

# Kirby-le-Soken Conservation Area Character Appraisal and Management Plan

**Tendring**  
District Council



**Client:**  
Tendring District Council

**Date:**  
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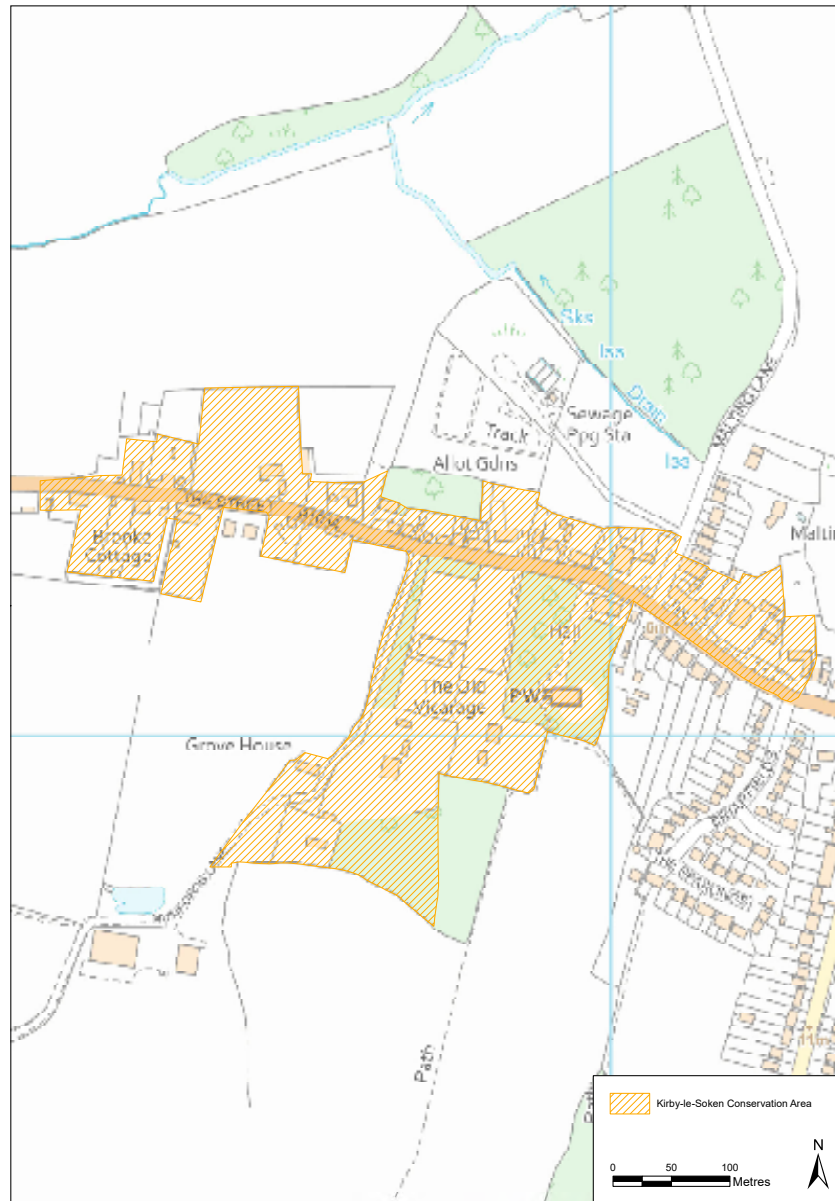


Figure 1 Proposed Conservation Area boundary (orange)



# 1. Introduction

## 1.1 Summary

This Conservation Area Appraisal and Management Plan provides an overview of the Kirby-le-Soken Conservation Area, outlining its designation history, alterations to the boundary, and a description of its special interest. The appraisal will also consider buildings, greens, spaces, and features which contribute to the Conservation Area's character and appearance.

Conservation Area designation provides broader protection than the listing of individual buildings as it recognises all features within the area which form part of its character and appearance and ensures that planning decisions take the enhancement and preservation of the area into consideration.

Kirby le Soken is a small village located between Thorpe-le-Soken and Walton-on-the-Naze. Kirby-le-Soken is an isolated, historic residential settlement surrounded by agricultural land from which its significance is derived.

Its special interest also derives from the architectural interest of its historic building stock dating from the sixteenth through to the nineteenth century, which are located at the core of the Conservation Area.

## 1.2 Conserving Kirby-le-Soken's Heritage

Tendring District Council appointed Place Services to prepare a Conservation Area Appraisal for Kirby-le-Soken. The document is provided as baseline information to support in the conservation of Tendring's heritage.

The appraisal will also consider the significance of heritage assets within the area and the contribution that these, along with their setting, make to the character of the area. The understanding of significance will be used to assess the susceptibility of the Conservation Area to new development, highlighting key assets of importance. Please refer to Section 1.3 for the appraisal's purpose and details on what it will consider.



### 1.3 Purpose of Appraisal

This document is to be used as a baseline to inform future change, development and design with regard to the sensitivities of the historic environment and its unique character and appearance.

The appraisal recognises designated and non-designated heritage assets within the Conservation Area which contribute to its special interest. It will consider how different Character Areas within Kirby-le-Soken came to be developed, their building styles, forms, materials, scale, density, roads, footpaths, alleys, streetscapes, open spaces, views, landscape, landmarks, and topography. These qualities will be used to assess the key characteristics of each area, highlighting potential impact future developments may have upon the significance of heritage assets and the character of Kirby-le-Soken. This assessment is based on information derived from documentary research and analysis of the individual character areas, as well as a review of the previous Conservation Area Appraisal for the area (2006).

This appraisal will enhance understanding of Kirby-le-Soken and its development, informing future design. Applications that demonstrate an understanding of the character and appearance of a conservation area are more likely to produce appropriate and responsive design with positive outcomes for agents and their clients.

It is expected that applications for planning permission will also consult and follow the national guidance outlined in Section 6.2.

### 1.4 Frequently Asked Questions

#### What is a conservation area?

Conservation areas are designated by the Local Planning Authority as areas of special architectural or historic interest. There are many different types of conservation areas, which vary in size and character, and range from historic town centres to country houses set in historic parks. Conservation area designation introduces additional planning controls and considerations, which exist to protect an area's special character and appearance and the features that make it unique and distinctive. Although designation introduces controls over the way that owners can develop their properties, it is generally considered that these controls are beneficial as they preserve and/or enhance the value of properties within conservation areas.

The designation process includes detailed analysis of the proposed Conservation Area and adoption by Tendring Council. A review process should be periodically undertaken, and the Conservation Area assessed to safeguard that it retains special architectural or historic interest. Threats can be identified, and the boundary reviewed, to ensure it is still relevant and appropriate. This is in line with Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The National Planning Policy Framework regards conservation areas as 'designated heritage assets'.



### **How are conservation areas managed?**

Conservation Areas can be supported by an appraisal and management plan. This document is the appraisal and management plan for the Kirby-le-Soken Conservation Area. The appraisal describes the importance of an area in terms of its character, architecture, history, development form and landscaping. The management plan, included within the appraisal, sets out various positive proposals to improve, enhance and protect the character and appearance of the Conservation Area.

The 1990 Planning (Listed Buildings and Conservation Areas) Act specifies the general duty of Local Authorities, in the exercise of planning functions (Sections 71 and 72). The 1990 Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

### **How can I find out if I live in a Conservation Area?**

To find out whether you live within the boundary of a conservation area, you can access boundary maps on Tendring District Council's [website](#). You can also contact your Tendring Council directly to find out if you reside within a conservation area.

### **What are the Council's duties regarding development in conservation areas?**

The Local Authority must follow the guidance in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). These set out in clear terms how development proposals within Conservation Areas should be considered on the basis of whether they preserve and enhance the character and appearance of the area. Applications which fail to preserve or enhance the character or appearance of the Conservation Area are likely to be refused as a result. The Local Plan also typically includes a specific policy on Conservation Areas; for more information, please see Section 1.5 which includes an outline of Tendring's local policy.

### **What is an Article 4 Direction?**

Under the provisions of the Town and Country Planning (General Permitted Development) Order 2015, certain minor works, such as domestic alterations, can normally be carried out without planning permission. However, some conservation areas are covered by an Article 4 Direction, which brings certain types of development back under the control of a local planning authority. This allows potentially harmful proposals to be considered on a case by case basis through planning applications. Article 4 Directions are used to control works that could threaten the character or appearance of an area and a planning application may be required for development that would otherwise have been permitted development. Historic England provides information on Article 4 Directions on their [website](#).

There are currently no Article 4 Directions in place within the Kirby-le-Soken Conservation Area.



### **Do I need permission to alter a property in a conservation area?**

Many conservation areas have an Article 4 Direction which relates to alterations such as the painting, rendering or cladding of external walls. Alterations or extensions to buildings in conservation areas will generally need planning permission. Your Local Authority should be consulted for advice as to how to proceed.

### **Do I need to make an application for routine maintenance work?**

If routine maintenance works are to be carried out using authentic materials and traditional craft techniques, on a like-for-like basis, it is unlikely that you will need to apply for permission from the Council. However, it is recommended that you contact Tendring Council for clarification before commencing any works. The use of a contractor with the necessary skills and experience of working on historic buildings is essential. Inappropriate maintenance works and the use of the wrong materials will cause damage to the fabric of a historic building.

### **Will I need to apply for permission for a new or replacement garage, fence, boundary wall or garden structure?**

Any demolition, development or construction in conservation areas will generally need planning permission. A replacement boundary, garage, cartlodge or greenhouse will need to be designed with the special historic and architectural interest of the Conservation Area in mind. Your Local Authority will provide advice as to how to proceed with an application.

### **Can I demolish a building in a conservation area?**

Demolition or substantial removal of part of a building within a conservation area will usually require permission from the Council. It is important to speak to them before beginning any demolition works, to clarify if permission is required.

### **Can I remove a tree within a conservation area?**

If you are thinking of cutting down a tree or doing any pruning work, the local planning authority must be notified 6 weeks before any work begins. This enables the authority to assess the contribution the tree makes to the character of the conservation area and, if necessary, create a Tree Preservation Order (TPO) to protect it. Consent will be required for any works to trees that are protected. Further information on TPOs can be found on Historic England's [website](#).

### **How do I find out more about a conservation area?**

Historic England's website has information on conservation areas and their designation. Further information on the importance of conservation areas, and what it means to live in one, can also be accessed via their [website](#).

Historic England has also published an [advice note](#) called *Conservation Area Designation, Appraisal and Management* which sets out advice on the appraisal of conservation areas and managing change in Conservation Areas.

In addition, Tendring Council has information on the conservation areas within their boundaries available on their [website](#). They have information pertaining to when the Kirby-le-Soken Conservation Area was designated, how far it extends and the reason for its designation.





## 1.5 Planning Policy and Guidance

The legislative framework for conservation and enhancement of Conservation Areas and Listed Buildings is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (HMSO 1990). In particular section 69 of this act requires Local Planning Authorities to designate areas which they consider to be of architectural or historic interest as Conservation Areas, and Section 72 requires that special attention should be paid to ensuring that the character and appearance of these areas is preserved or enhanced. Section 71 also requires the Local Planning Authority to formulate and publish proposals for the preservation and enhancement of these areas.

The National Planning Policy Framework (NPPF) highlights good design as one of twelve core principals of sustainable development. Sustainable development relies on sympathetic design, achieved through an understanding of context, the immediate and larger character of the area in which new development is sited.

National planning policy in relation to the conservation and enhancement of heritage assets is outlined in Chapter 16 of the Government's National Planning Policy Framework (DCLG 2021).

This assessment follows best practice guidance, including Historic England's revised *Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management* (2018) and *Good Practice Advice in Planning: 3 The Setting of Heritage Assets* (2017).

The Kirby-le-Soken Conservation Area is located within Tendring District. Local planning policy is set out in the Tendring District Council Local Plan. Saved policies which are relevant to heritage assets include:

*Policy LP 6 Rural Exception Sites*

*Policy PP 13 The Rural Economy*

*Policy PPL 7 Archaeology*

*Policy PPL 8 Conservation Areas*

*Policy PPL 9 Listed Buildings*

Tendring District Council adopted its 'Local Plan 2013 - 2033 and Beyond Section 2' in January 2022.

## 1.6 Designation of the Conservation Area

Kirby-le-Soken Conservation Area was first designated in 1981 and subsequently reviewed in 1987. Further to this, an area appraisal review was adopted in 2006. A Conservation Area Management Plan was later published in 2009.

## 2. Kirby-le-Soken Conservation Area

### 2.1 Context and General Character

Kirby-le-Soken is a small rural village located in the Tendring District of north-east Essex and parish of Frinton. The village comprises a single road, named The Street, with properties either side. The Conservation Area is largely residential development with a public house and church. The village of Kirby-le-Soken is isolated from the neighbouring towns and separated by an agricultural and rural landscape. Walton is located to the east, Thorpe-le-Soken to the west and Kirby Cross to the south. North of the Conservation Area is the Hamford Water National Nature Reserve.

Kirby-le-Soken has a distinct residential and rural character afforded by the small-scale dwellings, set within an agricultural landscape (Figure 2).



Figure 2 Aerial Image of Kirby-le-Soken



## 2.2 Origin and Evolution

The following section provides an overview of the history of Kirby-le-Soken and the surrounding settlements.

### Prehistory (-500000 – 43)

The earliest tangible evidence for archaeology within the immediate environs of the Conservation Area dates from the Bronze Age period (2200AD – 700 BC). Evidence for Bronze Age occupation is particularly prevalent within the Tendring district. Evidence for prehistoric activity has been recovered during archaeological investigations along The Street, immediately adjacent to the Conservation Area. Outside of the Conservation Area archaeological investigation to the south-east has revealed further evidence for settlement and activity dating from the Bronze Age to Middle Iron Age period including structural remains and evidence of weaving. Aerial photographic evidence, as revealed in cropmarks, suggests preservation of a widespread Prehistoric landscape in the wider area.

### Roman (43 – 410)

Few Roman remains have been identified within, or close to, the Conservation Area. At Kirby Quay, to the north-east of the Conservation Area, the structural remains of salt making sites known as 'red hills' survive, which is likely to be associated with nearby settlement in the wider area.

### Early Medieval (410 – 1066)

Surviving evidence for Anglo-Saxon settlement and activity is generally rare within the region, and no Anglo-Saxon material has been recovered from within or in the vicinity of the Conservation Area. However, the placename of Kirby originates from two Scandinavian-derived words, 'Kirk' for church and 'by' for village. This suggests the presence of a church in this location during the Danish Viking period, in the ninth or tenth century. Additionally, 'Soken' suggests that the area was once the holding of a Danish Sokeman, further indicating that the settlement may have its origins in this period.

### Medieval (1066 – 1540)

The settlement at Kirby-le-Soken developed immediately to the south of Hamford Water, a tidal inlet leading into the North Sea. The presence of an easy access into the inlet, in the form of a creek projecting south towards the village, was significant to the establishment and growth of the settlement. The establishment of a quay in this creek probably dates to the Medieval period, and pottery of that date has been found nearby.

Immediately adjacent to the Conservation Area along The Street medieval pottery has been recovered. The pottery dated from the eleventh to the thirteenth century, providing evidence for settlement in the medieval period.

The village church is fourteenth century in origin but has been the subject of significant alterations and is now largely a nineteenth century building. Archaeological monitoring during repairs to the church exposed three water-logged wooden piles beneath the tower, that were dated as having been felled between 1330 and 1400 (Figure 3).



Figure 3 Three wooden piles beneath church tower.

### Post Medieval (1540 – 1901)

The post-medieval period is marked by an eastern expansion of the settlement along The Street. Most of the surviving buildings from this period, however, are located within the area of the historic core.

The Chapman and André map (1777) (Figure 4) shows a small, low-density settlement noted as 'Kirby'. The development is predominantly located on the north side of the road which is referred to as 'Lower Street'. Both St Michael's Church and Kirby Hall are present on the Chapman and André Map, located just south of the Lower Street. Kirby Hall dates roughly from 1700, although is possibly of earlier derivation.



Figure 4 Chapman and Andre Map 1777



Figure 5 The 1841 Tithe Map for Kirby-le-Soken '© Crown Copyright Images reproduced by courtesy of The National Archives, London, England. [www.NationalArchives.gov.uk](http://www.NationalArchives.gov.uk) & [www.TheGenealogist.co.uk](http://www.TheGenealogist.co.uk)'

The church has fourteenth and fifteenth century origins, however, was largely rebuilt in 1833 and then restored in 1870. Pevsner makes note of the impressive scale and appearance of the church, although notes the much-altered appearance resulting from the restoration works.<sup>1</sup>

Tithe Map 1841 (Figure 5) shows a linear development with some infill properties, particularly within the central section of the Conservation Area, opposite St Michael's Church, where small clusters of buildings are present. A larger, detached building, immediately south-west of St. Michael's church has been constructed. Although not annotated this building is the Vicarage, which was constructed in 1830. Known today as the Old Vicarage, the property is Grade II listed (list entry: 1337138). A proliferation of outbuildings surrounds Kirby Hall.

1 Pevsner, *The Buildings of England: Essex, second ed.*, p. 256

The first edition Ordnance Survey map 1875 (Figure 6) shows that by the late nineteenth century, the small settlement of Kirby had expanded to a village with the development terminating at The Ship Inn, a public house to the east. The dispersed development has been infilled, resulting in a tighter grain of development to the north side of the road and definitive linear development pattern.

The land to the south surrounding the church, Kirby Hall and the Vicarage had remained open and free of development. A School had been established to the front of the churchyard. The road running through Kirby-le-Soken was named Lower Street; the road running through Kirby Cross, south of the Conservation Area was named Upper Street. The two settlements remained separated by open fields.



Figure 6 First edition Ordnance Survey map of Kirby-le-Soken, 1875



### **Modern (1901 – now)**

In the early twentieth century, the village continued to expand eastwards along The Street.

The second edition Ordnance Survey Map (1925) shows an expansion of Kirby-le-Soken to the east of the Ship Inn, which demarked the edge of the development in the late nineteenth century. Beyond the Conservation Area boundary, new housing developments extending north and south of Lower Street have diluted the linear development. However, the linear development is maintained within the historic core of Kirby-le-Soken. The school to the front of the churchyard has been demolished and replaced with a church hall running parallel to Lower Street. The collection of outbuildings associated with Kirby Hall, which are present on the first ed 1897 OS map, have been demolished; a single barn with midstrey remains. Today this barn is Grade II listed, known as Barn south of Kirby Hall (list entry: 1337139)

During World War II, a pillbox was located to the east of the Conservation Area, and a battery of anti-aircraft guns were mounted in a field to the north-west of the village.

Through the late twentieth century, there has been some infill development within the Conservation Area. However, these are sporadically placed throughout the Conservation Area. Expansion of the village outside of the Conservation Area boundary has been characterised by large housing developments being constructed to the north and south-west.

### 2.3 Revisions to the Boundary

As part of this review, the Conservation Area boundary has been revised to reflect changing methodologies of good practice and provide a clearer strategy which acknowledges the practicalities of Kirby-le-Soken's unique built environment, in line with Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF guidance on Conservation Areas, paragraph 191.

#### Additions

The Conservation Area boundary should include the gardens of the properties within the Conservation Area. They form the domestic curtilage and contribute to our understanding of land use, layout and an indication of the area's development.

It is recommended to include the Oxborrows Yard, Maltings Lane. The site has historically been a service yard as noted on the Tithe Apportionment (1841). Therefore, it is considered to contribute to the Conservation Area's historic development and character. The site was formerly occupied by Oxborrow Engineering but at the time of the assessment was vacant. The Oxborrow Family, Blacksmiths and Engineers, have a long-standing association with Kirby-le-Soken and Tendring dating from 1812. The early nineteenth century forge was demolished for residential development in 2004.<sup>2</sup> The property is visible from within the Conservation Area and is an attractive nineteenth century industrial building, unique within the area, contributing to local character and appearance.

#### Reductions

It is proposed to remove the back land development behind Number 44-64 as it undermines, and is inconsistent, with the historic grain of development. The development is of a low scale, however, it is visible in the skygaps between the properties fronting The Street; this detracts from appreciation of Kirby-le-Soken as an isolated settlement. The quality of the development does not positively respond to the character and appearance of the Conservation Area.

<sup>2</sup> Kirby-le-Soken History pages, <http://www.kirby-le-soken.co.uk/oxborrow.html>

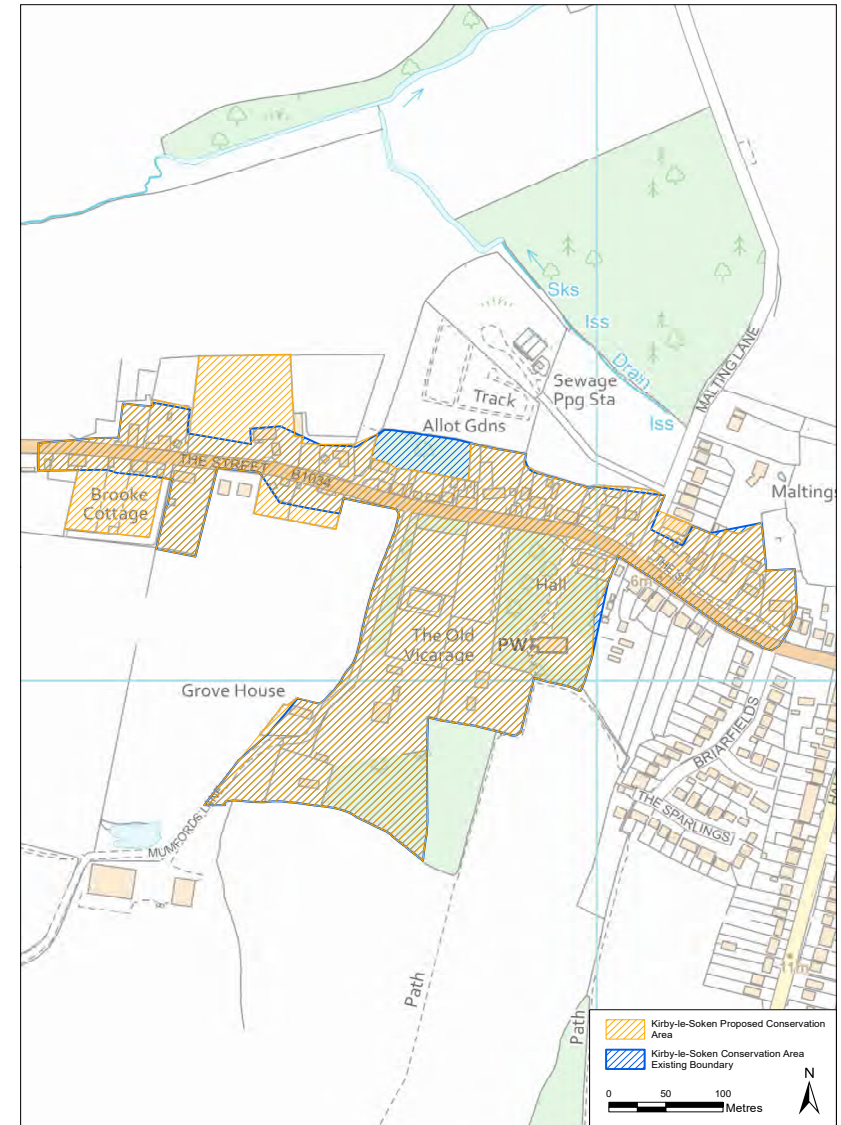


Figure 7 Proposed Boundary Revisions



## 2.4 Designated Heritage Assets

There are ten designated heritage assets within the Kirby-le-Soken Conservation Area boundary, including domestic and agricultural buildings as well as a church and a memorial plaque. A full list of all the designated assets within the Conservation Area is included in Section 3 and 6.1.

These buildings, structures and features have been listed due to their special historic and architectural interest as defined by Department for Digital, Culture, Media & Sport (*Principles of Selection for Listed Buildings*, 2018). Further information about the listing process can be found on the Historic England [website](https://historicengland.org.uk/listing/what-is-designation/listed-buildings/).

### Listed Buildings and features

The rarer and older a building is, the more likely it is to be listed. As a general principle, all buildings that pre-date 1700 and are in a relatively intact condition will be listed, as will all buildings that date between 1750 and 1850. There is a strict criterion for buildings built after 1945; buildings less than thirty years old are unlikely to be listed unless they have been deemed as exceptional examples of their type.

Listed buildings are considered under three grades in England. Grade I buildings are of exceptional interest and make up approximately 2.5% of all listings; Grade II\* are of more than special interest; Grade II are of special interest and most common, making up 91.7% of all listings.<sup>3</sup> Listed buildings are protected by government legislation and there are policies in place to ensure that any alterations to a listed building will not affect its special interest. It is possible to alter, extend or demolish a listed building but this requires listed building consent and sometimes planning permission.

Kirby-le-Soken Conservation Area contains several listed buildings within the village core which emphasises its special interest and its historical development.

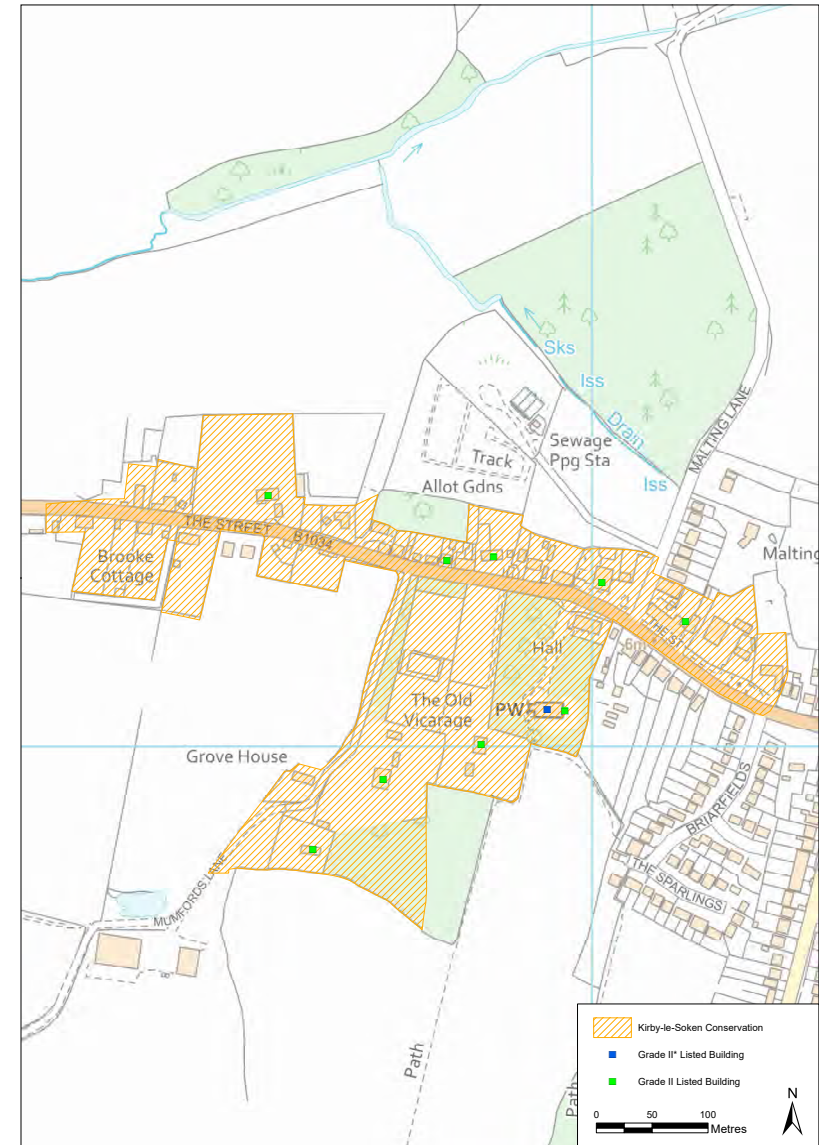


Figure 8 Map of Designated Heritage Assets

<sup>3</sup> Historic England, Listed Buildings <https://historicengland.org.uk/listing/what-is-designation/listed-buildings/>



## 2.5 Non-Designated Heritage Assets

Every building, space and feature within a Conservation Area makes a contribution to its character and special interest, be it positive, neutral or negative.

Heritage assets are defined in Planning Policy as 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.'<sup>4</sup>

Not all heritage assets are listed, and just because a building is not included on the list does not mean it is of no heritage value. Buildings and other smaller features of the built environment such as fountains, railings, signs and landscaping can make a positive contribution to the appreciation of an area's historic interest and its general appearance.

Local listing is an important tool for local planning authorities to identify non-listed buildings and heritage assets which make a positive contribution to the locality. At present there is no approved local list for Tendring District. This document has identified heritage assets which make a positive contribution to the Conservation Area and could be considered for local listing in the future. Key un-listed buildings are identified in the analysis of the character areas in Section 3 of this appraisal.

The area is comprised largely of vernacular dwellings dating from the sixteenth through to the nineteenth century. There are many positive buildings within the Conservation Area that collectively contribute to the Conservation Area's significance. Buildings that respond to the local character and distinctiveness are likely to make a positive contribution to the Conservation Area's special interest.

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4 NPPF, p67

## 2.6 Heritage at Risk

Tendring District Council published a Heritage Strategy in 2019 using data from the Heritage at Risk Programme (HAR) by Historic England, however there is not a separately published Heritage at Risk Register by Tendring District Council.

## 2.7 Archaeological Potential

Little archaeological fieldwork has been undertaken around Kirby-le-Soken. The prehistoric cropmarks, Bronze Age-Middle Iron Age pit and recent exposure of a prehistoric landscape to the south-east indicate the potential for Prehistoric archaeology to survive within the area. The Roman red hill at Kirby Quay suggests salt-making is being carried out in the vicinity during this period. The focus of this industry would have been around the tidal inlet, but an associated settlement would have existed, presumably further inland.

The majority of the archaeological remains surviving within the Conservation Area are likely to comprise medieval and post-medieval features, structures and finds, related to the establishment and growth of the village from the Late Saxon period onwards.

Soil conditions are variable; the London Clay allows for the preservation of faunal remains whilst the sands and gravels partially overlaying it are acidic and faunal survival is poor. Artefacts such as ceramics, building materials and metal survive on both soil types, albeit in better condition within the clay. Within clayey soils waterlogged deposits can survive and should be anticipated in deeper features such as wells and cess-pits.

### 3. Assessment of Significance

#### 3.1 Summary

Kirby-le-Soken is a small, rural village with a strong linear development along The Street. The Conservation Area includes the core of the village's historic development and is made up of two character areas. The first is the village core, comprising of the residential development lining The Street dating from the sixteenth century beginning at Number 51, The Street and stretching eastwards terminating at the Kirby-le-Soken village sign. The second character area is just south of The Street, including the St Michael's Church, Kirby Hall and The Old Vicarage, including their associated land and green space.

The village of Kirby-le-Soken extends east beyond the Conservation Area boundary, however, the development outside the Conservation Area boundary comprises of housing development predominantly dating from the mid-late twentieth century. There are some historic buildings that are located outside of the Conservation Area boundary to the east, including one listed building (Street House, list entry: 1111539). However, they sit outside the Conservation Area boundary due to the extent of modern development and dilution of the linear development pattern.

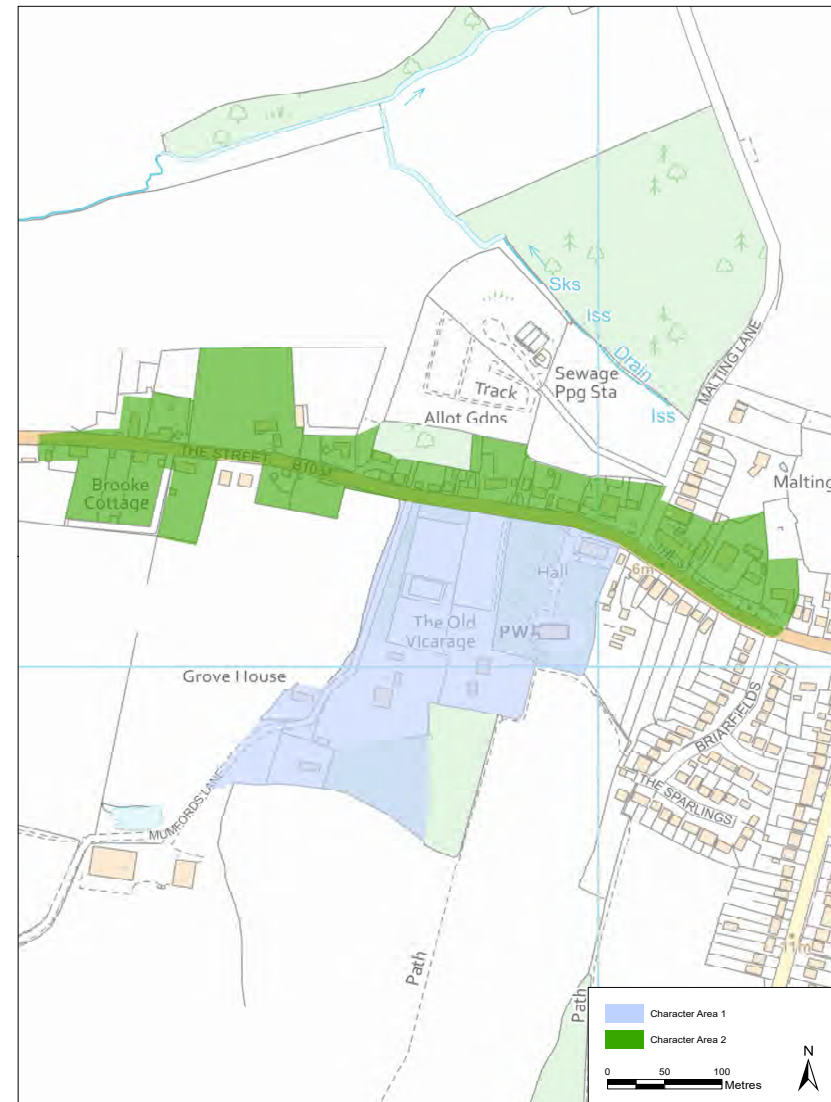


Figure 9 Map depicting Character Area One, The Village Core, in green

### 3.2 Character Analysis: The Village Core

#### Summary of Character Area One

The Village Core character area comprises the properties lining The Street, stretching east to west and is defined by the traditional vernacular buildings dating from the sixteenth century to the nineteenth century. There are a limited number of modern infill dwellings dating from the twentieth and twenty-first century.

There is one commercial property within this area, The Red Lion Public House, located at the centre of the village opposite the Church of St. Michael. There are five listed buildings within this character area all of which are Grade II listed shown in Figure 8:

- Meadow View Cottage (list entry: 1111499)
- Norton's Barn (list entry: 1337137)
- Post Office House (list entry: 1165726)
- Red House White House (list entry: 1111498)
- The Red Lion Pub (list entry: 1111497)



Figure 11 looking west showing Number 45 The Street

When entering the village from the west, the road narrows from a two-way road flanked by low hedgerow with long views of the agrarian landscape to the north and south to a single-track lane, lined each side with cottages bounded by taller hedgerows and grass verges. This transition is indicative of the extent of Kirby-le-Soken's historic development to the west and defines the entrance of the Conservation Area. The arrangement of cottages is informal but compact, with some fronting the road and others set slightly back (Figure 10).



Figure 10 Photograph looking into the western end of the Conservation Area



Figure 12 Looking west showing number 57 The Street in the foreground and Number 61 and wider countryside in the background



Figure 13 Photos showing agricultural fields adjacent to Number 41

Travelling east, the residential development to the south of The Street terminates at Number 41. Just beyond Number 41, there are views of the rural setting and church tower, due to an open field with low hedgerow (Figure 13). The road here widens and there are long views into the centre of the Conservation Area, framed by cottages on the northside of The Street which have narrow front gardens, including the Grade II listed Meadows Cottage (Figure 15).



Figure 14 Number 41 The Street



Figure 15 Cottages along northside of The Street, including Meadows Cottage which is pastel pink



Figure 16 Photograph of Grade II listed Red House White House



Figure 17 Photograph looking west showing the roofscape of Red House White House in the background with Waterloo House in the foreground

Numbers 46-50 are a row of roughcast rendered terraced properties fronting the pavement, beyond this terrace is Red House White House, which is well set back from the road, enabling a break up in the density of built form (Figure 16). From Red House White House to Number 34, the dwellings are evenly spaced with larger front gardens bound by low red brick walls; the size of their front gardens is unique to this row. Numbers 36 and 38 do not form part of the area's historic development, however their scale and appearance are sympathetic to the setting of Red House White House and the character of the Conservation Area. The setback arrangement of this part affords views looking west of the attractive and complex roofscape of Red House White House.

Waterloo House, Number 34 is contrary to the small scale seen throughout the Conservation Area and is therefore, notable within the streetscene. It is an attractive vernacular and prominent dwelling which contributes positively to the streetscene.

The centre of this character area and the Conservation Area is marked by Grade II listed The Red Lion public house to the northside of The Street (see Figure 18). The Red Lion is a large, rendered building with a red clay tile roof and is separated from neighbouring properties by its large carpark to the east and garden to the west. The spacious plot allows the public house to be understood and appreciated as a focal point within the community. The open carpark also affords views of Lilac Cottage which sits to the northeast of the pub.

The Kirby-le-Soken Conservation Area excludes the modern house development along the south side of The Street; although this development reinforces the linear development pattern it dilutes the understanding and experience of Kirby-le-Soken's historic peripheries.

Around the centre and eastern end of the village core, the pavements are wider resulting in a greater sense of openness. After the Red Lion public house is Maltings Lane, which leads out to the Walton Backwaters (Figure 19).



Figure 18 Photograph of the Red Lion Public House



Figure 19 Photo showing the Red Lion, Number 34 and Red House White House in the background





Figure 20 Photo showing Post Office House

Immediately after Maltings Lane is an attractive row of terraced properties, Number 28 – 16, including the Grade II listed Post Office House (Figures 20 and 21). This row of dwellings are rendered with slate roofs and prominent chimneys. The Post Office House terminates the terrace and is a single storey property with a red clay tiled roof. Formerly a shop, which once served as the Post Office, it is now in use as a dwelling. The row is separated from the road by a small green and an tarmacked road for vehicle access and parking. The beginning of the green, and openness afforded, contributes to the village atmosphere.



Figure 21 Close up of maltings Cottages



Figure 22 Photograph looking east along The Street showing the green to the north side.



Figure 23 Photograph of Number 14 and Number 12

After Number 14, the green widens to a larger lawned area where there is a War Memorial and formal planting beds. The residential development to the north of The Street is well set back from the road; the properties are detached and sit in spacious plots. The skygaps between dwellings provide views of trees behind, which emphasises the rural and isolated location of Kirby-le-Soken. The Conservation Area terminates at the end of the green, where the pedestrian way narrows, and residential development continues along The Street.

### Land Usage

The land use within The Village Core character area is defined by the historic residential development of Kirby-le-Soken with a main thoroughfare known as The Street. There is one commercial property, The Red Lion, located at the centre of the Conservation Area opposite the church. There is also a green that runs parallel to The Street after Maltings Lane.



Figure 24 Photograph showing eastern elevation of Red Lion and associated car park. Lilac Cottage to the right.



Figure 26 Kirby-Le-Soken green and village sign



Figure 25 Photograph of the war Memorial with Number 8 in the background

### Landscaping, Open Spaces and Public Realm

The western end of the Conservation Area has limited landscaping and open space due to the compact row of dwellings which line The Street. Landscaping is refined to soft boundary treatments and small front gardens. Travelling east the development is less compact, which affords a greater sense of openness. There are two key open areas in the centre of the Conservation Area where there is a bend in the road; this defines the heart of the Conservation Area.

The green, which stretches from the centre of the Conservation Area to the eastern boundary, is divided in three by vehicle access ways. The green is predominantly well-kept lawn with some mature trees and formal flower beds surrounding the War Memorial (Figure 25). The green also has benches, a streetlamp, post box and a telephone box which are all a traditional and sympathetic appearance (Figure 26). The Kirby-le-Soken Village sign is located to the eastern edge of the green.



Figure 27 the green with stocks and Red Lion carpark in the backgrounds



Figure 28 Postbox and telephone kiosk book exchange on the green

The red post box and K6 telephone box are attractive and contribute to the rural village atmosphere. The K6 telephone box, although not original to Kirby-le-Soken, is now a micro-library offering a free book exchange. The mature trees planted along the green help maintain a sense of enclosure to the north side of The Street and enhance the streetscene

The Red Lion is slightly set back within the road and is surrounded by a tarmacked carpark immediately to the east which can be accessed from The Street or Maltings Lane. The carpark is enclosed to the rear by a close boarded fence demarking the boundary of Lilac Cottage; the large, tarmacked area and pedestrian ways that are flush with The Street afford the centre of the Conservation Area a greater feeling of openness. (Figure 24).



Figure 29 Row of residential cottages Numbers 64--60 located opposite Mumfords Lane

### Local Building Materials and Details

The properties located in this character area are typically small and modest sized vernacular dwellings set over one and a half to two storeys. The small scale of development is a defining feature of Kirby-le-Soken, emphasising its historic rural character. One and a half storey dwellings have small dormers to the attic level, and there are flat and pitched dormers throughout the area.



Figure 30 Numbers 38 and 36 which are modern additions with Waterloo House in background



Figure 31 Photograph of Number 40 The Street, with Red House White House in the background

There is a good use of traditional building materials within this character area. For the most part, dwellings are rendered in soft pastel tones or light-coloured render which contributes to a unified appearance through The Street. There are some dwellings with roughcast render and some redbrick buildings, although these are less common.

There are few properties with weatherboarding as an elevation treatment. Black weatherboarding can be seen at Number 57 The Street, which is a characterful property within the streetscene. It can also be seen to the flank elevations of dwellings.

Roof coverings are predominantly red clay tiles; other roof coverings include slate and clay pantiles. The historic dwellings have open verge detailing. There are instances where traditional roof coverings have been replaced with concrete tiles which detracts from the architectural interest of the Conservation Area.

The architectural detailing in this character area is simple which is indicative of the rural village character. Properties are either gabled or hipped in form. There are some properties that retain traditional timber windows which is positive; however, many have been replaced with modern uPVC and aluminium of untraditional colours which detract.

Boundary treatments within the western end of the Conservation Area where the road is narrow are predominantly hedges which softens the approach into the Conservation Area. Some of the hedges are substantial and frame the entrance into the Conservation Area. Soft boundary treatments are less prevalent progressing into the centre of the Conservation Area from and to the east end. There are some characterful picket fences as well as low redbrick walls which contribute to the traditional appearance of the Conservation Area.



Figure 32 Traditional windows of Number 28 The Street



Figure 33 Traditional low brick wall surrounding the church hall



Figure 34 Terraced housing behind the green including Post Office House

There are some examples of close boarded fencing, rendered walls as well as yellow/ buff brick walls which do not respond to the character and appearance of the Conservation Area and appear visually intrusive within the streetscene

### Contribution by Key Un-Listed Buildings

There are numerous buildings within the Conservation Area that positively contribute to its significance. The buildings that reflect local character and distinctiveness collectively define the character and appearance of the Conservation Area. The following buildings, located in character area one, have been identified as key unlisted buildings by virtue of their derivation, scale, form and appearance.

Number 57, The Street is a one and a half storey weatherboarded dwelling with a slate roof (Figure 35). The property sits perpendicular to the road, gable ended with decorative barge boards and a finial painted white. There is a single storey porch entrance to the east elevation and a lean to on the west elevation, both covered in red clay pantiles. There is a slender red brick chimney to the rear. The small scale and attractive detailing make it a noticeable dwelling within the streetscene. The property does have a larger modern extension to the rear, however, this does not visibly detract from the original scale and historic core of the property.

Waterloo House (Number 34, The Street) is a large, detached and double piled dwelling of two-storeys and rendered elevation. The frontmost pile sits under a slate roof and the rear is covered in red clay tiles. It is one of the larger dwellings running parallel to The Street, making it a visually prominent within the streetscene. The single storey outbuilding to the west of the property is present of the first edition Ordnance Survey map (1897) and may be contemporary with the principal dwelling. The first floor has six over six sash windows; the windows to the ground floor windows and central entrance appear to be modern alterations.



Figure 35 Number 57, The Street

### 3.3 Character Analysis: St Michael's Church, Kirby Hall and The Old Vicarage

#### Summary of Character Area Two

This character area is set to the south of character area one and The Street. It includes Mumford Lane, St Michael's Church and the church hall, Kirby Hall, the Barn southwest of Kirby Hall and Old Vicarage including their associated land. There is a dwelling of modern construction opposite Kirby Hall which is contrary to the character and appearance of this section of the Conservation Area. Kirby Hall and the church are fundamental to the village's development and form the nucleus of the settlement. This character area is very green in appearance which is afforded by the mature trees, grassed areas around the church and large private residential gardens.

The properties within this character area are mainly high-status buildings, and one agricultural building barn. All the buildings, apart from the church hall are listed. There is also a Grade II listed memorial plaque below the east window of the church (list entry: 1111501). The listed buildings in this character area are:

- Church of Saint Michael (list entry: 1111500) (Figure 36)
- The Old Vicarage (list entry: 1337138)
- Kirby Hall (list entry: 1111502)
- Barn southwest of Kirby Hall (list entry: 1337139)



Figure 36 St Michaels Church with the Old Vicarage in the background



Pedestrian and vehicle access within this character area is limited as a result of the private residences, resultingly this sub area of the Conservation Area is more isolated from the village core. The lack of through traffic and mature trees contribute to a calmer and secluded atmosphere. Mumford Lane is a single-track lane extending south from The Street providing access to Kirby Hall and Kirby Hall Farm (Figure 38). It is heavily lined with mature trees which frame the lane and affords a sense of enclosure and privacy. Mumford Lane is a public footpath, providing a pedestrian link from the Conservation Area out to the surrounding countryside. Walking south along Mumford Lane the line of trees stops at Kirby Hall; the open grass verges here provide an indication of the transition to the open rural landscape that bounds the Conservation Area. At the southern edge of the Conservation Area boundary just off Mumford Lane is the Grade II listed Barn southwest of Kirby Hall. The barn is still in agricultural use today which contributes to our understanding and appreciation of the agricultural land use associated with Kirby Hall and Kirby Hall Farm.



Figure 37 Barn southwest of Kirby Hall

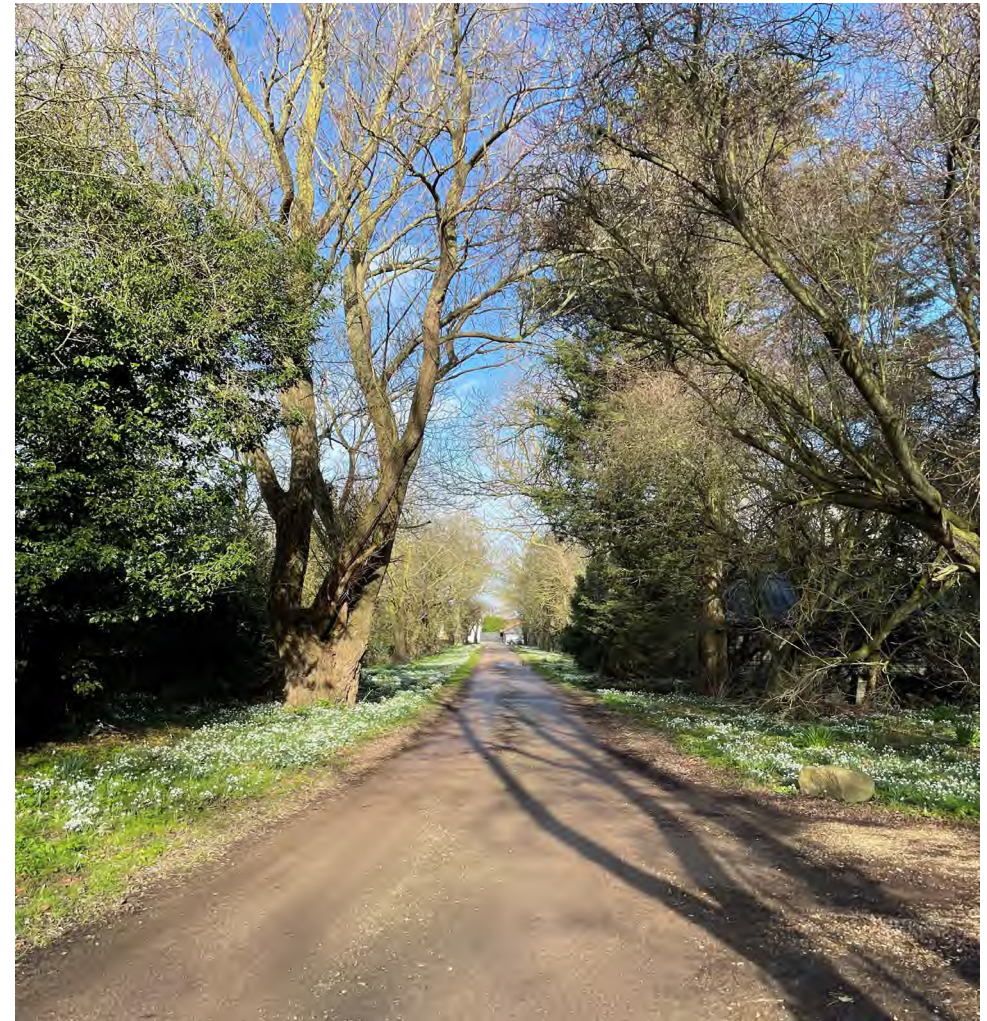


Figure 38 Mumfords Lane



Figure 39 St Michaels Church

The approach to the church is tarmacked and treelined with clear views of the church, the front boundary along The Street marked by iron railings, a unique boundary treatment within the Conservation Area reflecting the pre-eminence of the church. There are some parked cars lining the approach on the right, but parking bays are informal, and the cars are relatively unobtrusive. A public footpath through the churchyard leads to the fields beyond to the south. Although the church hall fronts The Street it has been included in this area by virtue of its functional relationship with the church. The church is a long-range building running parallel to the street and marks the end of the Conservation Area boundary to the south when travelling east.

Kirby Hall and The Old Vicarage are two significant buildings set within large plots surrounded by mature trees (Figure 40). Kirby Hall can be viewed from Mumford Lane; it is a large red brick building set over two and half storeys with a decorated central entrance and sits under a red clay tiled roof. There are limited views of The Old Vicarage, however, there are glimpsed views between the trees from the approach to the church which contributes to our appreciation of their former historic relationship and function.



Figure 40 Kirby Hall



### Land Usage

The land use in this character area is mixed. The north-east section is occupied by the church and churchyard which is predominantly grassed and scattered with gravestones. A large portion is in residential use, occupied by the extensive private gardens that surround Kirby Hall and The Old Vicarage. A small parcel of land to the south-west, the location of the Grade II listed Barn south-west of Kirby Hall, is in agricultural use. The development within character area two is low density and the land to a large extent is characterised by the verdant landscaping.

### Local Building Materials and Details

Buildings materials within this are varied by virtue of the mixed land use and architectural significance of the properties. Four out of six of the buildings in this character area are listed, and therefore they are of national and local significance.

The church is the most architecturally and materially unique within the Conservation Area. It is constructed in stone and flint under a plain red tiled roof.

The materials of the residential buildings are traditional and well preserved due to their statutory listing. Red brick, render, red clay and slate roof tiles are used within this character area. The barn is black weatherboarded which sits on a red brick plinth. However, the traditional roof covering has been replaced with a corrugated asbestos roof which is unsympathetic.

### Landscaping, Open Spaces and Public Realm

The properties within character area two are all set on large verdant plots which is a defining feature of the character area. Public access to open space is limited as the area is largely occupied by private residential gardens. The churchyard is a key landscaped area and open space within character area two; the churchyard is predominantly grassed, bound to the front by metal railings and surrounded by hedging and mature trees; the church hall is located to the north-east corner of the churchyard with a low red brick wall to its front boundary. There are gravestones each side of the approach to the church and a gravelled pathway leads to the rear of the church where there are views out to the agrarian landscape. The churchyard is a significant space within the Conservation Area as it is a focal point for community activity.

### Contribution by Key Un-Listed Buildings

There are no key unlisted buildings within this character area. The significance of the buildings within this Conservation Area are recognised by their statutory listing.



Figure 42 The churchyard with The Street in the background and church hall to the right



Figure 41 Approach to St Michaels Church



Figure 43 The Church Hall

### 3.4 Views

Key views are identified on Figure 44. The views included in this assessment are a selection of key views; this list is not exhaustive and there may be other views of significance. Any proposals for development within the Conservation Area, or its environs, should consider the views below and any others which may be relevant or highlighted as part of a bespoke assessment of that proposal.

Views of the church are limited throughout the Conservation Area due to the linear pattern of development and mature tree screening. However, there are glimpsed views of the church tower throughout the Conservation Area. These views are important to our experience of the area, as the tower forms a nucleus of the historic development and these views emphasise the tower's role as landmark within the Conservation Area.

Views out across to the wider rural landscape are also limited due to the tight grain of development. However, there are some important views out to the wider setting particularly from the west end of the Conservation Area and within character area two.

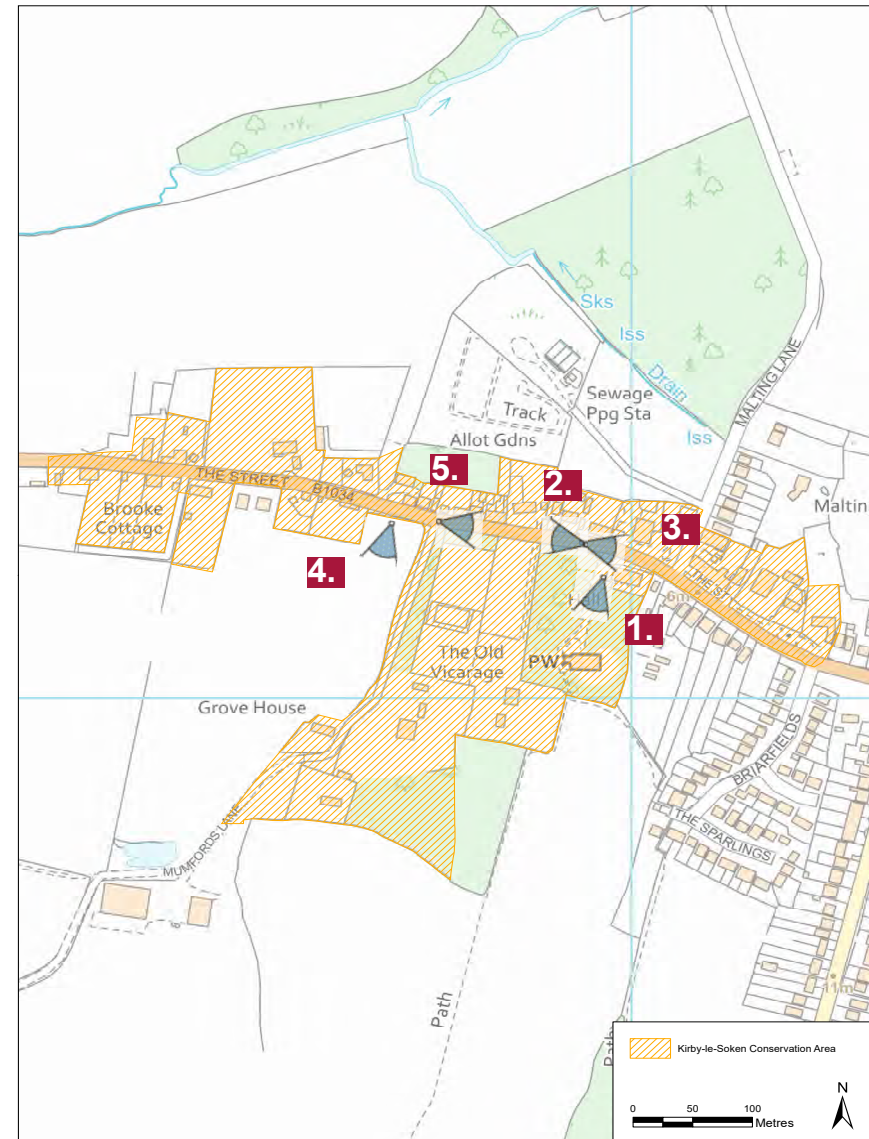


Figure 44 Key Views Map



Figure 45 Photograph of the church and approach from The Street

### View 1: Views of the church from The Street (Figure 45)

View 1 is positioned at the heart of the Conservation Area. When stood on the pedestrian way near the Red Lion looking south, it affords uninterrupted views of the church and its approach. Due to the development pattern and verdant screening, this is the only location from The Street where there are views of the church in its entirety.



Figure 46 Looking west along The Street

### View 2 and 3: Views east and west along The Street (Figure 46)

View 2 and 3, these two views are also located at the centre of the Conservation Area. Due to the bend in the road, there are long views east and west along The Street which emphasises the linear development of the Conservation Area. This view is significant because is it the only location in the Conservation Area that affords longer views in both directions.



Figure 47 Photograph from The Street looking south to the surround agrarian landscape

#### **View 4: Views of surrounding rural landscape from The Street**

View 4 is an important view across an undeveloped field adjacent to Number 41. This field is located outside the Conservation Area boundary but forms part of its immediate setting. This field affords views out across an open agricultural landscape, offering relief from built form and glimpsed views of the church tower behind the tree lined Mumfords Lane (Figure 47).

#### **View 5: View looking to the Conservation Area centre**

View 5, there are long views into the centre of the Conservation Area which is terminated by the row of terraced cottages (Numbers 28 and Maltings Cottages). This view shows the start of the green and emphasises the linear pattern of the Kirby-le-Soken's development.



### 3.5 Setting of the Conservation Area

The NPPF describes the setting of a heritage asset as:

*The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*

*Historic England Good Practice Advice 3: Setting of Heritage Assets (2017) indicates that the setting of a heritage asset is the surroundings in which the asset is experienced. It goes on to note 'Where that experience is capable of being affected by a proposed development (in any way) then the proposed development can be said to affect the setting of that asset'.*

Historic England's advice note on setting includes a:

*"(non-exhaustive) check-list of potential attributes of a setting that may help to elucidate its contribution to significance'. As the advice note states, 'only a limited selection of the attributes listed will be of a particular relevance to an asset.'"*

This checklist has been used to inform this assessment.

The detailed guidance on heritage asset setting states that all heritage assets have a setting whether they are designated or not, irrespective of the form in which

they survive.<sup>5</sup> In the analysis of setting, the important contribution of views to the significance of heritage assets and the ability to appreciate that significance is often a primary consideration. Yet the contribution a setting makes to the significance of a heritage asset, such as the Kirby-le-Soken Conservation Area, is not limited to views alone. Setting is also influenced by other environmental factors such as noise, traffic and vibration from other land uses. The detrimental alteration of the character of a setting may reduce our ability to understand the historic relationship between places. The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access, view or experience that setting.<sup>6</sup> Therefore, any application for development within the setting of a heritage asset is subject to constraints.

In addition, paragraph 206 of the NPPF states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets (including the setting of Conservation Areas), to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. Therefore, the favourable treatment of proposals that retain the open, agrarian character of the Conservation Area's setting should be reinforced by the local authority, while proposals that fail to retain this character should be considered as harmful to the significance.

When assessing an application for development which may affect the setting of a heritage asset, local planning authorities should also consider the implications of cumulative change and incremental harm. New developments and changes can not only detract from a heritage asset's significance in the short-term but may also damage its significance and economic viability now, or in the future, thereby threatening its on-going conservation.

<sup>5</sup> Historic England. 2017 *The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)*

<sup>6</sup> Ibid



### Surrounding landscape

Kirby-le-Soken and its surrounding, undeveloped and rural landscape is a defining feature of the Conservation Area's setting that has an important positive contribution to the significance. Kirby-le-Soken's setting contributes to a continued understanding and appreciation of the historic settlement in an isolated and agrarian setting, which remained largely unchanged until the early twentieth century.

The wider setting of rural and arable farmland can be seen from some aspects from within the Conservation Area (Figures 48 and 49). This is particularly realised from the west end of the Conservation Area, providing strong visual links between the Conservation Area and its rural setting. There are also glimpsed views of the Kirby-le-Soken village, including the church tower, from the surrounding rural landscape which contributes to an understanding of Kirby-le-Soken as an isolated settlement.



Figure 48 Conservation Area and its rural setting



Figure 49 Open fields around the Conservation Area

The approach into the Conservation Area from the west is characterised by open, agrarian fields, remaining largely unspoilt by modern development. The surrounding arable land provides a wealth of green and open space, which makes an important contribution Kirby-le-Soken's significance as a rural village and enhances the way it is experienced and understood (Figure 50).



Figure 50 Open, agrarian fields, remaining largely unspoilt by modern development

Modern housing development permitted to the north and south-west encroaches into the surrounding rural landscape, particularly to the south (Figure 51). The development north and south of The Street is contrary to the historic development pattern of the village. Due to the important contribution made by the open fields and landscape, further development on the open fields surrounding the Conservation Area would detract from the significance of Kirby-le-Soken as an isolated rural development.



Figure 51 Modern development to the rear of properties along The Street



Figure 52 Former site of Oxborrow Engineering

Within the centre of the Conservation Area there are views from The Street of a service yard and building (formerly Oxborrow Engineering) which sits behind Number 28 on Maltings Lane (Figure 52). The single storey red brick building with white painting facade is a characterful industrial structure with a chimney to the rear and contributes to a variation in the predominantly residential streetscene. It is recommended to include this property within the Conservation Area.

From the east, the settlement of Kirby-le-Soken extends beyond the Conservation Area boundary so the approach into the Conservation Area is more developed than the west. However, the rural and isolated setting of the settlement can still be appreciated before reaching the development along Walton Road, which bounds the Conservation Area. As evident through historic maps (see Figure 4), the development continued along The Street and terminated at The Ship. There are some properties located outside of the Conservation Area boundary that formed part of the area's historic development. They make an important part of the setting that contributes to the significance of the area, however, it is considered impractical to include these within the designation, due to the extent of change and development to the west of the Conservation Area.



## 4. Opportunities for Enhancement

The following opportunities for enhancement have been identified and are summarised below in brief. The list is in no way exhaustive and neither are the opportunities identified unique to Kirby-le-Soken with many being shared with other Conservation Areas.

### 4.1 Car Parking

There are some cars parked informally along The Street, particularly opposite Numbers 46-48 where there is an unsurfaced layby. Also, to the front of Number 16-28 lining the green are parked cars. However, they are relatively unobtrusive and do not encroach onto the main thoroughfare. Some properties have off road parking. Although, there are instances where front gardens have been replaced with hardstanding to provided carparking. This type of development detracts from the rural character and appearance of the Conservation Area through loss of greenness and has an urbanising effect.

### 4.2 Inappropriate Modern Alterations

There are examples of inappropriate and unsympathetic additions within the Conservation Area which can result in a cumulative impact on the area. The addition of uncharacteristic porches, the installation of TV aerials, extraction flues to street facades, sides and rear of buildings harm the historic character of the area and appearance. Care should be taken that unsympathetic additions do not impact key views and the character of groups of historic buildings is preserved.

Care needs to be taken within the Conservation Area that windows, doors, roofs and other architectural elements are not replaced with those of inappropriate design and materials. The character of the Conservation Area is defined by the historic palette of materials used and this piecemeal loss of fabric can cumulatively have a more significant impact on the character and appearance than any of the other concerns.

### Doors and windows

A key concern across the majority of the Conservation Area is the alterations to windows and doors. The replacement of timber windows with inappropriate uPVC windows can impact the historic character of a building, and the contribution they make to the appearance of the Conservation Area. The location of doors and windows within a historic building is also an essential part of its character, and by altering their position, or blocking them up, this can detract from its appearance, for example.

Historic England's *Traditional Windows Their Care, Repair and Upgrading (2017)* advises that *"the loss of traditional windows from our older buildings poses one of the major threats to our heritage. Traditional windows and their glazing make an important contribution to the significance of historic areas. They are an integral part of the design of older buildings and can be important artefacts in their own right... The distinctive appearance of historic hand-made glass is not easily imitated in modern glazing."* The loss of historic joinery such as sash and casement windows and panelled doors results in a degree of harm to the significance of an historic building, and the loss of crown or other early glass can also cause harm to the significance of buildings. Historic England's 2017 advice recommends that 'surviving historic fenestration is an irreplaceable resource which should be conserved and repaired whenever possible.'

Where draughts are causing an issue, the repair and refurbishment of windows can improve the thermal performance of historic windows in the first instance, along with the use of shutters and heavy curtains. Alternatively, modern technology allows for well-designed secondary glazing; special timber casements that can be constructed and fixed to the interior of the frame using sections and mouldings to match the primary glazing. These less intrusive methods are advisable within the Conservation Area; however, it is recommended that advice is sought from the Council before any changes to windows or doors are made to ensure the optimum solution.



## Colour Palette

The Conservation Area is currently characterised by light painted render. Future alterations should respond to the existing and historic palette to preserve the local distinctiveness; however, it should also reflect the age, status and architectural style of its host building. The introduction of an inappropriate modern colour palette into the street scene is considered to be a concern within the Conservation Area and has the potential to have a cumulative and significant impact upon the character and appearance of the Conservation Area. It is also imperative that appropriate paints are used to ensure that the passage of moisture through historic properties' fabric is not inhibited which can cause decay.

## 4.3 Maintenance

Many of the buildings and spaces across the Conservation Area have been impacted by a gradual decline in their condition due to lack of ongoing maintenance. The importance of preventative maintenance cannot be over-emphasised, as ongoing maintenance can not only limit, or even prevent, the need for repairs later, it will avoid the loss of original fabric and is cost-effective.<sup>7</sup>

There are examples of maintenance issues across the area, which are common to historic buildings and Conservation Areas, such as the deterioration of paintwork, timber rot, and loss of historic features. Throughout the Conservation Area a large proportion of buildings have had original features and fittings removed, particularly windows and doors. This impacts the historic significance of the buildings and detracts from the aesthetic and character of the Conservation Area and, therefore, its special interest. There are very few buildings which have retained their historic windows.

The introduction of uPVC windows is a particular concern within the Conservation Area. To preserve the special interest of the Conservation Area, historic windows should be retained. Any proposals for the replacement of windows should avoid the loss of any historic fabric and should be appropriate to the host building. The application of uPVC windows will not be supported.

There is an opportunity to monitor ongoing condition and maintenance issues across the Conservation Area by means of a regular baseline photographic survey. Going forward, this could be an opportunity for local groups and individuals to lead in, and there is scope for the Council to work in partnership with the community to undertake ongoing assessments such as this.

<sup>7</sup> [Preventative Maintenance \(spab.org.uk\)](https://www.spab.org.uk)



#### 4.4 Inappropriate Modern Development

There are instances in the Conservation Area where residential development has been permitted behind the existing development. This undermines a defining feature of Kirby-le-Soken as a linear development. Future development that has a poor relationship with the street and does not preserve the historic development pattern should be avoided.

The subdivision of plots to allow for development behind the existing grain of development would also be inappropriate. Land plots and curtilages are a key indication of an area's development; by dividing historic plots it would dilute the special interest and have a detrimental impact on the context of the Conservation Area's development. Not only does the division of historic plots diminish the historical integrity of the property, it can also have an adverse effect on the setting of the individual heritage asset.

#### 4.5 Public Realm

**Street Furniture (Lampposts, benches, signage, bins, bike stands, bollards etc.)**

Generally, the street furniture within the Conservation Area is of a good quality and a traditional appearance, responding positively to the significance of Kirby-le-Soken.

#### Character Area One:

The street furniture in the Conservation Area is limited to the area surrounding the green which is indicative of the rural character of the Conservation Area. The street furniture is well maintained and works to maintain the village character of Kirby-le-Soken. General and regular maintenance would ensure the quality of the street furniture is preserved. There are limited streetlamps along The Street due to the rural context, whilst there are relatively unobtrusive, they are modern in design and appearance. It would be of an enhancement if they presented a more traditional design and colour.

#### Character Area Two:

The public realm within character area two is limited due to the limited public access to this space. The approach to the church is tarmacked which transitions into a gravelled footpath leading to the rear of the building. Mumford Lane is an informal, unsurfaced track. Surfaces in character area two are of a satisfactory condition.

Within the churchyard there are benches which are timber and sympathetic to their setting. Public footpaths are clearly marked by traditional timber signs although would benefit from general maintenance. At the time of this assessment the red brick wall to the front of the church hall was in a deteriorated condition and would benefit from general repairs and maintenance. This would greatly enhance the streetscene.



## Hard Landscaping

There is generally a consistent approach to hardstanding of road surfaces and pavements within the Conservation Area which are all tarmacked. The principal thoroughfare of Kirby is of a satisfactory condition. There are areas where the road surface has deteriorated near the green and surrounding Numbers 28-16. The surface of the layby opposite Meadows Cottage has also deteriorated and would benefit from repair.

The Red Lion Public House has a large, tarmacked car park to the side stretching to Maltings Lane. The large expanse of hardstanding does have an urbanising effect, which detracts from the rural character and appearance of the Conservation Area. There is an opportunity to soften the appearance of the carpark through the addition of boxed planters or a gravel surface. Any changes to the carpark, however, should not undermine the openness of this section of the Conservation Area.

## Open Spaces

The open space around the green is well maintained and provides an attractive focal point for the Conservation Area. Improvements could be made to the maintenance of the green with the stocks as this would better integrate this area, so it is read as part of the green.

## 4.6 Vacant Premises

At the time of this assessment, there were two vacant buildings within the Conservation Area.

Number 12 formerly Cygnet Yew Tree: this is a substantial double fronted property set back from the road. The property likely dated from the late nineteenth century. However, modern alterations have resulted in the loss of characterful architectural features of the property. There is an opportunity to greatly enhance the appearance of this property, so it positively responds to its architectural context.

Garage site located on Maltings Lane, formerly Oxborrow engineering: At the time of this assessment no major alterations had been made to the site or structure, and it still presents a characterful appearance. Any future development of this site should make use of the existing building and positively respond to the more industrial 'service' character of the site.



## 5. Management Proposals

There are a wide range of opportunities for the Kirby-le-Soken Conservation Area, many of which share common themes. This section builds on the opportunities identified in Section 4 and seeks to recommend management proposals which address these in both the short and long term.

### 5.1 Positive Management: Short term

The first set of proposals relate to positive management and focus on good practice and improved ways of working with the local planning authority. These are generally low cost and can be implemented within a short timeframe, typically within one or two years.

#### Enforcement

Where the necessary permission has not been sought for alterations, such as advertising signage and building alterations which are not contained within the General Permitted Development Order, the Local Planning Authority's powers of enforcement should be considered. This could assist in reinstating any lost character or architectural features whose loss may have a negative cumulative effect on the Conservation Area, as well as avoiding a precedence being set for similar, uncharacteristic works. The loss of original windows is a particular concern within the Kirby-le-Soken, as well as unsympathetic alterations such as unsympathetic render and render colours as well as and inappropriate materials.

#### General Maintenance: Public Realm and Highways

Through the agreement of a standard good practice within the Conservation Area between relevant Local Authority teams and other landowners, long term goals can be set to promote good design within the public realm, such as avoiding excessive road markings or signage and agreeing a standard street furniture within Character Areas to ensure consistency over time as elements are introduced or replaced.

This will have a long-term positive impact on the Kirby-le-Soken Conservation Area and ensure the preservation of characteristic features of the Area. The footpaths from the wider landscape into the Conservation Area are well sign posted and marked but could benefit from some general maintenance.

#### Heritage Statements, Heritage Impact Assessments and Archaeological Assessments

In accordance with Paragraph 194 of the NPPF, applicants must describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

**All** applications and development proposals within the Conservation Area and its setting require an appropriately detailed Heritage Statement. Any application without a Heritage Statement should not be validated.

The key views analysed within this document are in no way exhaustive. The impact of any addition, alteration or removal of buildings, structures or trees on key views should be considered to aid decision making. This includes development outside the Conservation Area. Where appropriate, views must be considered within Design and Access or Heritage Statements. This should be in accordance with Historic England's Good Practice Advice in Planning Note 3: *The Setting of Heritage Assets* (2019). Applications which fail to have assessed any impact upon views and setting should not be validated.





### **Local Heritage List**

A Local List identifies buildings and structures of local architectural and/or historic interest, and these are considered to be 'non-designated heritage assets' under the provisions of the NPPF. Local Lists can be beneficial in ensuring the upkeep and maintenance of historic buildings that contribute to the character of the settlements. The exercise of creating a Local List would also facilitate a greater understanding of the area and could be utilised as a public engagement strategy to improve awareness and understanding.

Kirby-le-Soken would benefit from adopting and maintaining a comprehensive Local List in order to preserve its historic environment. There are a number of buildings and features within Kirby-le-Soken which make a positive contribution to the special interest of the area, which indicates that a Local List may be beneficial to ensure the upkeep of buildings which are significant to Kirby-le-Soken's history and character. They are of sufficient quality to be considered for local list status, as highlighted in section 3 of this document.

The Council is currently working towards creating a Local List.

### **Neutral and Negative Elements**

The dilution of positive buildings amongst those which are neutral leads to an underwhelming and indistinctive overall character.

Tendring Council must not allow for the quality of design to be impacted by the neutral and negative elements of the built environment. Officers must, where possible, seek schemes which enhance the built environment and look to conserve and reinstate historic features. It is also considered that poor quality or unsympathetic schemes do not preserve the special interest of the Conservation Area and therefore are discouraged, both within the Conservation Area and its setting; this is due to the potential impact to the character and appearance of the area.



## New Development

There are opportunities within Kirby-le-Soken and its setting for development which makes a positive contribution to the conservation area. To be successful, any future development needs to be mindful of the local character of the Conservation Area, while at the same time addressing contemporary issues such as sustainability.

Successful new development will:

- Relate to the geography and history of the place and the lie of the land;
- Sit happily in the pattern of existing development and routes through and around it (including public footpaths);
- Respect important views;
- Respect the scale of neighbouring buildings; and
- Use materials and building methods which are high in quality of those used in existing buildings.

## Tall Buildings

The typical scale of the properties within the Kirby-le-Soken Conservation Area is one and a half to two storeys. The small scale and cottage character of the dwellings in the Conservation Area is indicative of its historic and rural character. Any development that does not positively respond to the existing scale of historic development would likely detract from a key feature of the Conservation Area's significance.

There are some residential dwellings of a larger massing and scale. However, these are typically high-status buildings such as the church, Kirby Hall and The Old Vicarage. The scale of such buildings defines their pre-eminence in Kirby-le-Soken's development. It is considered that the introduction of taller developments within the Conservation Area and its setting would be harmful, and that development should remain at two storeys to be appropriate.

## Tending District Council should guide development in a positive manner by:

- Engaging with developers at an early stage through the Pre-Application Process to ensure modern development is high quality in design, detail and materials.
- Ensuring large scale development schemes are referred to a Design Review Panel (or similar) to ensure that new buildings, additions and alterations are designed to be in sympathy with the established character of the area. The choice of materials and the detailed design of building features are important in making sure it is appropriate to a conservation area.
- Seeking opportunities for developers to make a positive contribution to the wider historic environment through Section 106 Agreements.



## Public resources

The preservation and enhancement of private properties can be improved through the publishing of resources aimed to inform property owners and members of the public. An introductory summary of the Conservation Area Appraisal in the form of a leaflet or factsheet(s) is a simple way to communicate the significance of the area and ensure members of the public are aware of the implications of owning a property within a conservation area. In addition, a maintenance guide would assist property owners in caring for their property in an appropriate manner. A single Good Practice Design Guide on standard alterations such as signage, shopfronts, windows, doors, rainwater goods, boundaries and roof extensions will ensure inappropriate development does not continue to be the accepted norm.

- Provide guidance on appropriate design and materials for windows and doors and encouraging the retention or reinstatement of historic glazing patterns and door designs and the use of appropriate materials.
- Provide guidance on the traditional form of boundary treatments and encourage their reinstatement where they have been removed or compromised.
- Provide guidance on traditional roofing materials and encouraging the reinstatement of good quality slate and the removal of unsympathetic modern materials such as interlocking concrete tiles.
- Provide and update guidance relating to signage. This should address appropriate size and design, the extent and amount and associated lighting. All further planning applications and advert consent applications should be required to comply, where possible, with this standard, designed to help to restore the character and appearance of the Conservation Area.

- Poor maintenance leads to the deterioration of the fabric of the built environment and results in a loss of architectural details. Improved awareness of simple maintenance and repair would be conducive with the preservation of Kirby-le-Soken's built heritage.

## Tree Management and Planting

There are many trees within the Conservation Area particularly in character area two. The trees within character area one that line the street are attractive. Efforts should be made to maintain the existing planting and trees. Where appropriate opportunities for enhancement sought.

In line with the Town and Country Planning Act, all trees in Conservation Areas are afforded the same protection as a Tree Preservation Order. Trees which have a trunk diameter of more than 75mm, at a height of 1.5m from the ground, may not be felled or lopped unless six weeks written notice has been given to the Council. Six weeks' notice has to be given to the council under S211 of the Act.

It is also considered that any prominent trees, and trees with amenity value on private land throughout the Conservation Area should be monitored and maintained appropriately. This will maintain the green character of the area. Any tree that makes a positive contribution to the area should be retained, maintained and, if felled (only if dead, dying or dangerous) replaced with an appropriate new tree.

## Twentieth Century Premises

There are some twentieth century developments which make a neutral or negative impact on the character of the Conservation Area. There is scope to enhance these sites and buildings through a considered design approach which can guide future improvements. Should opportunities for redevelopment arise in the future, high quality design should be pursued and encouraged through design guidance.



## 5.2 Positive Management: Longer Term

The second set of proposals are also focussed on positive management but either take longer to implement or are better suited to a longer time frame.

### Character Appraisal and Management Plan

The Conservation Area Appraisal and Management Plan should be reviewed every five years to monitor change and inform management proposals.

### Conservation Area Boundary

The Conservation Area boundary has been revised within this appraisal in accordance with the NPPF (2021) and *Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management* (2018).

The boundary now excludes modern development north of the Conservation Area. The boundary now includes the domestic curtilages of all properties that are located in the Conservation Area and the garage and service yard on Maltings Lane. The boundary should continue to be assessed as part of future reviews of the Management Plan to ensure it is robust and adequately protects the significance of the area.

### Interpretation: Improved Understanding and Awareness

At present there is no interpretation (information boards, signage, interactive QR Codes) within the Conservation Area aimed at improving understanding and awareness. This would be an effective way to improve the awareness and re-establish the identity of Kirby-le-Soken as a historic settlement. St Michael's Church would benefit from an interpretation. This is a highly significant heritage asset, located at the heart of community interaction.

### Public Realm

The first opportunity to enhance the character and appearance of the Conservation Area is through investment to improve the wider public realm. This can be achieved through continued maintenance of the green and street furniture. General maintenance of footpaths and improvements to road surfacing and the appearance of the Red Lion Car Park would greatly contribute to an enhanced public realm.



### **5.3 Funding Opportunities**

There are three main funding opportunities which would assist in the execution of these plans:

#### **National Heritage Lottery Fund**

The National Heritage Lottery Fund is the single largest dedicated funder of heritage in the UK and therefore is the most obvious potential source of funding. Funding is often targeted at schemes which preserve, enhance and better reveal the special interest of the area whilst also improving public awareness and understanding. Grant opportunities and requirements change overtime, for up-to-date information on NHLF schemes Tendring Council should consult their appointed Heritage Specialist.

#### **Section 106 Agreements**

Planning obligations, also known as Section 106 agreements, can be used by the local authority to ensure any future development has a positive impact upon Kirby-le-Soken. These agreements could be used to fund public realm or site-specific improvements.

#### **Partnership Schemes in Conservation Areas (Historic England)**

*Partnership Schemes in Conservation Areas* is a programme run by Historic England to target funding for the preservation and enhancement of conservation areas. As the name suggests, the scheme forms partnerships with local authorities (along with any additional funding partners) to facilitate the regeneration of an area through the conservation of its built heritage. The scheme makes funds available to individuals to enable them to carry out repairs or improvement works to their property to enhance the area. This would be suitable to preserve and enhance either the shop frontages or the architectural detailing.



## 6. Appendices

### 6.1 Designated Heritage Assets

#### Grade II\*

##### **Church of St Michael - (list entry: 11115000)**

Parish church of fourteenth or fifteenth century origin, restored c.1833 and mainly rebuilt c.1870 by Henry Stone. The church is constructed from stone, flint and septaria, stone dressings under plain red tiled roofs with pierced and scalloped ridge tiles, cross finials.

#### Grade II

##### **Barn approximately 80 metres southwest of Kirby Hall (list entry: 1337139)**

Barn approximately 80 metres southwest of Kirby Hall. Constructed in the eighteenth century. Timber framed and weatherboarded. Brick plinth. Corrugated asbestos roof. Gabled midstrey outshot to right to include granary. Five bays. Side purlin roof, pegged at ridge. Through bracing to walls. Hanging knees to tie beams.

##### **Kirby Hall (list entry: 1111502)**

Constructed around 1700 with features of possibly earlier origin. Red brick. Red plain tiled roof. Right and left chimney stacks. Rear wing. Two storeys and attics. Three flat headed dormers with two light casements. Moulded brick eaves cornice, central band. Three window range of small paned vertically sliding sashes, gauged brick arches. Central two panelled four light door with traceried round headed light over. Fluted pilasters, frieze, moulded open pediment.

##### **Meadow View Cottage (list entry: 1111499)**

Early seventeenth century in origin. Timber framed and plastered. Grey slate gambrelled roof. Right and left red brick chimney stacks. One storey and attics. Two flat headed dormers. Two small paned casements to ground floor. Central gabled porch with a twentieth century door. Internally the frame is virtually complete with inserted floor, chamfered bridging joists, winding staircase, side girts, top plates and wall studs.



**Memorial Plaque and Enclosing Railings, attached to external east wall of Chancel below east window Church of St Michael (list entry: 1111501)**

Memorial plaque and enclosing cast iron railings, attached to external east wall of Chancel below east window Church of St. Michael dating from the mid nineteenth century. Cast by Coleman and Wallis. Short cast iron railings are attached to the southeast and southwest corners of the Chancel and enclose a small memorial garden. The twisted posts have octagonal bases and arched braces forming 2 centred arches below the top rails. Ornate finials to rails.

**Norton's Barn Opposite and Approximately 40 Metres northwest Of Patches – (list entry: 1337137)**

Barn dates from the eighteenth century and is timber framed and weatherboarded with a brick plinth. Red pantiled roof. Gabled midstrey. Loft door to right return. Two bay cartlodge to left with corrugated iron clad roof. 5 bays. Through bracing to walls. Hanging knees to tie beams. Side purlin, ridge board roof.

**Post Office House (list entry: 1165726)**

House of sixteenth/seventeenth century origin, possibly earlier with later alterations and additions. Timber framed and rough rendered. Red plain tiled roof. Right and left red brick chimney stacks. Two storeys and attics. Flat headed dormer with small paned casement. Two window range. Two light small paned casements to first floor, vertically sliding sashes with glazing bars to ground floor, segmental heads over. Central twentieth century enclosed gabled porch with sidelights, twentieth century plank and muntin door.

**Red House White House (list entry: 1111498)**

Red House and White House, two dwellings. Central range of sixteenth century origin with seventeenth extension and alterations, nineteenth century brick facing and forward right range. Mainly timber framed, brick facing to Red House (right) plaster to White House (left). The two left ranges with red plain tiled roofs hipped to right, red pantiled right range. A red brick chimney stack to each range, central stack with square attached shaft. Dentilled eaves cornices. Interiors with inglenook fireplaces, stop chamfered bridging joists, side girts, top plates and wall studs. Vertically boarded doors with ironmongery.



**The Old Vicarage (list entry: 1337138)**

Constructed around 1830. Gault brick. Hipped grey slate roof, projecting eaves. Right and left chimney stacks. Two storeys. Three window range of small paned vertically sliding sashes, gauged brick arches. Three steps approach the square central porch supported by two pilasters and two fluted columns with moulded capitals, frieze, moulded cornice, two panelled two light door, moulded surround.

**The Red Lion Public House list entry: 1111497)**

A Public House formerly listed as Red Lion Inn. Sixteenth century derivation or earlier with later alterations and additions. Timber framed and plastered brick facade. Red plain tiled roof with gabled crosswing to left. External left and off centre right red brick chimney stacks. Two storeys. Three small paned vertically sliding sash windows, segmental heads over to first floor. Left and right small paned casements to ground floor, central hipped red tiled porch with left and right double doors and three small paned casements. Internally some frame exposed with heavy bridging joists and wall studs. Eighteenth century corner cupboard.





## **6.2 Bibliography**

### **Publications**

Kirby-le-Soken Conservation Area Appraisal, Tendring District Council (2006)

### **Websites**

Kirby-le-Soken History Pages [<http://www.kirby-le-soken.co.uk/>]

### **Archives**

Essex Record Office (ERO)

Historic Environment Record (Essex County Council)

### 6.3 Legislation, Policy and Guidance

LEGISLATION/POLICY/ GUIDANCE	DOCUMENT	SECTION/POLICY
Primary Legislation	Planning (Listed Buildings and Conservation Areas) Act 1990	66: General duty as respects listed buildings in exercise of planning functions. 72: General duty as respects conservation areas in exercise of planning functions.
National Planning Policy	National Planning Policy Framework (2019) DCLG	Section 16; Annex 2
National Guidance	National Planning Practice Guidance (2014) DCLG	ID: 18a
National Guidance	Historic England Good Practice Advice in Planning Note 1 (2015) The Historic Environment in Local Plans	
National Guidance	Historic England Good Practice Advice in Planning Note 2 (2015) Managing Significance in Decision-Taking in the Historic Environment	
National Guidance	Historic England (2017) Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets	
National Guidance	Historic England Advice Note 1 (2019) Conservation Area Appraisal, Designation and Management	
National Guidance	Historic England (2017) Traditional Windows	
National Guidance	Historic England, High Streets for All (2018) Advice for Highway and Public Realm Works in Historic Places	
National Guidance	Historic England (2017) Repointing Brick and Stone Walls Guide for Best Practice	

## 6.4 Glossary

Term	Description
Archaeological interest	There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.
Conservation (for heritage policy)	The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.
Designated heritage asset	A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
Historic Environment Record	Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.
Local List	Local listing is a concept that is designed to ensure that the historic and architectural interest of buildings that are of local importance but do not meet the criteria for being nationally listed is taken account of during the planning process. Local lists can be used to identify significant local heritage assets to support the development of Local Plans.
Non-Designated heritage asset	Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets. Only a minority of buildings have enough heritage significance to merit identification as non-designated heritage assets.
Setting of a heritage asset	The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
Significance (for heritage policy)	The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

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