

19 March 2018

Report of	Assistant Director: Corporate and Policy	Author	Vincent Pearce ☎ 282452
Title	Consultation on a Proposed New Conservation Area to be known as Mill Field Estate Conservation Area [area bounded by Maldon Road, Constantine Road, Butt Road & Beaconsfield Avenue]		
Wards affected	New Town and Christ Church		

1.0 Executive Summary

- 1.1 This report seeks Committee approval to consult with the public on the Draft Mill Field Estate Conservation Area Character Appraisal and Management Proposals Document. The Appraisal analyses the key components that contribute to making the area worthy of designation as a conservation area. Included in the document is an assessment of positive and negative features and key issues. It follows an established format for such documents. The need for such consideration has been triggered by the risk that the area's special architectural and historic character will be eroded by insensitive development. In this context it is considered necessary to give additional statutory conservation protection to the area by the designation of a new conservation area.

2.0 Recommended Decision

- 2.1 That the Local Plan Committee agrees to the Consultation Draft Colchester Conservation Area Character Appraisal & Management Proposals being subject to formal public consultation for a six-week period commencing in March/April 2018; and,
- 2.2 That the results of that consultation be reported to the Local Plan Committee at the earliest opportunity along with any proposed amendments to the content where appropriate with a view to that document being formally agreed to enable the statutory Designation process to be legally pursued.

3.0 Reason for Recommended Decision

- 3.1 The Local Plan Committee is asked to agree these recommendations in order that the proposed new conservation area can ultimately be afforded significant weight as a material planning consideration in the determination of development management decisions.

4.0 Alternative Options

- 4.1 With potential impending pressure for change the option of doing nothing has been rejected as a recommendation. Such an action would be contrary to the Council's duty under S69 of the Planning (Listed Buildings & Conservation Areas) Act 1990 as follows:

"... from time to time to 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 (para 69 (1) (b) shall designate those areas as conservation areas."

- 4.2 Another option would be to agree different boundaries. The streets included within the draft Conservation Area were identified as significant by the Colchester Historic Buildings Forum and it was considered to be a more effective response to create a conservation area as opposed to adding the properties to the Local List. Officers in proposing the boundaries identified for the Mill Field Estate Conservation Area believe them to be logical and comprehensive and sufficient to protect the intrinsic special character of the area.

5.0 Background Information

- 5.1 In undertaking this Appraisal and Management Proposals the Council has followed advice in Section 12 of the NPPF and relevant guidance including Historic England (2016) Conservation Area Designation, Appraisal and Management. Field surveys have been undertaken and used to inform the document.
- 5.2 'Significance' lies in the value of a heritage asset to this and future generations because of its heritage interest, which may be archaeological, architectural, artistic or historic. Archaeological interest includes 'an interest in carrying out an expert investigation at some point in the future into the evidence of a heritage asset may hold of past human activity and may apply to standing buildings or structures as well as buried remains. The determination of the significance of the proposed conservation area is based on statutory designations and/or professional judgements against four values:
- **Evidential value:** [what does it tell us about past human activity]; and,
 - **Aesthetic value:** [how it stimulates the senses and intellect]; and,
 - **Historical Value:** [how it connects what once happened with what happens today]; and,
 - **Communal value:** [how it touches the lives of people today through the lens of their contemporary values]

Taking these as the starting point the significance of the proposed conservation area can be summarised as:

5.2.1 Evidential

With its largely cohesive character the proposed conservation area captures the rapid Victorian expansion of the Town into new suburbs to the south. Currently only one building in the proposed conservation area is listed but the streets within it have a strong uniform historic character. The proposed area also has an interesting and intimate relationship with Colchester Garrison which is itself within an existing conservation area. It demonstrates how the existence of a major Victorian garrison drove other development southwards beyond the town wall.

5.2.2 Aesthetic.

Within the proposed conservation area you find predominantly Victorian era buildings with a wealth of detailing, cohesive uniformity, grace and charm.

5.2.3 Historical:

The Mill Field Estate represents the dramatic transformation of the rural fringe that skirted the Town centre to the south to new suburbs almost at a sweep. This was a major period of urban expansion of the town into former agricultural fields.

5.2.4 Communal:

It reinforces our typical [and perhaps now much rarer to find in reality] view of a typical Victorian suburb. It is also a reminder of how Colchester has had previous periods of rapid expansion to match those of today. It also reflects the rise of the middle-class in Colchester.

- 5.3 Many children still attend Hamilton School providing a direct connection with the past and a very strong foot in the present.

- 5.4 Additional planning controls within a Designated Conservation Area include restricted permitted development rights when compared to other areas and greater controls over works to trees. Both of these reduce the risk of unacceptable alterations being made and development occurring that might harm the areas special character. Such designation also means that those intending undertaking development requiring planning permission have to provide a heritage appraisal to demonstrate that the proposed development will preserve or enhance the character of the conservation area. When considering the merits of any development proposal within a conservation area the Council as local planning authority must also demonstrate that it has had due regard to heritage considerations when determining such applications.

5.5 Conclusion:

The area has seen largescale redevelopment immediately to its east in the Garrison Conservation Area. This appraisal has recognised that whilst planned change can potentially be accommodated if approached sensitively, the area is vulnerable and does have special historic and architectural merit worthy of greater statutory protection.

- 5.5 The Council believes that the fact that the area is on a major walking route into and out of the Town Centre brings with it great pressure for change, whether that be from the demand for more homes in an attractive area or from the pressure from existing residents to alter or extend their homes. Being a conservation area will allow for a development management that will reconcile these competing demands with the need to preserve and enhance the areas special character
- 5.6 It is proposed to describe the new conservation area as the Mill Fields Estate to reflect its Victorian suburban origins and the former windmill that preceded the Victorian terraced housing.

6.0 Equality, Diversity and Human Rights implications

- 6.1 The designation of a conservation area as proposed will not result in adverse impacts in terms of equality, diversity and human rights as every property owner will be consulted in respect of the draft proposal and responses analysed and appropriate mitigation applied in the event of the proposal moving on to the formal designation process.

7.0 Standard References

- 7.1 There are no particular implications related to community safety; health and safety and risk management.

8. Strategic Plan References

- 8.1 The Council's Strategic Plan 2018 – 2021 includes Opportunity as a key objective and one of the priorities under this theme is to 'promote and enhance Colchester borough's heritage and visitor attractions to increase visitor numbers and to support job creation.'

9.0 Consultation

- 9.1 It is intended to undertake a six-week public consultation exercise. All properties within the proposed conservation area will be individually notified in writing in advance and the consultation process explained. Additional consultations will be sent to Historic England, the Victorian Society and the Civic Society. The Council's website will carry full details of the Draft Document and responses can be made electronically or in writing. Contact officer

details will be published. All responses will be reported to a subsequent Local Plan Committee meeting and amendments to document content may be proposed as a result.

10.0 Publicity Considerations

- 10.1 The publishing of the report and the draft Appraisal may generate publicity for the Council. Although some property owners may feel the designation of a Conservation Area will restrict what they can do to their land/property, on balance the Council should be seen in a positive light for being proactive in publishing the Appraisal and Management Plan.

11.0 Financial implications

- 11.1 There are no significant financial implications for the Council. An Article 4 direction is recommended as part of the management proposals (see page 27/8) and the effect of this would be to bring certain classes of permitted development under planning control. In order to carry out these categories of permitted development, the submission of a planning application would be required. This does not carry a fee but in the event that planning permission were refused for these categories of development normally permitted by the GPDO 2015 in a conservation area (Article 2(3) land) then applicants could seek compensation for potential loss of value. This is a technical risk only that has not been experienced in association with such directions elsewhere in the Borough or nationally.

Appendices

The Draft Conservation Appraisal & Management Plan document

Background Papers

None