

Part 2 Conservation and Management Proposals

1.0 Introduction

1.1 The Management Proposals

The designation and appraisal of any conservation area is not an end in itself. This conservation area is under pressure from infill, inappropriate extensions and alterations, and future development both within and on its fringes. It is important that the development control process ensures the preservation of its special character and that opportunities are taken to identify and implement enhancements.

As well as defining the character and appearance of the conservation area and what makes it special, it is important to develop proposals for the future management of the conservation area. The resulting Management Plan relates the designation and management of a conservation area to the principles of historic environment planning.

1.2 Mechanisms for Management

There are several mechanisms through which the Council can manage the future of the conservation area:

- Application of policy
- Policy and design guidance
- Development briefs
- Application of an Article 4 Direction
- Monitoring change
- Boundary changes
- Appraising the condition of significant buildings that contribute positively to the conservation area and developing a strategy for repair
- Enforcement proceedings
- Proposed enhancement schemes
- Proposals for economic development and regeneration (including grants)
- Designation of Heritage Assets

2.0 Application of policy

2.1 Introduction

Designation as a conservation area brings a number of specific statutory provisions aimed at assisting the '*preservation and enhancement*' of the area. Dacorum Borough Council will apply such policies rigorously when considering development proposals affecting the conservation area.

The National Planning Policy Framework, places emphasis on conserving and sustaining the significance of heritage assets and their settings. This includes designated heritage assets (such as Conservation Areas, Listed Buildings, Scheduled Monuments, etc) and non-designated heritage assets (including local interest buildings, unregistered parks & gardens or areas of archaeological interest). Designated heritage assets (listed buildings) are identified in Appendix 1, while non-designated heritage assets (locally listed buildings) are identified in Appendix 2 along with a set of proposed criteria for local listing in Appendix 3.

At a local level, Policy CS27: Quality of the Historic Environment is included in the emerging Dacorum Borough Council's Local Planning Framework (Pre-submission Core Strategy, which will replace the existing Dacorum Local Plan).

This Conservation Area Appraisal is an approved Council document and will, therefore, be a material consideration in any planning decision. It is anticipated that the Conservation Area Appraisal will help inform and strengthen decisions made in line with this policy framework, which will be one of the most direct and effective means of managing the conservation area in the long term. For example, the Appraisal helps define the plan form of the area, the typical scale, form, massing and materials of buildings, traditional detailing, important views, significant trees, etc. These elements should be considered when looking at any development proposal. The Appraisal also sets out key buildings and features that contribute positively to the character and appearance of the conservation area. As such, there should be a preference against demolition or loss of any building or feature identified as meeting these criteria. **The exclusion of any building or feature within the Appraisal does not necessarily indicate that it makes no positive contribution to the character and appearance of the conservation area.**

The Conservation Area Appraisal can also be used to inform decision-makers about other local or national conservation policy considerations, such as the statutory requirement for decision makers to have regard to the need to conserve and enhance the Natural Beauty of the landscape in the Chilterns Area of Outstanding Natural Beauty.

By defining and identifying significant buildings and areas of open space, trees, etc, the Conservation Area Appraisal provides information that will inform planning decisions on the merits of development proposals.

2.2 Legal framework

The legal basis for conservation areas is the Planning (Listed Buildings and Conservation Areas) Act 1990. National policy guidance is provided by the National Planning Policy Framework, particularly paras. 126-141. Further policy is contained within the Dacorum Local Plan.

2.3 The Local Development Framework

The existing Dacorum Local Plan is due to be replaced by a new Local Development Framework (LDF). This Conservation Area Appraisal will be used to support the conservation / heritage Development Management policy that will form part of the LDF Core Strategy. In the interim period the Conservation Area Appraisal will assist in the local interpretation and implementation of Planning Policy Statement 5.

2.4 Planning controls in Conservation Areas

In addition to the above, there are a number of planning controls that relate specifically to conservation areas:

- *Extensions to dwelling houses*
Planning permission is required for any extension that would extend beyond a wall forming a side elevation of the original house, or if the extension would have more than one storey and extend beyond the rear wall of the original house;
- *Cladding or rendering the exterior of a house*
No part of the exterior of a dwelling house can be clad in stone, artificial stone, pebble dash, render, timber, plastic or tiles without planning permission from the District Planning Authority;
- *Alterations to the roof of a dwelling house*
Planning permission must be obtained for any enlargement of the house, which would consist of alterations to the roof (i.e. loft conversion). Any alterations that

would protrude more than 150mm beyond the plane of the original roof, or would result in part of the roof being higher than the highest part of the original roof, will require planning permission;

- *Erecting new outbuildings in the grounds of dwelling houses*

The provision within the curtilage (grounds) of any building or enclosure, swimming pool or other pool required for a purpose incidental to the enjoyment of the house, or the maintenance, improvement or alterations of such buildings or enclosures, will require planning permission if the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the house and the boundary of the curtilage of the house;

- *Installing, replacing or altering chimneys, flues and soil vents on dwelling houses*

The installation, alteration or replacement of a chimney, flue (including flues for biomass or combined heat and power systems) or soil vent pipe on the wall or roof slope which fronts a highway and forms either the principal elevation or side elevation of the house will require planning permission;

- *Microwave antennas*

The installation of an antenna on a chimney, wall or roof slope which faces onto, and is visible from a highway, or on any building which exceeds 15 metres in height, requires planning permission in conservation areas. Generally, planning permission is needed for all of the following: more than two antennas; a single antenna exceeding 100cm in length; two antennas which do not fit the relevant size criteria (only one may exceed 60cm for example); an antenna installed on a chimney, where the length of the antenna would exceed 60cm or would protrude above the chimney; an antenna with the cubic capacity in excess of 35 litres; an antenna installed on a roof without a chimney where the highest part of the antenna exceeds the highest part of the roof; or in the case of an antenna installed on a roof with a chimney, if the highest part of the antenna would be higher than the highest part of the chimney, or 60cm measured from the highest part of the ridge tiles of the roof, whichever is the lower.

- *Installing, replacing or altering solar photovoltaic or solar thermal equipment on a dwelling house*

If the solar photovoltaic or solar thermal equipment on the roof of a house or a building within the curtilage (grounds) of the house will protrude more than 200mm beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof, or would be higher than the highest part of the roof excluding the chimney, planning permission will be required. Permission will also be required if it is to be installed on the wall forming the principal elevation of the house and is visible from the highway.

- *Installing, replacing or altering stand alone solar within the curtilage (grounds) of a dwelling house*

Planning permission will be required for any stand alone solar within the grounds of a dwelling house if it is visible from the highway or if more than one is installed; permission will also be required if the solar will: be higher than 4 metres above the ground; be situated within 5 metres of the boundary of the curtilage; be within the curtilage of a listed building; or have a surface area exceeding 9 square metres or any other dimension including housing exceeding 3 square metres.

- *Installing, altering or replacing a ground or water source heat pump within the curtilage (grounds) of a dwelling house*

Installing, altering or replacing a ground or water source heat pump within the curtilage (grounds) of a dwelling house is permitted development and planning permission is therefore not normally required.

- *Display of advertisements*

Advertisements are regulated by controls set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. The display of advertisements in conservation areas is subject to additional restrictions. Illumination, for example, generally requires advertisement consent. Tethered balloons, illuminated signs in retail parks and business premises, flags displayed by house builders and advert hoardings around building sites also require advertisement consent. Further guidance on advertisements in conservation areas can be found in Policy 113 of the Dacorum Local Plan.

- *Demolition*

A listed building will always require Listed Building Consent for demolition. However, the total or substantial demolition of unlisted buildings within the conservation area that are over 115 cubic metres requires Conservation Area Consent. The demolition of any wall over 1 metre high facing a highway, waterway or open space, or any wall over 2 metres high elsewhere, will also require Conservation Area Consent.

- *Works to trees*

In most cases, six weeks notice must be given to the District Planning Authority for any cutting down, topping, lopping or up rooting of trees greater than 100mm diameter at 1.5 metres above the ground in a conservation area. There are however exceptions to this: Where a tree is covered by a Tree Preservation Order (TPO), for example, a formal application seeking approval to carry out works to trees protected by a TPO must be made to the District Planning Authority. Alternatively, where works to trees have been approved by planning permission in conjunction with development proposals, additional applications are not required.

2.5 Special planning controls

Planning authorities have the power to introduce stricter planning controls in conservation areas by means of an Article 4 Direction. An Article 4 Direction further removes permitted development rights where it is considered that such rights would have a damaging effect on the character of an area. They can ensure that traditional details such as sash windows, timber doors, chimneys, etc are not removed or altered without planning permission. Currently, there are a number of Article 4 Directions in place within the Berkhamsted Conservation Area (see Appendix 5). In the future additional sites may be added (see 5 below).

2.6 Other statutory designations

Listed Buildings

Listed buildings are recognised in statute as being of special architectural or historic interest. Under the Planning (Listed Buildings and Conservation Areas) Act 1990, it is a criminal offence to demolish or alter the special architectural or historic interest of a listed building without approval from the District Planning Authority. There are three types of listed building: grade I and II* (considered to be the most special listed buildings); and grade II buildings.

The listing covers both the inside and outside of the building, and any structure or building within its curtilage which was built before 1947. 'Listed Building Consent' is required from the Council for any work which affects the special architectural or historic interest of the listed building. There are presently 76 listed buildings (53 entries) within Berkhamsted Conservation Area.

Extensions and alterations to listed buildings should conform with Policy 119 of the Local Plan and should generally:

- Take into account the prevailing forms of development
- Complement the form and character of the original building
- Be subordinate in bulk and scale to the principal building
- Use high quality materials and detailing
- Pay particular attention to roof lines, roof shape, eaves detail, verge details and chimneys

Scheduled Monuments

Certain important archaeological sites and monuments enjoy special protection under the Scheduled Ancient Monuments and Archaeological Areas Act 1979. There is one Scheduled Monument in Berkhamsted (Berkhamsted Castle: 20602).

Tree Preservation Orders

A tree preservation order (referred to as a TPO) is an order made by a local planning authority in respect of trees or woodlands, the principal effect of which is to prohibit the cutting down, uprooting, topping, lopping or damaging of those trees without District Planning Authority approval.

There are a number of TPOs within the Berkhamsted Conservation Area. It is worth noting that regardless of whether a tree is covered by a TPO or not, it is likely to be protected if it lies within the conservation area boundary. Advice should always be sought from the District Planning Authority on any proposed works.

Disclaimer

This advice is intended to be a general guide and does not purport to be a definitive guide to the legislation covering conservation areas. For specific proposals you should seek advice from the District Planning Authority.

2.7 The consent process

Where permission is required for development within the conservation area, details will need to be submitted to the Council for consideration. For most works in a conservation area you may only require planning permission. Where demolition is involved, however, you may also require Conservation Area Consent.

If your building is listed, works to it including extensions and installation of a satellite dish, will require a separate Listed Building Consent.

If you have any doubts as to whether or not your building is listed or in a conservation area, or would like to know whether specific works require planning permission or other consents, then please seek advice from the planning authority. Contact details are given at the back of this document (page 201).

2.8 New development in conservation areas and the importance of design

The purpose of conservation area designation is not to arrest development but to guide it so that the special character of an area is not adversely affected. New developments should be sympathetic in their design and use appropriate materials. They should

complement established patterns and strengthen local distinctiveness, but not necessarily imitate existing buildings. Before applying for planning permission it is advisable to contact the Council's Development Control and Conservation Teams to discuss your proposals. The value of employing a suitably qualified architect/designer with a track record of conservation projects to draw up your proposals cannot be stressed highly enough.

There are a number of features that contribute to Berkhamsted's identity and character and which should be preserved through a programme of regular maintenance. These elements should be retained and used to influence further development or alterations to existing properties within the conservation area.

Berkhamsted's layout has evolved over time through a series of town planning events relating to the period in which they were set, unlike villages that appear to have a more 'unplanned' or organic nature. As such, the buildings and ancillary structures within the town contribute to its unique character. Any future development should respond positively to its existing layout / form.

Whilst, there is some scope / opportunity for both small-scale and large scale re-development within the conservation area, the character of the area has been compromised as a result of some poor quality infilling, large-scale developments and unsympathetic alterations; some of these have already been noted in neutral / negatives sites and buildings. Good examples of re-development in the conservation area are given below.

Some developments utilised former industrial sites or open land of High Street back plots. While some of these rear yards are not open to view from the High Street, they are seen from side roads or public car parks.

While some of the building fabric used in relatively new build properties can be commended, there are issues over design features that are often missed e.g. housing where chimneys are often not added to roof lines, and windows that are set inline with the front face of the building (not recessed backwards) or where windows have simply been poorly proportioned.

Commercial developments and canal / riverside residential developments have also suffered from inappropriate design, layout, massing and scale.

Many of these issues would benefit from Supplementary Design Guidance specific to the conservation area. It is proposed that preparation of such guidance on the following subjects be considered:

- New development within residential streets
- New development within the urban town centre
- New development along the river and canal

As such, this Appraisal provides a series of drafted comments relating to design issues on the above subjects (Appendix 6).

Non-residential uses of land and buildings should be protected, and residential development or conversion avoided. Should any opportunities for development arise, buildings should remain mostly two-storey, should face the street, should respect the massing, scale and layout of the neighbouring buildings, and employ a palette of materials sympathetic to and consistent with the prevailing character and appearance of that part of the conservation area. Only good quality schemes that respond positively to their historic setting and incorporate exceptionally high standards of quality and design will be considered acceptable.

In the 1992 Review of Berkhamsted Conservation Area, several issues were highlighted as potential future problems / threats with regard to safeguarding the existing character of the conservation area.

The Supplementary Planning Guidance, produced by Dacorum Borough Council in 2004, set out the conservation policies for Berkhamsted Conservation Area covering all three 'Identity Areas'; sections 4.2, 5.2 and 6.2. It stated that development (including extensions) should follow certain principles that will respect and complement the character of neighbouring local built environment or parent building. Amongst more recent developments and alterations there are some good examples of recent new build given below.

Recommended Action: *The Council endeavour, as resources allow, to produce a series of SPGs as appropriate to facilitate better / appropriate design for residential and commercial developments within the conservation area.*

Erosion of Character

The Appraisal identified that the following alterations pose a threat to the special character of the area:

- Loss of timber windows and doors
- Alterations to window / door openings
- Painting of brickwork, application of render or stone cladding
- Appearance of satellite dishes and unsympathetic front porches
- Changes to roofs including
 - Changing materials
 - Changes to pitch and roof form
 - Introduction of rooflights and dormers
 - Loss of traditional rainwater goods
 - Removal of redundant chimney stacks
 - Loss of timber fascias and bargeboards
- Unsympathetic use of shutters and security bars
- Use of unsympathetic awnings / advertising flags
- Unsympathetic changes to shopfronts (including pasted interior signage to shop glass and advertising in garish bright colours; alteration to doors / windows; loss of more traditional shop fascia - *cornice, stallrisers, pilasters, consoles on plinths and mullion (vertical) glazing bars*; shopfronts extending over more than one property breaking the building line). The appearance of less traditional styles of shop awnings.

Recommended Action: *To both monitor and help prevent the erosion of character, the Council shall:*

- *direct grant aid, where appropriate and on a case by case basis, as a means of enhancing and encouraging the protection of traditional detailing in the conservation area as identified in the character appraisal.*
- *target grant aid at the improvement of shopfronts in the town. All works should accord with the spirit of English Heritage's guidance.*
- *produce a Supplementary Planning Guide for shopfront design.*

Certain minor works and alterations to unlisted buildings can cumulatively have an adverse effect on the character and appearance of a conservation area. Powers exist for the Council, using Article 4 directions, to control some of alterations in the interests of preserving and enhancing the character and appearance of the conservation area.

Additional Article 4 directions could be served to Bridge Street (Area 1), Castle Street (Area 1) and Victoria Road (Area 1).

Recommended Action: *In order to monitor and manage change, the Council shall:*

- *encourage the return of more historic features and appropriate materials to properties in the conservation area.*
- *produce a series of Supplementary Planning Guides as appropriate, such as windows; doors; roofs (including chimneys, rooflights, dormers); front porches; satellite dishes.*
- *consider the need for Article 4 directions on a case by case basis, to ensure that the special qualities of unlisted buildings in the conservation area are protected.*

Application of an Article 4 Direction

Common to many historic environments is the cumulative effect of piecemeal, but significant, alterations to the architectural features of properties that contribute positively to a conservation area. Many of these alterations do not require planning permission and are regarded as permitted development. A good example of this is when traditional timber windows are replaced with PVC- u in a different style and profile. Alterations like this can be very harmful to the character and appearance of a conservation area. It is possible to bring such alterations under planning control with the implementation of an Article 4 Direction, which would require an application for planning permission for alterations that otherwise fall outside normal planning control.

An Article 4 Direction can provide a positive framework for helping manage the character and appearance of a conservation area. The implementation of an Article 4 Direction requires a strong justification for proposing the Direction as well as appropriate stakeholder support.

Design Issues

In Appendix 6 are drafted comments relating to design issues of new development within residential streets, the urban town centre, and along the river and canal. This information may also be further developed should a series of more in-depth Supplementary Design Guides be deemed appropriate.

Below are examples of recent new build properties within Berkhamsted Conservation Area where good design, scale, architectural proportion and use of appropriate materials have been utilised.



Sevens Close, off the High Street



38 – 44 Mill Street



1a -1d Cowper Road



28 & 29 Ravens Lane



20a and 20b Montague Road



37 Highfield Road



St Albans and Moss Edge House, Elm Grove



The refurbished flats and shops alongside The Rex Cinema and The Gatsby restaurant (appearance of street front only)

Views

The setting of the conservation area is very important and development which impacts in a detrimental way upon the immediate setting and longer views into and from the conservation area will be resisted.

Boundary Treatments

A defining feature of the Berkhamsted Conservation Area is the subtle and restrained use of traditional materials for boundary treatments, complementing those areas where defined boundaries are noticeably absent. Details which are not traditional in the area include modern metal railings, manufactured flint blocks, timber fencing and rendered concrete blocks. It is important that materials and detailing found in the locality are used to help fit new development into its context.

There are a growing number of inappropriate landscaping and boundary treatments, particularly regarding the loss of front or rear gardens and walls to parking, and the greater visibility of hard landscaping.

Recommended Action: *The Council will seek to resist proposals to remove traditional boundary walls or which fail to respect the form and materials of traditional boundary treatments in the area. The retention of front gardens and to reduction of the visibility of hard landscaping should also be encouraged.*

The Public Realm and Enhancement

The Appraisal has identified the immensely varied nature of Berkhamsted's urban centre from the densely terraced and sub-urban residential streets to the commercial centre, the castle, the riverside / canal habitat and the railway. As such this means the public realm is hugely diverse, ranging from public car parks to open green areas, cemeteries to canal towpaths, café-style outdoor seating on wide pavements to narrow streets with narrow pavements.

In addition, signposts, street signs, seating, telephone boxes, post boxes etc that survive in the public realm should be protected, and where appropriate, enhanced. Inappropriate signage can serve to detract from the quality of the public realm and character of the area; redundant modern features should be removed or replaced with items more in sympathy with the historic environment – such as road name signs leading off from the High Street.

Where conservation lamp posts have been erected on the High Street, they could be better maintained and perhaps extended along the length to the east end of the boundary where they are of a non-conservation-style.

Clutter or over proliferation of many types of street furniture could be better coordinated particularly along the north side of the old Market Place where café-style outdoor seating extends into the pavement. Although this is attractive during the summer months and appears to be popular even in smaller venues on the High Street, it requires monitoring.

Mismatched / confused types of paving are seen on the High Street along with the poor condition of pavements away from the High Street. Better coordination of works to pavements would alleviate the patchwork effect and tracks that have begun to appear and are quite wide spread in the conservation area.

The amelioration of parking and traffic problems has been highlighted as a problem, especially on the side roads leading off from the main High Street. At this time public consultation is being undertaken by the Town Council to look into new residential parking arrangements for several streets within the conservation area. If parking controls are introduced there should be careful consideration of means to reduce the visual impact on the appearance of the streets. This would include keeping signage to a

minimum, avoiding the erection of large numbers of signposts and using minimum width of road markings (as is provided for in conservation areas).

Recommended Action: *The Council will seek opportunities to implement enhancement schemes to the public realm of the conservation area, ensuring that any historic features are retained while others are replaced with more appropriate styles.*

The Appraisal has identified that the conservation area retains a strong historic street pattern, and there is a strong assumption in favour of preserving the roads, lanes and paths of Berkhamsted, together with the vegetation and boundary materials that form their borders.

Recommended Action: *The Council will seek opportunities to work with Hertfordshire County Council, landowners and partners to ensure that the historic road pattern is fully protected in any highways or regeneration schemes.*

The cemetery is hidden from view from the High Street and stands behind brick walls. However the Appraisal identified that as a result it is showing signs of neglect; graffiti, poorly maintained seating and gate piers / gates, and an out-of-use building.

Recommended Action: *The Council will seek to ensure that these issues be taken into account in the management of the cemetery.*

The condition of the River Bulbourne could also be improved through clearance and maintenance; the removal of vegetation over-growth and general dumped rubbish.

Recommended Action: *The Council shall work in conjunction with the appropriate partners, that the river is appropriately managed and regularly maintained.*

While only a few buildings are in a poor state of repair, monitoring of the condition of identified properties should be maintained.

Recommended Action: *The Council shall regularly monitor the condition of buildings and encourages owners to adequately maintain them and put them back into use.*

Advertisements

To help preserve the character or appearance of the conservation area, it is important that careful controls are maintained regarding the detailed design of signs.

Recommended Action: *The Council will seek to ensure that advertisement proposals respect the character and appearance of the conservation area, in terms of citing, numbers, colours, materials and form of illumination.*

Non-designated Heritage Assets

In addition to the listed buildings, there are many individual and groups of buildings and associated features which are of considerable local interest. These are included on a Local List and the Council will seek to retain these buildings and ensure that new development does not harm the character, appearance or setting of the building. There is a presumption that all such buildings will be retained. Policies 110-121 (inclusive) of DBC Local Plan provides the criteria against which all such proposals for alterations will be assessed. There are presently 227 locally listed buildings (a terrace or group is counted as one) within the conservation area. The Council will seek to ensure that all Locally Listed Buildings (as identified on the conservation area map) are protected from inappropriate forms of development or unjustified demolition.

3.0 Policy and design guidance

The Council has produced relevant guidance documents on development in conservation areas, including Development in Conservation Areas or affecting Listed

Buildings - Environmental Guidelines SPG Section 7. Further advice is contained on the Council's website: www.dacorum.gov.uk.

These guidance sources are relevant to anyone thinking of undertaking development within conservation areas. It is hoped that this advice will help stakeholders of the historic environment make informed decisions and, therefore, contribute positively to the management of conservation areas. In addition to policy guidance, local generic guidance will be produced from time to time with specific advice on topics relevant to conservation areas e.g. window replacement.

4.0 Development briefs

The Management Plan can be used to identify any sites that would benefit from a development brief. A development brief is an outline of what might be expected or acceptable in principle on an identified development site prior to a formal development proposal. For example, this might be a gap site, or a site under pressure for demolition and re-development, or perhaps areas that have a neutral impact on the conservation area where redevelopment might readily be accommodated. The definition and characterisation of the conservation area can be expanded to form a detailed design brief in order to help promote an appropriate form of development on the site.

Recommended Action: *Where development is proposed on garden sites or infill plots, and the Council considers the principle of development in this location acceptable, the Council may take the opportunity to produce development briefs to inform developers or applicants as to what may be appropriate in terms of design and layout for the site.*

5.0 Monitoring change

Monitoring change, both positive and negative, is very important for the long-term management of a conservation area. For example, it can help highlight problems that can be best tackled through an Article 4 Direction (see above) or show how effective policies have been. Monitoring change can assist in identifying where more resources are required and in modifying priorities or policies.

A conservation area is thoroughly surveyed and described when first designated or when modified. Local planning authorities should seek to review conservation areas from time to time and update Appraisals. The Council will develop a schedule of conservation area reviews in due course.

The following actions are recommended to ensure that this Appraisal and management proposals are accepted and acted upon by the local community:

Public Consultation

It is understood that the Appraisal and management proposals will be subject to a period of public consultation. This is likely to include placing the document on the Council's website and in local libraries and consultation with local amenity and residents' groups. The document will subsequently be amended to incorporate relevant comments and suggestions.

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Document Review

This document should be reviewed every five years in the light of the Local Development Framework and emerging government policy. A review should include the following:

- A survey of the conservation area and boundaries;

- An updated 'Heritage Count';
- An assessment of whether the management proposals in this document have been acted upon, including proposed enhancements;
- A Buildings at Risk survey;
- The production of a short report detailing the findings of the survey and proposed actions and amendments
- Public consultation on the review findings, any proposed changes and input into the final review.

6.0 Boundary changes

An important aspect of an Appraisal will be considering where the boundary of the conservation area should be drawn. Thought should be given to the appropriateness of the boundary. Conservation area boundary reconfiguration might include reduction or extension to an area. Specific justification should be given for proposed changes. For example, an extension to the boundary might be proposed to incorporate the wider setting of a conservation area.

This Appraisal has examined the conservation area boundaries and is proposing four extensions to the existing conservation area of Berkhamsted (Map 20).

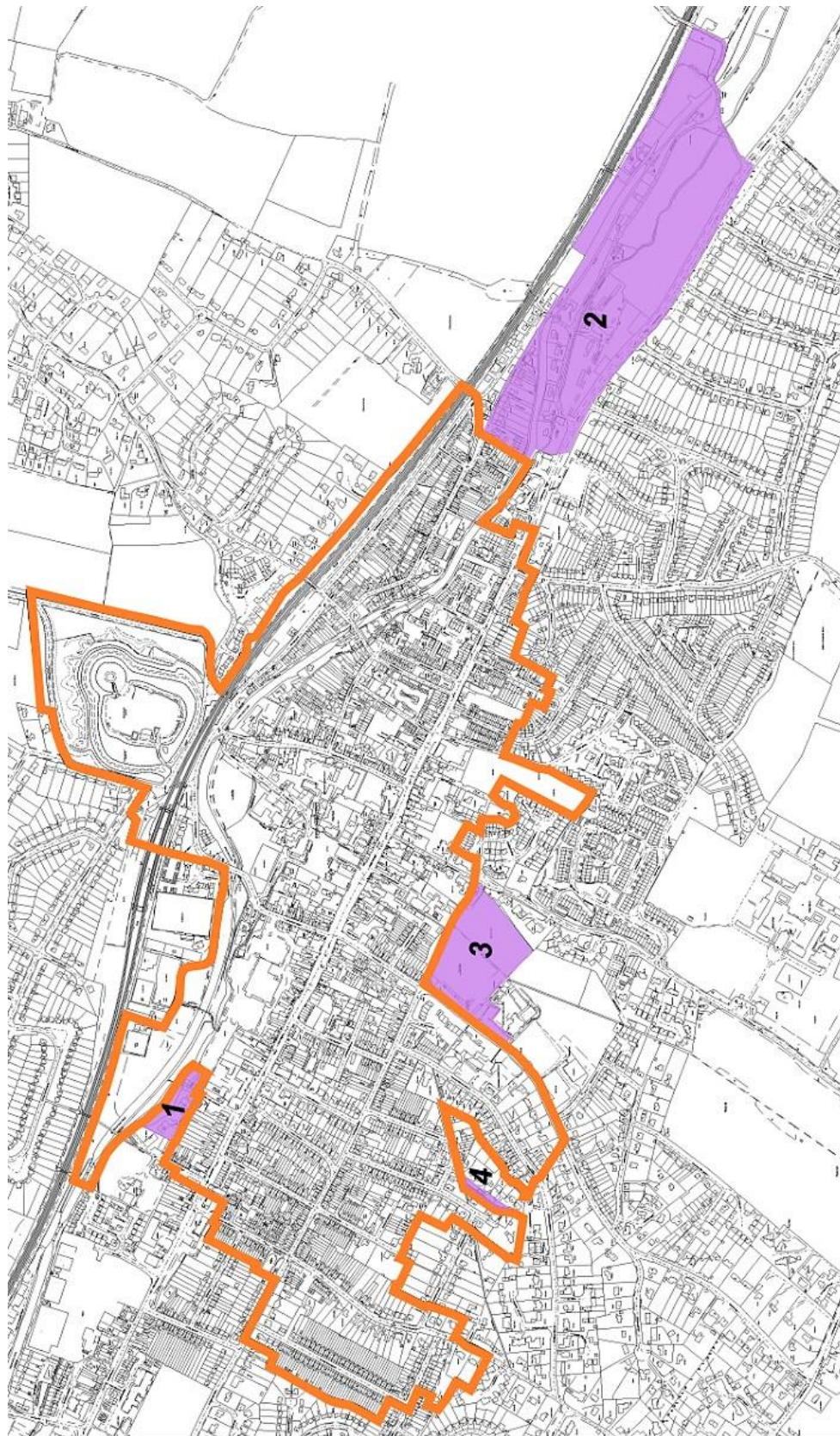
Extension 1: St. John's Well Lane (between Areas 1 and 2). The extension would include the row of cottages at the north end of John's Well Lane (nos. 1 – 4), and the pond, the River Bulbourne and foot bridge leading to the cottages, along with the remainder of St. John's Well Court (1 – 12 & 13 – 24) not already within the existing boundary.

Reason: This extension seeks to include the features associated with the river and the canal, including the row of adjacent early nineteenth century cottages that are part of the historic layout of the canal environment. The cottages share an identical alignment to the canal seen with the later Londrina Terrace at the east end of the conservation area. A history board lies close to the footbridge / canal that explains the historic background to this area. The cottages lay close to the watercress beds and are shown on the 1841 tithe map; they were the only buildings along the lane.

Extension 2: London Road, Bullbeggars Lane, Bank Mill (Area 2). The extension would include land on the north side of London Road up to the railway line and extend east to Bullbeggars Lane (including the river and canal). It would incorporate the properties on the north side of London Road from The Old Mill up to and including Bullbeggars Lane, follow along Bullbeggars Lane north towards the railway line, and turn west along the north boundary of the meadows (the south side of the railway line) back towards George Street. It includes the larger part of Bank Mill, the River Bulbourne, and the Grand Union Canal, including two canal bridges as far as Bridge no. 144 and a listed lock-keepers cottage, 102 Bank Mill Lane. It would not include the north side of George Street up to the railway.

Reason: This extension includes the continuing features and landscape of the Grand Union Canal and River Bulbourne as far east as the existing character continues. It forms part of the historic setting of the landscape and some older housing. The inclusion of two canal bridges is proposed due to their well-preserved original historic character and current lack of other forms of planning protection from alteration. These bridges consist not just of a brick arch, but also of features such as parapets and access steps that also demonstrate their nineteenth century origins. The lock-keepers cottage and the meadows on either side of the canal are an integral part of the historic environment of this stretch of the canal.

Map 20: Proposed Boundary Extension



**DACORUM BOROUGH COUNCIL
DEVELOPMENT CONTROL**

Existing conservation area boundary

Proposed extensions to the conservation area

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Borough Council 100018935:2011



Extension 3: Kings Road, east side (Area 3). The extension would include part of Berkhamsted Collegiate School on Kings Road (the older school buildings on the site) to encompass Butts Meadow recreation ground and the neighbouring allotments. The inclusion of the school building on Kings Road would adjoin those Collegiate school buildings that currently stand within the boundary along Doctor's Commons Road.

Reason: This extension has been proposed as the sites are considered to be important open spaces and buildings of visual and historic interest for the conservation area.

Extension 4: Montague Road (Area 3). The extension would include a slender piece of land along the east side of the existing boundary between North Road and Doctor's Commons Road off Angle Place (path), and four semi-detached houses, 29, 29a, and 31 & 33 Montague Road.

Reason: This extension has been proposed as the plots relate to the development of Montague Road that lies within the existing boundary.

7.0 Appraising the condition of heritage assets

A survey is carried out from time to time at both a national and local level to assess the condition of heritage assets. This survey includes the identification of buildings that have fallen into disuse, dereliction or disrepair, commonly referred to as 'Buildings at Risk'.

This survey can provide a useful means of monitoring many significant historic buildings within conservation areas. The national *Heritage at Risk Register* covers grade I and II* buildings at risk and is available through www.english-heritage.org.uk.

A Building at Risk can be addressed through the grant aiding of target buildings, or through the use of legislation such as Repairs Notices or Urgent Works Notices, to bring about works to a building to either repair it or make it secure or weather tight. This is of particular relevance where a building is important for maintaining the character and appearance of the area. The Council may carry out such works as are necessary and recover the costs incurred from the owners.

Generally, the buildings in Berkhamsted are well maintained and only a small number of buildings were identified at the time of the survey that require urgent attention; no statutory listed grade I, II* or II buildings were found to be a 'Buildings at Risk' at the time of the area survey (June – December 2011): one fell in to category 4 (vulnerable). The Council will monitor the condition of statutory listed buildings in the conservation area and, where a listed building is threatened by a lack of maintenance or repair, the Council will use the available statutory powers to force the owner to take action. Some unlisted buildings were in poor condition and the Council will monitor the condition of other unlisted buildings as resources permit.

8.0 Enforcement proceedings

Unauthorised works and breaches of planning control can cumulatively harm the quality of both the built environment and surrounding spaces within a conservation area. An obvious example of this sort of damage could be unauthorised works to a listed building. A listed building is a building of special architectural or historic interest and is enshrined in law under the Planning (Listed Buildings and Conservation Areas) Act 1990. Listed Building Consent is required for any works of alteration to a listed building and it is a criminal offence to carry out unauthorised works. The removal of traditional timber windows and doors, for example, and their replacement with uPVC or poor modern imitations, can be detrimental to the building's intrinsic special interest.

It is not only alterations to listed buildings that can damage the character and appearance of conservation areas. The unauthorised demolition of buildings, or

detrimental alterations to unlisted buildings, can all erode the special character of a conservation area. The use of non-approved materials, for example, can be particularly harmful (e.g. modern cement rendering, inappropriate 'ribbon' pointing style, plastic rainwater goods, etc).

It is important, therefore, that the Council investigates breaches of planning law within conservation areas, as this can help preserve the quality of the historic environment. The survey process utilised in the production of an Appraisal may highlight planning breaches and unlawful alterations to listed buildings. In response to this survey, the Council can take appropriate action with owners on an individual basis. Anyone can report a suspected planning breach by contacting the Council's Enforcement Team. The District Council regularly follows up reports of unauthorised work and may take enforcement action.

Where work has been carried out without planning permission and it is considered that such works are harmful to the character of the conservation area then an enforcement notice may be served requiring remedial measures to be taken.

9.0 Proposed enhancement schemes

The conservation area could be enhanced by for instance,

- amelioration of parking and traffic problems
- improvements to signage, especially road name signs
- re-surfacing of roads and pavements, and replacement of kerb stones
- extending the use of heritage lamp posts
- new heritage information boards (see *Identification of Heritage Assets* below)
- shopfront grant scheme

This is a situation that will be monitored and, should the opportunity arise, then reference will be made to the Appraisal in developing priorities and an appropriate enhancement strategy. All works should accord with the spirit of English Heritage's guidance.

The Council would also support the conservation of original features on historic buildings, and where appropriate the re-installation of tradition materials / features (such as timber windows, clay tiles or lime-based pointing), particularly where modern materials / features (such as UPVC windows, concrete tiles or cement pointing) have a detrimental impact on the character of the building, nearby listed buildings and the surrounding conservation area.

The removal of highway clutter would be supported by the Council.

10.0 Proposals for economic development and regeneration (including grants)

Should any grant schemes be proposed that are specific to the Berkhamsted Conservation Area, details will be advertised on the website and relevant local stakeholders will be notified.

11.0 Designation of Heritage Assets

Dacorum Borough Council will actively keep under review whether there should be additions to the entries in Appendices 1 and 2 of the listed buildings, scheduled monuments and non-designated assets such as unlisted buildings or structures and unscheduled archaeological remains within the conservation area.

When assessing the contribution made by heritage assets, consideration will be given to the impact on the special architectural or historic significance of a conservation area made by the heritage asset. For example, if a building is the work of a particular noteworthy local architect, it may carry historic significance. Other reasons to consider the significance of unlisted buildings might include:

- Qualities of age, style, materials or other characteristics that reflect those of a substantial number of the buildings in the conservation area;
- Age, materials or other historic characteristics that relate strongly to adjacent listed buildings;
- Group value of buildings;
- Relationship to historic roads and layouts;
- Landmark qualities or contribution to recognised spaces and amenity;
- Usage where this reflects the historic nature of an area;
- Association with past events or people;
- Artistic significance

The overarching question is whether or not the building in question contributes to the character and appearance of the conservation area and whether the loss or substantial alteration of it would be harmful to the intrinsic special interest of the conservation area.

Any building or structure meeting any of these key criteria should be considered as a heritage asset.

Identification of Heritage Assets

Although there are a number of different schemes employed to identify and interpret the historic environment of Berkhamsted, such as The Berkhamsted Heritage Walk, the local 'Blue Plaque' scheme and the desk stones along the canal, there is little within the town centre itself. The existing information boards in Waitrose car park could be overhauled and, while additional signage might seem as adding to street clutter, a single new board could be placed on the High Street (perhaps outside the Civic Centre where the town sign stands).

Disclaimer:

The appendices are by no means exhaustive. The absence of any building or structure from the appendices does not necessarily mean that it is of no interest or that it makes no positive contribution to the character and appearance of the conservation area.

Further Reading and Sources of Information

Further Reading:

- Birtchnell, P. 1972. *A short history of Berkhamsted*. P. Birtchnell, Berkhamsted.
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- Pevsner, N. & Cherry, B. 2002. *The Buildings of England. Hertfordshire*. Yale University Press, London.
- Price, T. & Kay, J. 2002. *Hemel Hempstead, Berkhamsted and Tring. A century of change*. Breedon Books, Derby.
- Smith. J.T. 1993. *Hertfordshire Houses. A Selective Inventory*. RCHME, London.
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Dacorum Borough Local Plan 1991 – 2011

Dacorum Borough Council's Planning Framework (Pre-Submission Core Strategy)

Dacorum Borough: Supplementary Planning Guidance (May 2004)

English Heritage. 2005. *Guidance on Conservation Area Appraisals*.

English Heritage. 2006. *Guidance on the Management of Conservation Areas*.

English Heritage. 2011. *Good Practice Guide for Local Listing. Identifying and Managing Significant Local Heritage Assets (Draft Feb 2011)*

Communities and Local Government, 2012. *National Planning Policy Framework*

Town and Country Planning Act 1990. Planning (Listed Buildings and Conservation Areas)

For Further Information regarding all Planning and Conservation Matters:

Dacorum Borough Council
Civic Centre
The Marlowes
Hemel Hempstead HP1 1HH
Tel: 01442 228000
www.dacorum.gov.uk

See also Department for Communities and Local Government
www.communities.gov.uk

For Further Information relating to Listed Buildings and Conservation Areas:

English Heritage
1 Waterhouse Square
138 – 142 Holborn
London EC1N 2ST
General enquiries: 020 7973 3000
www.english-heritage.org.uk

For Technical Guidance:

The Society for the Protection of Ancient Buildings (SPAB)
37 Spital Square
London E1 6DY
Tel: 020 7377 1644
www.spab.ork.uk

The Georgian Group
6 Fitzroy Square
London W1T 5DX
Tel: 087 1750 2936
www.georgiangroup.org.uk

The Victorian Society
1 Priory Gardens
Bedford Park
London W4 1TT
Tel: 020 8994 1019
www.victorian-society.org.uk

The Twentieth Century Society
70 Cowcross Street
London EC1M 6EJ
Tel: 020 7250 3857
www.c20society.org.uk