

## CABINET

26<sup>th</sup> JULY 2024

### REPORT OF THE PORTFOLIO HOLDER FOR HOUSING & PLANNING

#### **A.7. ADOPTION OF FIRST SEVEN CONSERVATION AREA APPRAISAL AND MANAGEMENT PLANS AND START OF THE LOCAL LIST PROJECT**

(Report prepared by William Fuller)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

- To update Cabinet on the progress of updating the District's Conservation Area Appraisal and Management Plans and preparing a Local List of non-designated heritage assets.
- To seek agreement from Cabinet that the final versions of seven Conservation Area Appraisals and Management Plans be adopted by the Council.
- To seek agreement from the Cabinet that the final version of the Local List Criteria also be adopted by the Council.

##### **EXECUTIVE SUMMARY**

One of the aims of the Council's adopted Heritage Strategy is for the Council to reassess each of the District's twenty Conservation Area Appraisals.

Fifteen of these have now been the subject of public consultations.

Seven Appraisals have now been amended after comments were received, and these seven Appraisals are now ready for adoption by the Council, which will enable them to be referred to as a material consideration in planning matters.

A further aim of the Heritage Strategy was for the Council to prepare a list of non-designated heritage assets (also called a 'Local List').

The criteria against which buildings and structures would be assessed for inclusion on the Local List was also the subject of a public consultation.

The Local List criteria was amended following consultation responses and is now ready to be adopted by the Council. It can then be used for a six month 'Call for Heritage Sites' consultation later in the year, during which time people will be invited to make suggestions for what should be included on the Local List.

## RECOMMENDATION(S)

That Cabinet:

- (a) considers and agrees to the formal adoption, by the Council, of the final Conservation Area Character Appraisal and Management Plan for the following areas (found at Appendices A to G):
- Brightlingsea,
  - Lower Dovercourt,
  - Frinton and Walton,
  - Great Bentley,
  - Harwich,
  - Thorpe-Le-Soken, and
  - Thorpe-Le-Soken Station and Maltings.
- (b) considers and agrees to the formal adoption, by the Council, of the Local List Criteria (found at Appendix H); and
- (c) authorises the Director of Planning, in consultation with the Portfolio Holder for Planning and Housing, to commence public consultation for the 'Call for Heritage Sites' for a period of no less than six months.

## REASON(S) FOR THE RECOMMENDATION(S)

To progress projects specifically identified in the Council's Heritage Strategy.

## ALTERNATIVE OPTIONS CONSIDERED

To not formally adopt the Conservation Area Character Appraisal and Management Plans nor the Local List Criteria. To take this approach would mean that the Council could not give weight to the Conservation Area Character Appraisals and Management Plans as a material consideration in planning decisions and would not progress the opportunity to give the heritage of the district greater protection through the establishment of a Local List. The Council's ability to conserve and enhance the district's historic environment would be reduced.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

Having up-to-date Conservation Area Appraisals will help in the preparation of the new Local Plan. The review of the Local Plan is identified as a priority within the

Corporate Plan (Our Vision) 2024-2028. On 20 December 2023, the Planning Policy and Local Plan Committee agreed a set of overarching principles that will guide the review of the Local Plan with the aim of submitting an updated Local Plan to the Secretary of State before June 2025.

**OUTCOME OF CONSULTATION AND ENGAGEMENT** (including with the relevant Overview and Scrutiny Committee and other stakeholders where the item concerns proposals relating to the Budget and Policy Framework)

The Conservation Area Appraisals and Local List Criteria document have been the subject of public consultation. This included making all documentation available at the Council’s website and at the Council Offices and the hosting of drop-in events at village halls within (or close to) the Conservation Area being assessed.

See further details in Part 3 – Supporting Information, below.

**LEGAL REQUIREMENTS** (including legislation & constitutional powers)

|   |                  |   |   |
|---|------------------|---|---|
| <p><b>Is the recommendation a Key Decision</b><br/>(see the criteria stated here)</p> | <p><b>NO</b></p> | <p><b>If Yes, indicate which by which criteria it is a Key Decision</b></p>   | <p><input type="checkbox"/> <b>Significant effect on two or more wards</b></p> <p><input type="checkbox"/> <b>Involves £100,000 expenditure/income</b></p> <p><input type="checkbox"/> <b>Is otherwise significant for the service budget</b></p> |
|   |                  | <p><b>And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)</b></p> | <p>29 April 2024</p>  |

National Planning Policy Framework (December 2023), paragraphs 196 and 197 state:

Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- d) opportunities to draw on the contribution made by the historic environment to the character of a place.

When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

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| <b>X</b> | <b>The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:</b> |
|----------|--|

N/A

#### **FINANCE AND OTHER RESOURCE IMPLICATIONS**

TDC Officers are leading on this project with the input of Essex County Council Place Services under a Service Level Agreement (SLA). The work has been funded through agreed budgets.

Adoption of the Conservation Area Appraisals will assist in attracting external funding for heritage related activity in the District. Potential sources of funding include:

- National Lottery Heritage Fund,
- Section 106 Agreements, and
- Partnership Schemes in Conservation Areas with Historic England.

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| <b>X</b> | <b>The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:</b> |
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N/A

#### **USE OF RESOURCES AND VALUE FOR MONEY**

The following are submitted in respect of the indicated use of resources and value for money indicators:

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|--|--|
| A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;   |  |
| B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and  |  |
| C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.   |  |
| <b>MILESTONES AND DELIVERY</b>   |  |
| See background below.  |  |
| <b>ASSOCIATED RISKS AND MITIGATION</b>   |  |
| The adoption of the Conservation Area Appraisals supports the Council's duties to maintain and enhance heritage assets and so reduces the risk of the district's heritage assets being diminished or lost.   |  |
| <b>EQUALITY IMPLICATIONS</b>   |  |
| The recommendations in this report are aimed at benefitting all who live, shop, work and visit the District.   |  |
| <b>SOCIAL VALUE CONSIDERATIONS</b>   |  |
| There is a growing wealth of evidence that demonstrates the role heritage plays in improving mental wellbeing and physical health. People who visit heritage sites reported higher life satisfaction and happiness scores, as well as lower anxiety (Department for Culture Media and Sport 2015). |  |
| <b>IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030</b>   |  |
| N/a.   |  |
| <b>OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS</b>   |  |
| <b>Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.</b>   |  |
| <b>Crime and Disorder</b>  | Heritage assets are, unfortunately, vulnerable to crime. Having a strategy for |

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|  | <p>promoting heritage assets in the district should contribute positively to their maintenance.</p>   |
| <p><b>Health Inequalities</b></p>  | <p>There is a growing wealth of evidence that demonstrates the role heritage plays in improving mental wellbeing and physical health. People who visit heritage sites reported higher life satisfaction and happiness scores, as well as lower anxiety (Department for Culture Media and Sport 2015). Across Essex there are a number of schemes and organisations to encourage and support healthy activity, such as Active Essex and Healthy Life Essex. Tendring's heritage provides a positive platform to encourage people to enjoy the outdoors and take positive steps for their personal health and wellbeing. Heritage Trails, for example, are already established in Harwich and Dovercourt, Frinton-on-Sea, Clacton-on-Sea, Jaywick Sands and Walton-on-the-Naze, and encourage walkers to take routes through the historic environment. Promoting these to new groups and partnering with healthy organisations can open heritage to new audiences and increase wellbeing.</p> |
| <p>Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)</p> | <p><b>N/a.</b></p>  |
| <p><b>Area or Ward affected</b></p>  | <p>All in respect of the Local List but with a focus on those specific wards where Conservation Areas are the subject of the Appraisal and Management Plans.</p>  |

## PART 3 – SUPPORTING INFORMATION

### BACKGROUND

The Tendring Heritage Strategy was formally adopted by the Council on 24<sup>th</sup> April 2020. This Strategy contains a number of actions which are envisaged to be carried out by the Council and its partners throughout the lifetime of the Strategy. Two of these actions are for Officers to update Conservation Area Appraisals and prepare a 'Local List' of non-designated heritage assets within the District.

As the District has twenty Conservation Areas, these were taken to the Planning Policy and Local Plan Committee in groups of up to five at a time. Each group was then the subject of a six week public consultation. During the public consultation the Appraisals were available on the Council's website as well as hard copies at the Council offices. Officers from both TDC and Place Services also hosted in person drop-in events at central locations within or close to each of the Conservation Areas assessed.

### Timeline of Consultations

|  | <b>PPLP Committee</b> | <b>Public Consultation</b> |
|--|-----------------------|----------------------------|
| <ul style="list-style-type: none"> <li>• Clacton Seafront</li> <li>• Lower Dovercourt</li> <li>• Thorpe-le-Soken</li> <li>• Thorpe-Le-Soken Station and Maltings</li> <li>• St Osyth</li> <li>• Local List criteria</li> </ul> | October 2021          | July to August 2022        |
| <ul style="list-style-type: none"> <li>• Harwich</li> <li>• Manningtree/Mistley</li> <li>• Frinton/Walton</li> <li>• Brightlingsea</li> <li>• Gt Bentley</li> </ul>  | May 2022              | October to November 2022   |
| <ul style="list-style-type: none"> <li>• Kirby-le-Soken</li> <li>• Gt Oakley</li> </ul>  | October 2022          | January to February 2024   |
| <ul style="list-style-type: none"> <li>• Brightlingsea Hall and All Saints church</li> </ul>   | January 2023          | January to February 2024   |
| <ul style="list-style-type: none"> <li>• Lawford</li> <li>• Gt Clacton</li> </ul>  | April 2023            | January to February 2024   |
| <ul style="list-style-type: none"> <li>• Bradfield</li> </ul>  | April 2023            | TBA                        |

|  |            |     |
|--|------------|-----|
| <ul style="list-style-type: none"> <li>• Ramsey</li> </ul>   |            |     |
| <ul style="list-style-type: none"> <li>• Ardleigh</li> <li>• Gt Holland</li> <li>• Tendring Village</li> </ul> | July 2023: | TBA |

Out of the above-mentioned Conservation Area Appraisals, Members are being asked to consider and adopt the following seven Conservation Area Appraisals:

- Brightlingsea
- Lower Dovercourt
- Frinton and Walton
- Great Bentley
- Harwich
- Thorpe-Le-Soken
- Thorpe-Le-Soken Station and Maltings

Three Conservation Area Appraisals of the first ten to be consulted on are not ready to be adopted at this stage. Manningtree Conservation Area Appraisal requires further consideration after a very well attended public consultation, Clacton Seafront has seen a planning decision that may necessitate a change to the Conservation Area boundary, and St Osyth Conservation Area Appraisal requires a further focused public consultation to amend a drafting error in the map of the Conservation Area boundary.

**RESULTS OF THE PUBLIC CONSULTATION ON THE CONSERVATION AREA APPRAISALS**

Each of the Conservation Area Appraisals share a broadly similar structure. Each Appraisal begins with a section detailing the context and general character of the Conservation Area, and then sets out the ways the Area has evolved. They then detail specific subject areas, including: alterations to Conservation Area boundaries, designated and non-designated heritage assets, heritage at risk, assessment of Conservation Area significance, and opportunities and management proposals.

**Summary of comments received at the Public Consultation**

Due to the number of Conservation Area Appraisals being consulted upon, it would not be practical to set out and comment on every representation as part of this report. Therefore, this section of the report details the most substantive comments and those most likely to impact upon the Conservation Area Appraisal.

**Brightlingsea**

- Historic England and Natural England had no substantive comments to make.



- A member of the public made some wide-ranging comments on the Appraisal covering the following points:
  - Concerns over financial pressure on homeowners, including the need for installation of non-uPVC windows,
  - Concerns over restrictions to on-street parking,
  - A number of concerns around the proposed modifications to the Conservation Area boundary, and
  - Objections over the need for a parking assessment.
- Another resident highlighted typing errors in the Appraisal.
- Request for further details of the 'Brightlingsea Type' design form.

A number of comments were received in-person at the drop-in events, including:

- Noted a significant wall that should be mentioned,
- The basemaps require updating, and
- Suggested an addition to the boundary to the east.

A table showing all comments received during the public consultation and what (if any) changes were made to the Conservation Area Appraisal as a result can be found at Appendix I. The amended Conservation Area Appraisal can be found at Appendix A.

### **Dovercourt**

- Historic England and Natural England had no substantive comments to make.
- Concerns about buildings not included within the boundary of the conservation area.
- Concerns around the neglect of properties and the public realm within the Conservation Area.
- Issues around Dovercourt beach were highlighted.
- Amendments requested to the Conservation Area boundary to include parts of Kingsway as well as other reductions.
- Upkeep of properties and inappropriate alterations were both noted as issues within the conservation Area.
- The Local List project was supported and a number of properties in Dovercourt were recommended to be added to the list.
- Specific concerns were also raised over the condition of Orwell Terrace.

A table showing all comments received during the public consultation and what (if any) changes were made to the Conservation Area Appraisal as a result can be found at Appendix J. The amended Conservation Area Appraisal can be found at Appendix B.

### **Frinton and Walton**

- Historic England and Natural England had no substantive comments to make.
- Issues around traffic on Walton High Street.

- Concerns around the upkeep of and access to Walton Pier.
- Access to the seafront was also raised as an issue.
- Concerns around the future of the Walton lifeboat museum.
- More consideration of beach huts was required.
- Caravan parks should be specifically mentioned.
- Broad planning issues raised concerning lack of infrastructure and the delivery of more homes.
- Concerns around unsympathetic alterations to buildings within the Conservation Area.
- Questions around the enforcement of any recommended actions within the Conservation Area Management Plan.
- Concerns surrounding a specific planning application.
- Highlighting of specific heritage assets in Frinton.
- Clarity on boundary changes.
- Comments on quality of road surfacing.

A table showing all comments received during the public consultation and what (if any) changes were made to the Conservation Area Appraisal as a result can be found at Appendix K. The amended Conservation Area Appraisal can be found at Appendix C.

### **Great Bentley**

A limited number of comments were received during this consultation, which reflects the relatively small size of the Conservation Area, compared to others on this list.

- Historic England and Natural England had no substantive comments to make.
- The Plough should be included as a key un-listed building.
- The impact of modern development is an issue.
- Restrictions on cutting trees must be explained.
- Historic photo of pond on green should be included.
- My house is now within the CA, what does this mean?

A table showing all comments received during the public consultation and what (if any) changes were made to the Conservation Area Appraisal as a result can be found at Appendix L. The amended Conservation Area Appraisal can be found at Appendix D.

### **Harwich Old Town**

- Historic England had no substantive comments to make.
- Detailed feedback on the local industry was given.
- The use of the Beacon Hill fort as a tourist attraction was highlighted.
- Comments about the water quality of the river Stour.
- The treadwheel crane and Electric Palace theatre have both been enhanced since the Appraisal was published.
- Concerns over flooding.

- A detailed account of the fire at Church Street is given by one of the residents of that street.
- Concerns around inappropriate screening which has the potential to block access to properties.
- Requirement for better signage especially around the station area.
- References to the Mayflower across Harwich are welcomed.
- Concerns are raised around the scale of the Bathside Bay development.
- Typographic errors raised.
- Concern raised over inappropriate use of uPVC windows and doors as well as modern building techniques.
- Concerns are also raised around inappropriate new development as well as the loss of historic buildings and structures.

A table showing all comments received during the public consultation and what (if any) changes were made to the conservation Area Appraisal as a result can be found at Appendix M. The amended Conservation Area Appraisal can be found at Appendix E.

### **Thorpe le Soken**

- Historic England made some brief comments on the first five Conservation Area Appraisals (Clacton Seafront, Dovercourt, Thorpe Le Soken, Thorpe Station and Maltings and St Osyth). Design briefs and the use of Article 4 Directions are both highlighted as being good practice.
- Natural England had no specific comments to make
- Concerns were raised around the proposed boundary changes.
- Inappropriate new development was also highlighted as an issue.
- Concerns were raised over traffic and car parking.
- The maintenance of public space was also highlighted by members of the public.

A table showing all comments received during the public consultation and what (if any) changes were made to the Conservation Area Appraisal as a result can be found at Appendix N. The amended Conservation Area Appraisal can be found at Appendix F.

### **Thorpe-le-Soken Station and Maltings**

- Historic England made some brief comments on the first five Conservation Area Appraisals (Clacton Seafront, Dovercourt, Thorpe Le Soken, Thorpe Station and Maltings and St Osyth). Design briefs and the use of Article 4 Directions are both highlighted as being good practice. Historic England also welcome the opportunity to work with the Council on the Thorpe Maltings building to identify a way ahead.
- Natural England had no specific comments to make.
- A local landowner made a number of comments around the Maltings site. More should be made of enabling development. It is suggested that the

Council should become a partner on the Maltings site. More input from the Council is required in securing the future of the conservation area as a whole.

- More general concerns were raised by members of the public in regard to the deterioration of the Maltings building.

A table showing all comments received during the public consultation and what (if any) changes were made to the conservation Area Appraisal as a result can be found at Appendix O. The amended Conservation Area Appraisal can be found at Appendix G.

### **RESULTS OF THE PUBLIC CONSULTATION ON THE LOCAL LIST PROJECT**

Another of the recommendations within the Council's Heritage Strategy was for Officers to prepare a list of non-designated heritage assets, often called a 'Local List'. The criteria for assessing submissions to this list was also the subject of a six-week public consultation. The main comments of which can be found below:

- Concerns over the station and its environs at Weeley.
- Similar concerns around the future use of the former Council Offices in Weeley.
- Tendring wildlife should be promoted.
- A number of buildings have been proposed for Local Listing in Dovercourt.
- Historic England support the preparation of a Local List for Tendring.
- Natural England did not wish to comment.
- Wrabness Parish Council supported the Local list project.

A table showing all comments received during the public consultation and what (if any) changes were made to the Local List Criteria as a result can be found at Appendix P. The amended Local List Criteria can be found at Appendix H.

### **Local List Next Steps**

Once the Local list criteria is adopted, this will allow Officers to undertake a long term 'Call for Sites' exercise. This will take the form of a public consultation for a six-month period. This elongated period will allow Parish and Town Councils, along with other interested groups and members of the public to submit buildings, structures and features to the Council for Local Listing.

### **PREVIOUS RELEVANT DECISIONS**

#### **Planning Policy and Local Plan Committee:**

- Recommendation to Cabinet to carry out consultation on Conservation Area Character Appraisal and Management Plans:
  - Lower Dovercourt: 19 October 2021
  - Thorpe le Soken: 19 October 2021

- Thorpe le Soken Station and Maltings: 19 October 2021
- Harwich Old Town: 11 May 2022
- Frinton and Walton: 11 May 2022
- Brightlingsea: 11 May 2022
- Great Bentley: 11 May 2022

- Recommendation to Cabinet to carry out consultation on Criteria for assessing buildings and structures for inclusion on a Local Heritage List of non-designated heritage assets: 19 October 2021.

**Cabinet:**

- Agreement to carry out consultation on Conservation Area Character Appraisal and Management Plans:
  - Lower Dovercourt: 12 November 2021
  - Thorpe le Soken: 12 November 2021
  - Thorpe le Soken Station and Maltings: 12 November 2021
  - Harwich Old Town: 17 June 2022
  - Frinton and Walton: 17 June 2022
  - Brightlingsea: 17 June 2022
  - Great Bentley: 17 June 2022
- Agreement to carry out consultation on Criteria for assessing buildings and structures for inclusion on a Local Heritage List of non-designated heritage assets: 12 November 2021.

**BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

N/a.

**APPENDICES**

Appendix A – Brightlingsea Conservation Area Character Appraisal and Management Plan

Appendix B – Lower Dovercourt Conservation Area Character Appraisal and Management Plan

Appendix C – Frinton and Walton Conservation Area Character Appraisal and Management Plan

Appendix D – Great Bentley Conservation Area Character Appraisal and Management Plan

Appendix E – Harwich Conservation Area Character Appraisal and Management Plan

Appendix F – Thorpe-Le-Soken Conservation Area Character Appraisal and Management Plan

Appendix G – Thorpe-le-Soken Station and Maltings Conservation Area Character Appraisal and Management Plan

Appendix H – Local Heritage List Report

Appendix I – Brightlingsea Conservation Area Consultation Comments

Appendix J – Lower Dovercourt Conservation Area Comments

Appendix K – Frinton and Walton Conservation Area Comments

Appendix L – Great Bentley Conservation Area Comments

Appendix M – Harwich Conservation Area Comments

Appendix N – Thorpe le Soken Conservation Area Comments

Appendix O – Thorpe le Soken Station and Maltings Conservation Area Comments

Appendix P – Local List Criteria Consultation Comments

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|                  |  |
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