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Planning Policy and Local Plan Committee

11 May 2022

**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN
COMMITTEE,
HELD ON WEDNESDAY, 11TH MAY, 2022 AT 6.01 PM
IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-
ON-SEA, CO15 1SE**

Present:	Councillors Turner (Chairman), Fairley (Vice-Chairman), Allen, Bush, Chapman BEM, Fowler and Winfield
Also Present:	Councillor Newton (Portfolio Holder for Business & Economic Growth)
In Attendance:	Lisa Hastings (Deputy Chief Executive & Monitoring Officer), Gary Guiver (Acting Director (Planning)), Ian Ford (Committee Services Manager), Will Fuller (Planning Officer) and Mark Wilson (Development Technician - Technical)

1. **CHAIRMAN'S OPENING REMARKS**

The Chairman of the Committee (Councillor Turner) formally opened the meeting with the following remarks:-

“Good evening to fellow Members, our Officers, members of the public, especially Bill Marshall, and not forgetting the media.

We are already seeing the fruit of our previous hard work on the District Plan in the Appeal Decisions now coming through.

We have before us the next 5 Conservation Area Character Appraisal & Management Plans for:-

*Harwich Old Town;
Manningtree & Mistley;
Frinton & Walton;
Brightlingsea; and
Great Bentley.*

We are tasked to see if we can agree these to go forward to Cabinet for onward going out for public consultation.

Having read the report I have come to the conclusion that you need local knowledge to be able to properly understand each section of the report. That is why on receiving this report I sent it onto the local Ward Members asking them to comment and further asking for them to be put before the relevant Town and Parish Councils. All comments to be forwarded to Mr Guiver, our Director for Planning.

It is only this way that we can fine tune and make these effective tools for our communities, in particular, for shop frontages, building materials etc.

I did try and failed to get a pamphlet out to all property owners in our conservation areas with the rate demands sent out in March, to explain the extra responsibilities and expectations. The same applied to ‘Riparian’ owners. Most of the above are unaware of their obligations.

The report highlights the many common factors between all our conservation areas in regards to the opportunities for enhancement and management proposals found at the back of all the individual sections of the report. To that end I would like, if we are so minded to recommend this report to Cabinet, to share with the heads of Public Realm, Environment and Seafronts and the relevant County Councillor the parts of this document that apply to them. In particular, the comments relating to public realm, street furniture, lines and signs etc.

I am sure Mr Guiver has picked up on the comments re enforcement as has the new Portfolio Holder for Planning, Councillor Bray.

Finally, may I bring once again to the attention of those on both planning committees, whose town and parish councils have not yet agreed to a Neighbourhood Plan and to preparing a list of buildings, not mentioned in the report, to be considered for a 'Local List', to continue to pursue these objectives.

The Queen's Speech highlighted once more this Government's intentions to change the planning system yet again."

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was submitted on behalf of Councillor S A Honeywood.

3. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the Minutes of the last meeting of the Committee held on 11 January 2022 be approved as a correct record and be signed by the Chairman.

4. DECLARATIONS OF INTEREST

Councillors Allen and Turner both declared for the public record that, in relation to Agenda Item 6 (report A.1) and specifically in relation to the Frinton & Walton Conservation Area Character Appraisal, they both resided within that Conservation Area and that they were also Members of Frinton & Walton Town Council.

Councillor Chapman BEM declared for the public record that, in relation to Agenda Item 6 (report A.1) and specifically in relation to the Brightlingsea Conservation Area Character Appraisal, she resided within that Conservation Area and that she was also a Member of Brightlingsea Town Council. In addition, Councillor Chapman stated that her business premises was specifically mentioned within report A.1.

Councillor Fowler declared for the public record that, in relation to Agenda Item 6 (report A.1) and specifically in relation to the Harwich Old Town Conservation Area Character Appraisal, she was a Member of Harwich Town Council.

5. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

On this occasion no Councillor had submitted notice of a question pursuant to Council Procedure Rule 38.

6. PUBLIC SPEAKING

Pursuant to the provisions of the Council's public speaking scheme for the Planning Policy & Local Plan Committee, it was reported that no member of the public had registered to ask at this meeting a question or to make a statement regarding the matters contained in the report of the Acting Director (Planning).

7. **REPORT OF ACTING DIRECTOR (PLANNING) - A.1 - CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLANS FOR HARWICH OLD TOWN; MANNINGTREE & MISTLEY; FRINTON & WALTON; BRIGHTLINGSEA; AND GREAT BENTLEY**

Earlier on in the meeting:-

Councillors Allen and Turner had both declared for the public record that, in relation to Agenda Item 6 (report A.1) and specifically in relation to the Frinton & Walton Conservation Area Character Appraisal, they both resided within that Conservation Area and that they were also Members of Frinton & Walton Town Council;

Councillor Chapman BEM had declared for the public record that, in relation to Agenda Item 6 (report A.1) and specifically in relation to the Brightlingsea Conservation Area Character Appraisal, she resided within that Conservation Area and that she was also a Member of Brightlingsea Town Council. In addition, Councillor Chapman had stated that her business premises was specifically mentioned within report A.1; and

Councillor Fowler had declared for the public record that, in relation to Agenda Item 6 (report A.1) and specifically in relation to the Harwich Old Town Conservation Area Character Appraisal, she was a Member of Harwich Town Council.

The Committee gave consideration to a comprehensive report of the Acting Director (Planning) (A.1) which submitted the second five 'Conservation Area Appraisal and Management Plans' prepared for the Council by Essex Place Services, and which sought the Committee's recommendation to Cabinet that they be published for consultation.

The five Conservation Area Appraisals in question were:-

- Harwich Old Town Conservation Area,
- Manningtree and Mistley Conservation Area,
- Frinton and Walton Conservation Area,
- Brightlingsea Conservation Area, and
- Great Bentley Conservation Area.

Areas of Assessment specific to an individual Conservation Area

Harwich Old Town

It was considered that a reduction of this Conservation Area to the north and east in order to exclude areas of sea was necessary in order to conform to Historic England's Advice Note 1 - Conservation Area Appraisal, Designation and Management, whereby the contribution that the sea could make to the setting of a conservation area was highlighted in paragraph 59 therein.

There was a strong visual and historic relationship between Harwich and the sea; it was surrounded by water to the west, north and east, and still functioned as a working dock. Due to this proximity and association, the sea formed an important part of the setting of the Conservation Area. It contributed to an understanding of the development of Harwich, its character, and positively influenced how the public experienced the heritage asset. The contribution this land made to the setting of the Conservation Area would not be diminished through its removal from the boundary.

In addition, a small length of road, which made no contribution to the significance of the Conservation Area at the southern edge of the boundary was also proposed for removal in order to rationalise that boundary.

Manningtree & Mistley

It was proposed that the area north of Long Road, comprising agricultural land and allotments, be excluded from the Conservation Area as that land had little intrinsic historic significance or special interest and was therefore not considered appropriate to be included within the Conservation Area. However, this area did contribute to the setting and significance of the Conservation Area.

Modern development, including Foundry Court west of Colchester Road and Elmdale Drive, was also proposed for removal from the Conservation Area. Mistley Village Hall, which had been built in the 1990s, was also recommended for exclusion. Those areas were felt to lack special architectural or historic interest, and did not enhance the Conservation Area.

Frinton & Walton

The following areas had been recommended for inclusion within the Frinton and Walton Conservation Area boundary:-

- an extension east along the High Street, Walton to include Numbers 123-127 plus a row of three-storey terraced shops along Walton High Street;
- an extension to the east side of Connaught Avenue, Frinton to include the Catholic Church. The Church appeared on the 1922 Ordnance Survey map, labelled as 'Hall'; and
- an extension at the junction of Queens Road and Connaught Avenue, Frinton, to include a small area of public realm. This space provided symmetry to the area of public realm opposite and comprised high quality street furniture and planting, which made a positive contribution to the character and appearance of the area.

It was proposed that the area to the south-west of Frinton Station be slightly reduced, to omit the terrace of modern housing on Witton Wood Road. Those houses were red brick, with functional and simple architectural style, set back from the road behind a generous lawn. They made a neutral contribution to the area and therefore, they did not merit inclusion within the boundary.

Brightlingsea

There were a number of additions suggested: there were areas to the north along Regent Road which had appeared by the Ordnance Survey Map of 1925 and held buildings of architectural merit. Many of those were large villas with notable architectural detailing. Also, along John Street were buildings which appeared on the first edition

Ordnance Survey map, along with the Congregational Chapel (now converted to residential use). This street had retained its historic character and appearance and would make a positive contribution to the Conservation Area. The small row of terraced houses opposite the Methodist Chapel also appeared on early Ordnance Survey maps and made a positive contribution, so were also recommended for inclusion. They had had window and door replacements and porch extensions; however, their inclusion could allow for future enhancement schemes and targeted funding to reinstate features. To the south on Station Road, it was recommended that the boundary be extended to include the Railway Tavern, a former Railway Hotel, which was a likely candidate for local listing and a non-designated heritage asset. The small triangle of green opposite was also recommended for inclusion as it made a positive contribution as green space, and functioned as a gateway to the Conservation Area.

Other areas for inclusion included the area along Colne Road and Tower Street comprised of terraced residential buildings which were similar to those on New Street and Sidney Street. They had been laid out slightly later, as New Street and Sidney Street had appeared on the first edition Ordnance Survey map of 1881. Tower Street, Colne Road and Silcotts Street however had been laid out between 1881 and 1897, and had subsequently appeared on the second edition of the Ordnance Survey map of 1897. Although many of them had had window and door replacements and unsympathetic extensions, those streets were similar in character and condition to New Street and Sidney Street. Therefore, they could be worthy of inclusion within the Conservation Area. This would mean that the majority of the Victorian residential expansion of Brightlingsea had been included within the Conservation Area and would allow for a greater holistic preservation of its character and appearance going forward.

Conversely, some small areas of new development which currently made a neutral or negative contribution due to their architectural style, material, mass or orientation were recommended for exclusion. This included the new development along Chapel Road and Mews, on Brightlingsea Harbour.

Great Bentley

It was proposed that the boundary of the Great Bentley Conservation Area be expanded westward along Thorrington Road in order to include the row of buildings (Nos. 1-8) south of the road, up to Police House. Together those buildings formed a pleasing and uniform group with generous plots on the approach to the village green and centre of Great Bentley. The buildings were of special historic interest and some architectural interest, representing a period of time when social housing had been expanded in response to a national housing crisis post World War 2.

It was also proposed that the boundary be revised to exclude the modern development of Cherrywoods, as those buildings were not considered to be of special architectural or historic interest contributing to the character or appearance of the area or contributing to the significance of the Conservation Area. No other reductions were proposed.

Proposed Non-Designated Heritage Assets

The Committee had before it a schedule for each of the five Conservation Areas that proposed a number of buildings to be included on the Council's Local List. Those buildings had been identified as they were either considered to be good examples of their type or architectural style; were prominent local landmarks; or demonstrated use of

local materials or design features; or were connected to local historical events, activities or people; and were all relatively complete in their survival.

Heritage at Risk

Members were informed that whilst none of the conservation area themselves were at risk there were a number of buildings within a conservation area which were on the statutory list.

There were currently two buildings within the Harwich Conservation Area which were included on the Historic England Heritage at Risk Register:

- The Harwich Treadwheel Crane - this structure had been recorded as declining in its current condition, and as being in 'generally satisfactory condition, but with significant localised problems'. It was believed to be the earliest surviving example of this type of structure in England and had been designated as a Scheduled Monument; and
- The Electric Palace Cinema, King's Quay Street - this building was recorded as being vacant and in a very bad condition, however it was currently undergoing a repair scheme.

Also in Harwich, as a non-designated heritage asset, the old School House had not been included on the national Heritage at Risk Register, however, it appeared to be vacant and in a poor state of repair, at risk of neglect and further deterioration. Number 8 Church Street was also considered to be at risk, as it was a vacant property at risk of further deterioration and loss of historic fabric.

There was one statutory listed building within Frinton and Walton on Historic England's At Risk Register. The Grade II* listed Church of St Michael (list entry: 1111500), which was a late medieval church, restored in the nineteenth century. According to the At Risk register: *"The building suffers from subsidence at the east end of the chancel, resulting in substantial cracks in the walls and at the junction of the chancel roof and the east gable. Structural movement continues, with previously repaired areas cracking again. Monitoring, soil investigation and analysis have been carried out for repair options to be considered by the PCC."*

It was reported that there were no buildings or features which were on Historic England's at-risk register within the Manningtree & Mistley, Brightlingsea or Great Bentley Conservation Areas.

The Committee was made aware that the appraisals had also considered other matters including:-

- (i) Designated Heritage Assets;
- (ii) Archaeology;
- (iii) Assessment of Significance e.g. layout, building materials & boundary treatments; listed buildings & non-designated heritage assets; other buildings; landscaping & open spaces; and views;
- (iv) Opportunities for enhancement;
- (v) Management Proposals e.g. Local Heritage List; bespoke shopfront design guidance; use of enforcement powers; public realm improvements; tree planting; guidance for homeowners & businesses; immersive information; and wayfinding;

- (vi) Funding Opportunities; and
- (vii) Consideration of Article 4 Directions.

Management Proposals

In relation to management proposals a number of specific proposals were put forward.

Mistley

At Mistley, given the parkland's important contribution to the significance of the Conservation Area, its attractive landscape setting and its inherent historical and archaeological value, it was considered that there was an opportunity to improve the interpretation of the landscape shaped by Mistley Old Hall and parkland, Mistley New Hall and Mistley Place Park. Creating a large-scale programme of subtle interpretation, which did not detract from the landscape character, could be beneficial to the long-term interpretation and understanding of both settlements. The Walls were visited by a substantial number of tourists and locals every year and this interpretation, including a signposted walking route, could encourage a greater experience of the parkland landscape and an awareness of its importance.

It was also suggested that enhancements should be considered to create a stronger understanding of Mistley's industrial heritage and the influence of the Rigby family. This would bring about a greater appreciation of the importance of the Quayside and Maltings to the settlement especially for visitors. The maltings industry had been a significant part of Manningtree and Mistley's past but due to the limited remaining buildings it was not immediately evident. Signposted pedestrian and tourist routes throughout the Character Areas within the Conservation Area, or interpretation schemes which promoted key features within the Conservation Area could improve awareness. It would also encourage a more comprehensive understanding of the Conservation Area.

Frinton

Within Frinton tall buildings had been introduced to The Esplanade which were inappropriate in height. Blocks of flats were often over four storeys, with Frinton Court reaching up to twelve storeys. Those buildings were prominent in views along the historic Esplanade and from The Greensward. Frinton Court was also visible from areas of The Avenues as well, particularly from Holland Road, and enclosed the churchyard of the old Church of St Mary's. It was felt important that future development did not exceed an appropriate height of four storeys within the Conservation Area, where buildings were rarely over this height. This would prevent cumulative harm within the area.

Walton and Brightlingsea

Walton had had some modern tall buildings introduced which were between four to five storeys, particularly along the seafront; it was considered that buildings over three to four storeys would be uncharacteristic of the area, resulting in a negative impact to the character and appearance of the Conservation Area. The same was true for Brightlingsea, where it was recommended to keep buildings to two or three storeys.

Separation of Frinton & Walton Conservation Area

It was considered that Frinton and Walton were distinctly separate places with their own identities. It was suggested that the Conservation Area should be divided, in recognition of their respective characters, into separate conservation areas: one for Walton and one for Frinton and the Frinton Park Estate. This division had already been acknowledged in the approach to the 2007 and 2009 management plans and should be considered going forward.

Having considered all of the information and advice contained in the Officer report and its appendices:-

It was moved by Councillor Allen, seconded by Councillor Fairley and unanimously:-

RESOLVED that the Planning Policy and Local Plan Committee:

1. notes and welcomes the new Conservation Area Appraisal and Management Plans for Harwich Old Town (Appendix 1), Manningtree and Mistley (Appendix 2), Frinton and Walton (Appendix 3), Brightlingsea (Appendix 4) and, Great Bentley Conservation Area (Appendix 5);
2. recommends to Cabinet that the above documents (forming Appendices 1-5 to item A.1 of the Report of the Acting Director (Planning)) be approved for consultation with the public and other interested parties; and
3. notes that Conservation Area Appraisal and Management Plans for the District's other remaining Conservation Areas will be brought before the Committee in due course over the next 9 months.

The meeting was declared closed at 6.49 pm

Chairman