

To: **Executive Member for Planning and Transport**
30 November 2018

Designation of a new conservation area at Wick's Green, Binfield
Director of Place, Planning and Regeneration

1 Purpose of Report

- 1.1 The purpose of this report is seek the approval of the Executive Member for Planning and Transport to designate the identified area of "*special architectural and historic interest*"¹ in the vicinity at Wick's Green and Monk's Alley, Binfield (as shown in Appendix 1) as a conservation area under Section 69(1) of Planning (Listed Buildings and Conservation Areas) Act 1990.

2 Recommendation(s)

- 2.1 **That a new conservation area be designated at Wick's Green, Binfield, under Section 69(1) of Planning (Listed Buildings and Conservation Areas) Act 1990, as detailed on the map in Appendix 1.**

3 Reasons for Recommendation(S)

- 3.1 It is a statutory requirement that every local planning authority:
- (a) shall from time to time determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and
 - (b) shall designate those areas as conservation areas.
- 3.2 An appraisal of this area was carried out in 2010 by specialist consultancy The Conservation Studio, on behalf of the Council. The appraisal report and the area have been revisited and reassessed and the area originally identified as being worthy of designation as a conservation area remains an area of '*special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*'. Therefore, the Council should now designate as a new conservation area in the Borough.

4 Alternative Options Considered

- 4.1 An alternative option is to dismiss the proposal. However, the planning authority does have a duty to review and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, to designate those parts accordingly.

5 Supporting Information

Conservation Area Appraisal - Wick's Green, Binfield

¹ Section 69(1) of Planning (Listed Buildings and Conservation Areas) Act 1990.

- 5.1 The proposed area at Wick's Green, Binfield, was independently appraised by The Conservation Studio during 2010 following an initial assessment undertaken by Jacobs in 2007. The area included Wick's Green, Monk's Alley, the Recreation Ground and Binfield Cricket Club. Following a public consultation in the area and meetings with residents and the Parish Council, an appraisal report was produced titled "Conservation Area Appraisal - Wick's Green, Binfield" detailing the assets of the area for designation. A report went to the then Executive Member for Planning and Transportation and Economic Development on 15 July 2011. At that time there was general support for the designation of a new conservation area as set out in the appraisal report. However, the Parish Council, a Ward Member and some of the residents within the proposed area had concerns relating to the duties and requirements that would be placed on them. The Executive Member took the decision not to designate at that time.

Supporting evidence

- 5.2 The original report from the Conservation Studio and evidence gathered in support of the draft Bracknell Forest Local Plan identify that the area within the vicinity of Wick's Green and Monk's Alley is worthy of conservation area designation. In addition, Binfield Parish Council, approached the Council in February requesting that the original proposal for a conservation area in the vicinity of Wick's Green be reconsidered. The Parish Council referred to the "Landscape Character and Heritage Study" completed by Kirkham Landscape Planning in 2017 which also identified the special character of the area.
- 5.3 The area around Wick's Green and Monk's Alley remains as described in the original appraisal report. The appraisal finds that there is a sufficient degree of special architectural and historic interest in the Wick's Green area to warrant designation as a conservation area. In summary, the principal reasons are:
- eight listed buildings;
 - rural lanes unaffected by the suburban expansion of Binfield;
 - an historical context including:
 - important early structures at The White Gate and Binfield Place; and
 - a series of large Georgian houses in landscaped grounds;
 - vernacular buildings providing evidence of an agricultural past – barns and cottages significant open spaces at the Recreation Ground and the FWE Goates cricket ground; and
 - considerable tree cover including important specimen trees.

Minor amendments have been added to the appraisal report in Appendix 6 of the document detailing changes to policy and guidance and giving an update on the Council's position with regard to the proposal. The amended report is attached at Appendix 2. Designation as a conservation area would extend the existing measures of protection beyond that of the listed buildings in Wick's Green and Monk's Alley, providing an architectural and landscape context.

- 5.4 Evaluations relating to the significance of the area and proposed boundaries have been independently recognised in the work of Jacobs in 2007 and The Conservation Studio in 2010 and 2011 and this is in line with the National Planning Policy Framework (NPPF) 2018 paragraphs 184 - 188 and Historic England's Advice Note 1, "Conservation Area Designation, Appraisal and Management", February 2016.

Consultation

- 5.5 A letter was sent to residents and landowners within the boundary of the proposed conservation area in August, along with a letter to Ward Members and the Parish Council. This letter detailed the Council's intent to designate the conservation area and gave residents an opportunity to view the amended appraisal report, to comment, and to register their support, or otherwise, for the designation. The response rate to this letter was reasonably high, with 14 letters being sent to residents and landowners and 9 responses being received. Details are set out in paragraph 6.3 of this report.

Duties placed on residents in conservation areas

- 5.6 Conservation area status gives broader protection than the listing of individual buildings and recognises all elements that contribute towards 'character' including the historic mix of roads, paths and boundaries, characteristic building types, details and materials, public and private spaces such as parks, gardens and green spaces as they can all contribute to an area's special character. Conservation areas can vary greatly in nature and 'specialness' is judged against local and regional factors, rather than a national standard.
- 5.7 The Council has additional powers within conservation areas which mean that planning permission is required for some developments which would not normally require consent outside of a conservation area. It is important that all new development should be sympathetic to the special architectural and aesthetic qualities of the area, particularly in terms of scale, design, materials and space between buildings. The following controls will apply if the area is designated as a conservation area:
- if you want to demolish a building, you will need Planning Permission, whether the building is listed or not;
 - some Permitted Development (PD) rights are slightly different in a conservation area. This means that you need to make planning applications for some forms of development which would not need such applications outside of conservation areas. Examples of this are listed on the Historic England website; and
 - residents must give six weeks notice in writing to the Council if works are proposed to lop, top, fell or uproot trees before works begin.

New development within a conservation area is not precluded, however, the Council has the power to require a higher standard of design which is sympathetic to the existing environment and preserves or enhances the character of the area. In addition, the Council has a statutory duty as set out in of the Planning (Listed Buildings and Conservation Areas) Act 1990 i.e. Section 66(1) to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 (1) also states that the Council should pay special attention to the desirability of preserving or enhancing the character or appearance of buildings or land in a conservation area.

- 5.9 The additional controls as set above are not considered overly onerous and are not a cause for concern in other conservation areas within the Borough. The Council recognises the concerns of some of the local residents and is considering some management proposals that may allay some of them. This is discussed at paragraph 6. 4 of this report. The adoption of a conservation area at Wick's Green would ensure that in the exercise of its planning function the Council would have regard to the special qualities and character of the area and thereby seek to ensure long term

protection and enhancement of the area as a whole, not simply the listed buildings within the area.

6 Consultation and Other Considerations

Borough Solicitor

- 6.1 The statutory criteria for determining whether or not to designate an area as a conservation area are set out at para.3.1 of the report.

Borough Treasurer

- 6.2 There are no significant financial implications arising from the recommendation in this report, although it should be noted that additional costs may be incurred when statutory or enhancement works are undertaken in the designated areas. It is considered that any additional costs could be met from within existing budgets.

Consultation Responses

- 6.3 The residents and land owners all received letters detailing the Council's intent to designate. Nine residents wrote wholeheartedly in support of the conservation area, four being resident within the proposed conservation area boundary. However, four residents within the boundary expressed their objection, citing additional bureaucracy in relation to the management of their homes and land, particularly in relation to tree management.

- 6.4 The Parish Council submitted a comprehensive response to the consultation, including proposing an amendment to the boundary of the proposed conservation area, requesting two additional fields are now included. The information submitted has been assessed by the Council's Heritage Consultant. His advice is to leave the fields out of the conservation area at this present time, stating:

- including two additional areas would delay the designation by needing further background research, further amendments would be needed throughout the appraisal document and a further consultation process would be needed for those affected; and
- the areas identified "are not considered core areas of the proposed conservation area which make important contributions to the conservation area and without which the conservation area would not be viable".

He advises that the additional areas could be added at a later stage if further background research found them to be worthy of inclusion. On that basis, the adjustment of the boundary is not recommended at this time.

- 6.5 Binfield Parish Council held an Extraordinary Parish Council meeting on 16th October 2018 to discuss the Borough's proposal with residents. It resolved to support the designation of the conservation area. It also requested that it be made clear to all residents and land owners what obligations a conservation area places on their properties and that the Borough Council look at what "mitigations" can be put in place to ease some of the management requirements for householders in the conservation area. Should the Executive Member for Planning and Transport be minded to approve the designation of the conservation area, information will be provided on the implications of the conservation area designation to all residents and landowners

and further consideration will be given to the submission of annual management plans for trees by residents setting out the works proposed for the coming year.

- 6.6 No evidence was forthcoming from the consultation responses to suggest that the area did not meet the criteria for conservation area designation. It is therefore recommended that proposed designation should proceed as set out in the document titled "Conservation Area Appraisal - Wick's Green, Binfield", at appendix 2.

Equalities Impact Assessment

6.7

Strategic Risk Management Issues

6.8

Background Papers

Contact for further information

Max Baker, Place, Planning and Environment - 01344 351902
Max.baker@bracknell-forest.gov.uk

Ann Groves, Place, Planning and Environment – 01344 351146
ann.groves@bracknell-forest.gov.uk



Bracknell Forest Council

**Wick's Green / Monk's Alley
Binfield**

Proposed Conservation Area

Not to Scale



 Proposed Conservation Area Boundary

 Significant Trees & Tree Groups

 Buildings of Special Character

 Significant Views

 Listed Buildings

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings (LA100019488) (2010).

Appendix 2