comparatively small.

- 5.5 Given the minimal size of the proposed extension to the boundaries of the areas, it is intended that the additional minor increase in officer work load resulting from the designation will be met from existing resources.
- 5.6 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.
- 5.7 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 an almost entirely positive response. Statutory consultees are clearly in support of the proposal. The Public response, which was good, was also in favour of designation. None of the owners of parcels of land now proposed to be included in the conservation areas as a result of the extension to the boundaries have raised an 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 although final designation for the extensions to the boundary will need to be advertised in the Local Press and the London Gazette.



7.4 It is therefore considered that the area identified by the attached boundary maps and described in the attached appraisals in the Parishes of Geldeston, Ellingham and Ditchingham Dam are worthy of conservation area designation, and that Members agree to adopt the attached Geldeston Ellingham and Ditchingham Dam Conservation area appraisals, management proposals and proposed extensions to the existing boundary subject to the minor revision by officers to the appraisal documents to incorporate appropriate amendments resulting from the consultation process.

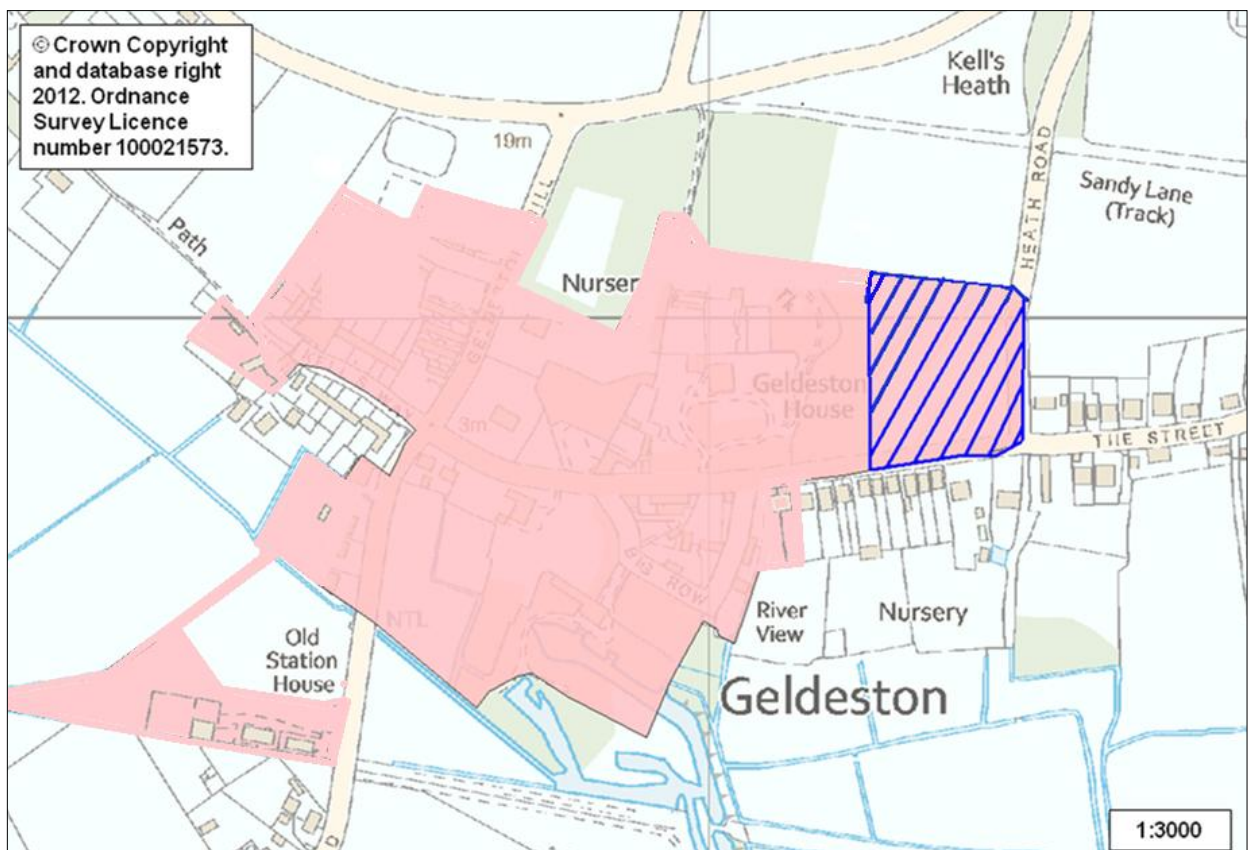
Background papers:

Author: Ben Hogg  
Date of report: 28 September 2012

Appendices: APPENDIX 1 – Location Map for Geldeston Conservation Area  
APPENDIX 2 – Tables of Responses

## APPENDIX 1

Geldeston Conservation Area – Reappraisal



## Geldeston Conservation Area Re-Appraisal

### Summary of Responses:

Total responses:	38
Written responses:	12
Verbal responses:	26
Visitors to exhibition	26
Statutory consultee responses	2
Parish council responses	Yes

Summary of feedback	Support Conservation Area	38	Object to Conservation Area	0
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<b>ISSUE</b>	Major concern regarding boundary change omitting field to north-east corner of area – 30 responses all objecting to omission, including Parish Council. <b>Action proposed:</b> Retain field within Conservation Area.
<b>ISSUE</b>	Various points made regarding historical background and provision of additional historical and factual information from Parish Council and individuals – 8 responses. <b>Action proposed:</b> Broads Authority Officers to verify additional information and amend text accordingly as appropriate.
<b>ISSUE</b>	Regarding timing and length of consultation period. Concerns expressed by Parish Council and individuals – 9 responses. <b>Action proposed:</b> Period was extended to allow Parish Council to comment.
<b>ISSUE</b>	Including of old station buildings and cottages on the street as an extension to the Conservation Area – 3 responses from owners supportive of the extensions. <b>Action proposed:</b> Recommend extensions for adoption.
<b>ISSUE</b>	General support for Conservation Area and continued protection of this special village – all 38 responses from village and Parish Council. <b>Action proposed:</b> Comments noted.

## Ellingham Conservation Area Re-Appraisal

### Summary of Responses:

Total responses:	16
Written responses:	5
Verbal responses:	16
Visitors to exhibition	16
Statutory consultee responses	2
Parish council responses	No

<b>Summary of feedback</b>	<b>Support Conservation Area</b>	<b>16</b>	<b>Object to Conservation Area</b>	<b>0</b>
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<b>ISSUE</b>	Extension of area to include old station buildings. Support expressed by owners – 2 responses. <b>Action proposed:</b> Recommend extensions for adoption.
<b>ISSUE</b>	Proposed further extension of area to the north-west. Sizeable extension to include farmstead and school with agricultural land between – all within South Norfolk area – 4 responses. Discussed with South Norfolk District Council who consider extension to include such a large area of agricultural land (as do Broads Authority officers) inappropriate. <b>Action proposed:</b> Not intended to further extend Conservation Area at this stage.
<b>ISSUE</b>	Undergrounding of cables in village – 2 responses comments noted. <b>Action proposed:</b> Make reference to undergrounding under ‘Possible Enhancements’ section of text.
<b>ISSUE</b>	Traffic calming at Mill should be maintained and appropriately detailed if renewed – 5 responses comments noted. <b>Action proposed:</b> Reference to traffic calming exists in appraisal document.
<b>ISSUE</b>	Canoe portage at Environment Agency weir – 1 response. <b>Action proposed:</b> Refer to canoe portage under ‘Possible Enhancements’ section of the text in line with Broads Authority Integrated Access Strategy (draft).
<b>ISSUE</b>	General support for Conservation Area and continued protection of this special village – all 16 responses. <b>Action proposed:</b> Comments noted.

## Ditchingham Conservation Area Re-Appraisal

### Summary of Responses:

Total responses:	29
Written responses:	7
Verbal responses:	22
Visitors to exhibition	29
Statutory consultee responses	3
Parish council responses	No (reps did attend exhibition)

Summary of feedback	Support Conservation Area	27	Object to Conservation Area	2
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<b>ISSUE</b>	Objection to the extension of the area north along the dam to include properties to the east of the dam – considered unnecessary by objector – 1 response. <b>Action proposed:</b> Appraisal clearly identifies the contribution these buildings make to the Conservation Area which is significant. Recommend extensions for adoption.
<b>ISSUE</b>	Questioning the use of resources for the re-appraisal – 1 response. <b>Action proposed:</b> Appraisal is both in line with best practice and strategic priorities. Recommend adoption.
<b>ISSUE</b>	Concerns regarding three sites in Falcon Lane and the issues raised in the appraisal relating ‘Opportunities for Enhancement’ of these sites – 11 responses suggesting improvements are required. <b>Action proposed:</b> Work with owners, as appropriate, to improve these areas.
<b>ISSUE</b>	Concerns regarding speeding traffic approaching dam from Bungay. Traffic calming required. Concerns regarding maintenance of access to Falcon Lane and this becoming no less restrictive – 8 responses. <b>Action proposed:</b> Traffic is a highway issue. Ensure any calming measures maintain access and are appropriate in a Conservation Area.
<b>ISSUE</b>	General support for principle of Conservation Area, an up to date appraisal and extension along Ditchingham dam – 27 responses. <b>Action proposed:</b> Comments noted. Recommend appraisal for adoption.
<b>ISSUE</b>	Concerns regarding the maintenance of the drainage ditches surrounding the area specifically chainbridge beck and others – 5 responses. <b>Action Proposed:</b> Matter for the internal Drainage board comments passed to them.