



<b>Report for:</b>	<b>Cabinet</b>
<b>Date of meeting:</b>	<b>2 AGENDA ITEM: 9</b>
<b>PART:</b>	<b>1 SUMMARY</b>

<b>Title of report:</b>	<b>Berkhamsted Conservation Area: Character Appraisal &amp; Management Proposals</b>
<b>Contact:</b>	Councillor Andrew Williams, Portfolio Holder for Planning and Regeneration Dr James Moir, Lead Conservation Officer (Ext 2163) for Conservation & Design
<b>Purpose of report:</b>	To consider the adoption of the Berkhamsted Conservation Area Character Appraisal & Management Proposals for use in Development Management and Strategic Planning
<b>Recommendations</b>	That Cabinet: <ul style="list-style-type: none"> <li>1. Subject to recommendation 2 adopt the Berkhamsted Conservation Area: Character Appraisal &amp; Management Proposals as: <ul style="list-style-type: none"> <li>a) Technical guidance for use in development management and to inform the Dacorum Local Planning Framework</li> <li>b) A material planning consideration for use in the determination of planning applications</li> </ul> </li> <li>2. Delegate authority to the Assistant Director, Planning &amp; Development &amp; Regeneration to a) incorporate the changes as listed in Section 5 and b) resolve the issue raised in 7.3 concerning the proposed locally listed buildings belonging to Berkhamsted School and subsequently to publish the final Character Appraisal, with any alterations and changes considered necessary in consultation with the Portfolio Holder for Planning and Regeneration and to publish the statement of public consultation.</li> </ul>
<b>Corporate objectives:</b>	The Appraisal will make a significant contribution to the Council's overall vision by:  Creating a clean, tidy and safe environment

	<p>Informing and consulting our communities and stakeholders on local issues Promoting civic pride and an active community Ensuring a sustainable local economy Protecting green space Committing to excellence and best conservation practise</p>
Implications:	<p><u>Value for Money</u></p> <p>The appraisal was produced by consultants BEAMS at a cost of £10k, with a further cost of £5.5k to carry out the consultation on locally listed buildings. This represents excellent value for money in terms of thoroughness and attention to detail. The appraisal is intended to save officer time in the future in processing applications from Berkhamsted Conservation Area.</p>
'Value For Money Implications'	
Risk Implications	<p>The appraisal complies with legislation and best practice and the intention is therefore to avoid the risk of non-compliance and wasting resources</p>
Equalities Implications	N/A
Health And Safety Implications	N/A
Monitoring Officer/S.151 Officer Comments	<p><b>Deputy Monitoring Officer</b></p> <p>No comments to add to the report</p> <p><b>Deputy S.151 Officer</b></p> <p>No further comments.</p>
Consultees:	<p>Residents within the proposed area including</p> <ul style="list-style-type: none"> <li>• Those whose properties would be affected by local listing</li> <li>• Those whose properties would be included in the proposed extensions</li> <li>• Visitors to the public exhibition and public event in Berkhamsted Town Centre held during the consultation period</li> </ul> <p>Dacorum Borough Council</p> <ul style="list-style-type: none"> <li>• Dacorum Borough Councillors</li> <li>• Corporate Director – Housing &amp; Regeneration</li> <li>• Assistant Director – Planning, Development &amp; Regeneration</li> <li>• Group Manager – Strategic Planning &amp; Regeneration</li> <li>• Group Manager – Environment Services</li> <li>• Trees &amp; Woodland Manager</li> </ul> <p>Hertfordshire County Council</p> <ul style="list-style-type: none"> <li>• County Councillor</li> <li>• Head of Landscape</li> <li>• Hertfordshire Biological Records Centre</li> </ul>

	<ul style="list-style-type: none"> <li>• Transportation Planning and Policy</li> <li>• Archaeology</li> </ul> <p>Berkhamsted Town Council</p> <ul style="list-style-type: none"> <li>• Berkhamsted Town Councillors</li> </ul> <p>Others</p> <ul style="list-style-type: none"> <li>• Natural England</li> <li>• English Heritage</li> <li>• Chilterns Conservation Board</li> <li>• Chilterns Conservation Board, Planning Group</li> <li>• Chiltern Society</li> <li>• Berkhamsted Community Partnership</li> <li>• Berkhamsted Citizens Association</li> <li>• Town Hall Trust</li> <li>• Berkhamsted Local History and Museum Society</li> <li>• Save Your Berkhamsted Residents Association</li> <li>• Dacorum Heritage Trust</li> <li>• Disability Groups</li> <li>• Relevant Local Societies</li> </ul>
<p>Background papers:</p>	<p><i>Berkhamsted Conservation Area: Character Appraisal &amp; Management Proposals</i></p> <p><i>Annex 1: Qualitative Account of Comments</i></p> <p><i>Annex 2: Analysis of On-Line Survey</i></p> <p><i>Annex 3: Analysis of Local Listing Description Responses</i></p>

## BACKGROUND

### 1. Introduction

- 1.1 Providing a full assessment for all the Conservation Areas (23 in all) within Dacorum forms part of the Council's Conservation Strategy. Conservation Area Appraisals have now been provided for Aldbury, Bovingdon, Chipperfield, Frithsden, Great Gaddesden and Nettleden. A Draft Appraisal has been produced for Hemel Hempstead.
- 1.2 The Strategy includes a programme for the review and production of Conservation Area Character Assessments for all 23 Conservation Areas.
- 1.3 The Conservation Area Appraisal (see Annex 5) highlights the special qualities and features that underpin Berkhamsted's character and justify its designation. Guidelines provided in the Management Proposals are designed

to prevent harm and encourage enhancement. This type of assessment conforms to English Heritage Guidance and to Government advice in the National Planning Policy Framework. It also supports and amplifies those policies aimed at protecting the overall character of conservation areas and forming part of Dacorum Borough Council's Local Planning Framework.

## **2. Consultation Arrangements**

2.1 The Planning and Regeneration Portfolio Holder agreed the draft Character Appraisal for consultation on 6 September 2012 (PH/058/12).

2.2 The formal consultation period covered a four week period from 1<sup>st</sup> October – 9<sup>th</sup> November 2012.

- Copies of the draft character appraisal were distributed to relevant officers within the Borough and County Councils, and notification letters sent to other appropriate organisations (see list of consultees).
- The draft document could be viewed on Dacorum Borough Council's website [www.dacorum.gov.uk](http://www.dacorum.gov.uk) , at the Council's offices at the Civic Centres in Hemel Hempstead and Berkhamsted and at Victoria Hall, Tring.
- A formal notice was placed in The Gazette on 26<sup>th</sup> September 2012.
- An exhibition was held in Berkhamsted Library from 1<sup>st</sup> October to 9<sup>th</sup> November 2012?
- Dee TV were commissioned to make a film about the consultation <http://www.youtube.com/watch?v=rZ5CQ0tQUks&feature=g-upl>
- DBC carried out an online Snap Survey, which produced 48 responses
- A further 22 letters/e-mails were received from individuals (See Appendix)
- A market stall in Berkhamsted was booked on Saturday 6<sup>th</sup> October 2012: see [www.deetv.tv/berkhamsted-consultation-conservation-area-extension](http://www.deetv.tv/berkhamsted-consultation-conservation-area-extension)
- A further consultation took place regarding the local listing descriptions which were sent to individual owners between 4<sup>th</sup> and 29<sup>th</sup> November 2013. 39 responses were received.

## **3. Number and Nature of Responses Received**

48 individuals and organisations submitted responses via the on-line survey. A further 22 individual written and e-mailed representations were received. 682 people watched the DEE TV film.

The qualitative representations and the Council's responses are set out in Annex 1. This includes a full list of these representations and a suggested response to the issues raised. It also includes recommended changes to the Character Appraisal and Management Proposals.

Annex 2 provides a quantitative analysis of the responses received through the on-line survey and includes further comments entered through the web survey.

Annex 3 provides a resume of the responses received as a result of the mail-out of local list descriptions to owners.

Generally, the responses to the consultations were positive, supportive of the principles and helpful in providing further information.

Consultation on the Appraisal

None objected to the appraisal per se. Particularly gratifying were the following two endorsements:

*"All in all, I think this is a very comprehensive and well-produced document which gives a good summary of Berkhamsted as it is today. I write this as a citizen of Berkhamsted for more than 43 years and as Chairman of the Berkhamsted Local History & Museum Society"*

*"I am writing on behalf of the Berkhamsted Citizens Association in response to the current consultation on the draft Berkhamsted Conservation Area Character Appraisal. We welcome the hard work that had gone into preparing the Appraisal document and Appendices, and its comprehensive nature creates an excellent reference document and benchmark for the future management of the Conservation Area."*

The Berkhamsted Citizens Association is fully in support of the proposed four extensions to the Conservation Area, the application of Article 4 Directions and the establishment of Locally Listed Buildings."

Other positive feedback consisted of:

*"I would like to congratulate the people who prepared the Character Appraisal Documentation, which should help us all appreciate the area in which we live and encourage us help preserve it."*

*"We were very pleased to see the long-awaited Berkhamsted Conservation character appraisal. This is an interesting and detailed document which represents a lot of work and which should form a really good basis for managing the Conservation Area in a constructive way."*

*"A lot of people do care about their surroundings and would like to see Berkhamsted regain its sense of pride in its built environment."*

*"Our old historic buildings and woods and trees are a major part of our heritage and should be preserved as a priority."*

*"Our beautiful town needs to be preserved before any more of it is destroyed to modern development. This includes our outstanding historic buildings, trees, open spaces, parks and woods."*

*"We were pleased to receive your letter suggesting that our property should be included in local listing"*

*"Anything that protects the look of the Conservation Area is worth having."  
(Re local listing)*

*"I fully support this exercise; and welcome any new inclusions into the CA."*

In terms of the responses to individual questions:

- The majority of respondents (65%) felt there is the right balance of uses within the conservation area
- The three top details making up the character of the Conservation Area considered to be 'Very Important' were
  - Public Green Spaces (78.7%)
  - Trees (69.6%)
  - Traditional Shop Fronts (57.4%)
- In terms of priorities for improving Berkhamsted Conservation Area, the three priorities were:
  - General improvements and repair of buildings (57.4%)
  - Improvements to parking (46.8%)
  - Landscaping to the public realm (42.6%)
- The proposed four extensions all received strong support, the percentage of those 'strongly agreeing' or 'agreeing' in each case being:
  - Extension 1: St Johns Well Lane (79.5%)
  - Extension 2: London Road (83.0%)
  - Extension 3: Kings Road (78.8%)
  - Extension 4: Montague Road (77.2%)
- 71.2% of respondents strongly agreed or agreed with the proposals for local listing
- 70.4% of respondents also strongly agreed or agreed that further Article 4 Directions should be applied on a case-by-case basis

Many wanted to see the Council doing more ...

*"Many of the high street building above shop level (ie 1st Floor and Roof) are in a poor state of maintenance & repair. Council must impose stricter obligation on shop owners to maintain their building in conservation area"*

Another issue was the practical implications of delivering the management plan

*"The management plan has several cost implications.*

*Will the Conservation Office be able to deal adequately with the inevitable increase in planning applications as a result of placing more properties under Article 4 directions?*

*How will infringements be monitored & who by?*

*Resources: improvements to Conservation Area eg in street furniture, signs etc (especially well designed quality items) will cost money. I fear people's expectations may be raised unrealistically."*

In terms of negative feedback:

*"The only general criticism I would make is that the historical associations of many buildings, e.g. architects, residents of Victorian and Edwardian periods appear to have been totally ignored."*

#### **4. Written Representations**

22 Written representations were also received. Berkhamsted School raised objections to the Appraisal which are fully addressed in Annex 1.

In response to the issues raised by the School, Dacorum Borough Council

- has revised the Extension 3 boundary to take account of the school's objections
- has offered the school the opportunity to enter into a Heritage Partnership Agreement (rejected by the school)
- has included Locally Listed buildings in the six Conservation Area Appraisals produced since 2008
- employed independent consultants BEAMS to produce the Berkhamsted Conservation Area Appraisal and Appendices. The consultants followed English Heritage criteria in selecting buildings for local listings.
- sought the views of local societies and ensured the 'local list' was approved by them.
- has indicated to the School that their view that adequate protection is afforded to the suggested local listed buildings by being part of the Conservation Area is incorrect as only demolition would be controlled. However, Local Listing would not prevent the School from submitting applications to alter any of the buildings proposed for local listing.
- as the purpose of the review was to recognise the special interest of buildings not included in statutory lists, it was agreed that DBC should provide full descriptions for all the proposed locally listable buildings in Berkhamsted, including those belonging to the School.
- met the school on 30<sup>th</sup> October 2013 to address remaining issues; this was followed up by a site visit which included research in the school's archive
- shared the draft descriptions with the School, who submitted a response on 17<sup>th</sup> December 2013 objecting to all the proposed locally listable buildings
- considers it has been diligent in all aspects of the process and in engaging with explaining the issues to the School. The descriptions more than adequately explain the significance of the buildings, local support has been gained through thorough consultation, and solutions such as a Heritage Partnership Agreement and by involving English Heritage to arbitrate in the matter have been offered to the School.
- have submitted these objections to English Heritage requesting them to undertake a full assessment of the School's portfolio in regard to locally listable buildings and the interpretation of curtilage for existing listed buildings on the school estate.

#### **5. Summary of Proposed Changes resulting from Consultation**

The proposed changes are summarised in Appendix 1 attached to this report. The main changes include minor corrections and updating to the text, assessment of areas suggested as further extensions to the Conservation Area, amendments to the maps, including provision of larger scale maps of proposed extensions, revision to boundary of Extension 3 and map of Locally

Listed Buildings, and assessment of suggestions for further buildings to be included in Appendix 2 as Locally Listed buildings.

## **6. Consultation on the Local List Descriptions**

The Consultation produced a number of helpful suggestions and additions.

The 40 responses received related to:

Correction: 10  
Correction & additions: 8  
Comment: 3  
Additions: 4:  
Correction & advice: 1  
Correction & comment: 1  
Incorrect inclusion: 1  
Query: 5  
Query & Additions: 1  
Incorrectly addressed: 1  
Further information requested: 1  
Nothing to add: 1  
Objection & correction: 1  
Objection: 1

All have been responded to and corrections/additions made to the descriptions. Nothing further has been received by the Council following its response to one of the objections. The descriptions for all of the proposed Berkhamsted School buildings have been commented on by the School and inaccuracies have been addressed. The objection to including the proposed buildings has been referred to English Heritage.

## **7. Next Steps**

- 7.1 Officers recommend the adoption of the draft Berkhamsted Character Appraisal & Management Proposals (published for consultation) incorporating the amendments and reviews referred to above, including the local list building descriptions.
- 7.2 The adopted Appraisal & Management Proposals will provide additional guidance to the Core Strategy (2006-2031), and thus become an important material consideration in all relevant planning applications. The weight attached to the Character Appraisal is greater because of the consultation carried out and consideration of the comments received. It is now important for the draft Appraisal & Management Proposals to be revised as indicated in this Report and published as soon as possible, together with a statement of the public consultation.
- 7.3 The discussions with Berkhamsted School regarding some of their buildings being locally listed are continuing. English Heritage has been invited to visit the school to determine the status of all its portfolio of buildings. Some changes may be needed to the draft version of the Character Appraisal as a result of this, and as such the recommendations in the report seek that these are delegated to the Assistant Director for the service in consultation with the Portfolio Holder.



See also:

Appendix 1: Attached – proposed changes as a result of consultation

Annex 1: Qualitative Account of Comments of the Berkhamsted Conservation Area Appraisal & Management Proposals

Annex 2: Analysis of On-Line Survey for Berkhamsted Conservation Area and Character Appraisal

Annex 3: Consultation on Locally Listed Buildings

Annex 4: Un-designated Heritage Assets (Locally Listed Buildings) in Berkhamsted as given in Appendix 2 of the Conservation Area Appraisal

Annex 5: Berkhamsted Conservation Area Appraisal and Management Proposals

Please note Annexes 1 – 5 are available to view on the Dacorum Borough Council website and can be accessed via the following link:

<http://web.dacorum.gov.uk/home/council-democracy/councillors-meetings-and-agendas/meetings-and-agendas/events/2014/01/21/cabinet/cabinet>

Copies of these annexes have also been put in each of the Group Rooms at Dacorum Borough Council.

## Appendix 1: Proposed Changes to Berkhamsted Conservation Area Appraisal resulting from Consultations

Change captions to p.124  
Change all references from 'Collegiate' to 'Berkhamsted School'  
Change No 62 to No 60 and amend photo caption on p.185  
Change 'Deans Hall Foyer' to 'Cloisters'  
Assess No. 17 Anglefield Road for extension of boundary  
Show No 29 High Street as a listed building  
Provide larger scale maps of proposed extensions  
Produce Map of Locally Listed Buildings  
Document to include full details of the consultation process  
Change Castle Hill Road to Castle Hill (2.6)  
Change Stag Land to Stag Lane (3.20)  
Change Lower Mill (6.122) to Upper Mill  
Change Bullet Point Column 2 No. 4 to read 'The general topographic ...'  
(4.1, p.26)  
Omit reference to 'owned by Edward Greene of The Hall (Berkhamsted Hall)  
(3.35)  
Take out sentence 2 and replace with 'The Castle belongs to the Duchy of Cornwall but is managed by English Heritage having passed into State Guardianship in 1929'..(7.35)  
Take out second sentence and replace with:  
'There is evidence in the 1841 census of a cottage in the Castle grounds. The present cottage has the date above the doorway, 1865 and was almost certainly erected by the Brownlows who had just purchased the manor of Berkhamsted, apart from the Castle and the living of St Mary's Northchurch, from the Duchy of Cornwall.'(7.34)  
Omit (now *Brasserie Gerard*). Caption to photo on p.62  
Omit (now Brasserie Gerard) on 6.51, p.63  
Omit from 7.48 'Paxton Road is believed to have been named after Joseph Paxton' and change to 'This road is probably named after William Paxton who was Earl Brownlow's Land Agent and related to Joseph Paxton, the mid – nineteenth century gardener and greenhouse designer whose greatest creation, the Crystal Palace, gave its name to the public house at the West end of the sub-district.'  
Change 6.101 to read 'Adjacent is a group of early and mid-nineteenth century yellow brick buildings with red brick detailing/banding incorporating a hay loft window and slate hipped or gables roofs. There is also surviving signage writing on the sidewall which describes Meek's stables with victorias etc.for hire. The building and firm almost certainly predate the building of Lower Kings road (35-43, Berkeley Galleries and Blakes of Berkhamsted)  
Change spelling of Berkley to Berkeley (1st bullet, rit hd col.) (4.1)  
Add New Lodge to Appendix 2: Local List  
Add Hall Walk to Londrina Terrace, Appendix 2: Local List  
Change spelling of Stonycroft to Stonycroft on pps 109, 180 and 204.  
Change references on p.109 from 'Edwardian' to Victorian and ascribe the architect Charles Henry Rew to Stonycroft.  
Relay suggestion of changing Church Lane back to Back Lane to relevant department

Review whether the following areas should be included as extensions or separate Conservation Areas:  
*Ashlyns School and Coram Close*  
*Castle Hill*

*Berkhamsted Place*

*Extension north of railway in Gravel Path to include Rosebank, Littlehurst, and Whitehill Cottage*

Review whether the following buildings should be included as locally listed buildings:

*Ravens Lane: Nos 23/24/25*

*Gravel Path: Between canal & station road – (west side)*

*Gravel Path: Between George St & Ellesmere Road (east side)*

*Falkland House and Penrose House*

Revise proposed Extension 3 boundary to exclude part of Berkhamsted School and alter wording on p.171 relating to Extension 3 to 'The extension encompasses Butts Meadow recreation ground and the neighbouring allotments. Reason: this extension has been proposed as the sites are considered to be important open spaces with neighbouring buildings of visual and historic interest for the Conservation Area.'