



Report for:	Cabinet
Title of report:	Markyate Conservation Area Character Appraisal
Date:	21 May 2024
Report on behalf of:	Councillor Sheron - Wilkie, Portfolio Holder for Place
Part:	I
If Part II, reason:	N/A
Appendices:	Appendix 1: Markyate Conservation Area Character Appraisal Appendix 2: Community Impact Assessment
Background papers:	None
Glossary of acronyms and any other abbreviations used in this report:	CACA: Conservation Area Character Appraisal NPPF: National Planning Policy Framework

Responsible Officer: Sara Whelan (Assistant Director, Planning)

Report Author: Philip Stanley, Helen Cal-Fernandez



Sara.whelan@dacorum.gov.uk / 01442 228950 (ext. 2950)

Corporate Priorities	<p>The Markyate Conservation Area Appraisal promotes the delivery of all the corporate priorities as set out below:</p> <ul style="list-style-type: none">• A clean, safe and enjoyable environment• Building strong and vibrant communities• Ensuring economic growth and prosperity• Providing good quality affordable homes, in particular for those most in need• Ensuring efficient, effective and modern service delivery
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	Climate and ecological emergency
Wards affected	Watling
Purpose of the report:	To set out proposals for the adoption of the Markyate Conservation Area Character Appraisal for use in Development Management and Strategic Planning.
Recommendation (s) to the decision maker (s):	<p>That Cabinet:</p> <ol style="list-style-type: none"> 1) Adopts the Markyate Conservation Area: Character Appraisal as: <ol style="list-style-type: none"> a) Technical guidance for use in Development Management and to inform the Dacorum Borough Local Plan. b) A material planning consideration for use in the determination of planning applications.
Period for post policy/project review:	It is a statutory requirement for local planning authorities to review their conservation areas from time to time. The need to undertake a continuing re-appraisal will be proportionate to development pressures inside and outside the conservation area.

1 Introduction/Background:

- 1.1 Conservation areas are designated under the provisions of Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990. A conservation area is “an area of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance”. Section 71 of the same Act requires local planning authorities to formulate and publish proposals for the preservation and enhancement of these conservation areas. Section 72 also specifies that, in making a decision on an application for development in a conservation area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 1.2 Providing a full assessment for all the Conservation Areas (25 in all) within Dacorum forms part of the Council’s Conservation Strategy. The following Conservation Area Character Appraisals have been published so far:

Conservation Area	Date of Publication
Aldbury	2008
Bovingdon	2009
Chipperfield	2009
Frithsden	2010
Great Gaddesden	2010
Nettleden	2010
Berkhamsted	2011
Hemel Hempstead (Old Town)	2012
Tring	2019
Little Gaddesden	2021

- 1.3 The Conservation Area Appraisal, (see Appendix 1), highlights the special qualities and features that underpin Markyate’s character and justify its designation. This type of assessment conforms to Historic England guidance and to Government advice in the NPPF. It also supports and amplifies those policies aimed at protecting the overall character of conservation areas and forms part of Dacorum Borough Council’s Local Planning Framework. The adopted Appraisal will provide additional guidance to the Local Plan, 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 the comments received. Conservation Area Appraisals help local authorities, applicants and local residents understand the significance of an area and how its character and appearance can be preserved or enhanced. The appraisal is intended to make more effective use of officer time on the processing of planning applications within the Markyate Conservation Area, and it will also support the Council’s position when defending appeals against decisions.

2 Options and alternatives considered

It is necessary to review the boundaries and produce conservation area appraisals in line with national requirements and policy guidance. This is a legal requirement under the Planning (Listed Buildings and Conservation Areas) Act, 1990. As such, it is recommended the Markyate Conservation Area Character Appraisal is adopted. An alternative option is to not adopt the Appraisal / do nothing, but this would not be good practice or conform to policy guidance.

3 Consultation

- 3.1 The following consultation was undertaken:

- A four-week public consultation exercise was carried out between 21st November and 21st December 2022 via the ‘Commonplace’ consultation platform. This received 78 responses.

- An exhibition was held at Markyate Baptist Church on Tuesday 29th November, 3 – 7pm. Posters and copies of the appraisal were displayed and officers were present to answer any questions in relation to the draft Conservation Area Appraisal. Sixteen local residents attended this exhibition.
- Public Notices were displayed on lamp posts in the village, informing of both the consultation period and the exhibition.
- The public consultation exercise was advertised on the Dacorum Borough Council website, with a link to the Commonplace consultation platform
- Letters were delivered to those properties that would be included in the amended conservation area boundary and those properties suggested for inclusion on the 'Local List'.
- Markyate Parish Council and Historic England were also consulted. Written/ E-mail responses were also received from Historic England and two local residents.

3.2 The Conservation Area Appraisal highlights the special qualities and features that underpin Markyate's character and justify its designation.

3.3 Markyate's strengths lie in the historic character of the High Street, which contains many statutory listed buildings, and the character of the streets, which extend off the High Street. It is an unusual conservation area without any key focal point, such as a village church or square. This relates to its historic development as an area, which grew to serve the main road (Watling Street) which runs through the village, rather than as a typical village settlement. It contains numerous buildings of architectural merit but with some mid-20th century infill, which does detract from the character of the area.

3.4 The vast majority of comments made were on specific points. However, where general comments were made, they were largely positive. Several helpful comments were provided in relation to proof reading of the documents and spelling mistakes amended. Property numbers / names were also updated. Some information in the appraisal, ie on windows in a listed building, were out of date so this was corrected.

3.5 It is very pleasing to note that Historic England were complimentary in their response to the document:

We welcome the production of this appraisal for the Markyate Conservation Area. We consider that the appraisal is clearly written, illustrated and set out, and contains a wealth of information regarding the special interest of the area.

The extensions to the Conservation Area boundary were generally supported.

3.6 Historic England further commented:

We support the addition of the terrace on Wesley Road as an area that would contribute positively to the special interest of the area. We note, however, that the uniform appearance of the terrace is currently undermined by the replacement fenestration and boundary treatments and in light of this would refer you to our comments below regarding an Article 4, where we think the designation of this area should be accompanied by measures to secure its enhancement over time. We also support the proposed boundary alteration around Cleveland Road and George Street to include these areas. We have no objections to any of the areas proposed for removal.

3.7 A consultee commented:

Logical extension of existing conservation area. Excludes inappropriate and unworthy developments. Strongly agree with addition of war memorial, Wesley Rd and High Street / George St.

3.8 A further consultee raised concerns over the boundary extensions:

The council, in particular the planning function, already has sufficient powers to control developments. The planning and regulatory processes are meant to be getting simpler but the proposal will mean more regulations and restrictions.

- 3.9 Extending the Conservation Area further to the south (down London Road) was suggested but it was felt the character further down London Road was too mixed, this would over-extend the Conservation Area which could dilute its significance.
- 3.10 There was some confusion over the implications of 'local listing' so further clarification was provided to residents.
- 3.11 Where additional comments were made, these tended to focus on concerns over traffic / congestion along the High Street and local roads, and the parking situation within Markyate. The pressures of new development on the future parking situation were also raised as a concern.

The village is at breaking point with congested roads & lack of parking. Urgent action needs to be taken.

It is difficult to see how any more new developments could be squeezed into this area, given its density and the ever growing issues of parking and through traffic. It would be nice to see the area enhanced, preserved and protected from further development.

- 3.12 The appraisal highlights the special qualities of the Markyate Conservation Area. Key recommendations will be provided within the Conservation Area Management Plan – to be produced.

4 Financial and value for money implications:

- 4.1 There are proposed a number of extensions and deletions to the Conservation Area boundary. Overall this balances out with regards to property numbers and so any resultant requirement for applications for various developments (and their administrative costs) would be nominal.
- 4.2 The appraisal is intended to make more effective use of officer time when considering planning applications and planning appeals from within the Markyate Conservation Area as the special qualities of the Markyate Conservation Area will have already been highlighted.

5 Legal Implications:

The areas in the proposed extensions would be covered by restrictions as per the 1990 Planning (Listed Buildings and Conservation Areas) Act with regards to changes. Conversely, areas removed would lose these restrictions. There are no broader legal implications.

6 Risk implications:

The appraisal complies with legislation and best practice and the intention is therefore to avoid the risk of non-compliance and wasting resources. Not having appraisals increases the chances of the local authority losing appeals, hearings and public inquiries affecting the conservation area. The lack of a conservation area appraisal would result in less understanding of the importance of the Markyate Conservation Area with regards to its historical and architectural interest.

7 Equalities, Community Impact and Human Rights

- 7.1 A Community Impact Assessment (CIA) is prepared to support the Markyate Conservation Area Character Appraisal (see Appendix 2). Conservation Area Appraisals help local authorities, applicants and local residents understand the significance of an area and how its character and appearance can be preserved or enhanced. A four week consultation was held engaging with stakeholders, members of the public and

Markyate Parish Council throughout the formulation of the Character Appraisal. The appraisal is intended to save officer time in the future in processing planning applications within the Markyate Conservation Area, as well as in defending appeals against refused planning applications. The Conservation Area Appraisal has been assessed as a neutral impact upon all the protected characteristics.

7.2 There are no Human Rights Implications arising from this report.

8 Sustainability implications (including climate change, health and wellbeing, community safety)

There are no sustainability implications arising from this report.

9 Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

There are no implications to Council infrastructure arising from this report.

10 Statutory Comments

Monitoring Officer:

The appraisal should help consistent decision making and therefore minimise the risk of challenge through planning appeals or other legal challenge.

S151:

The adoption of the Conservation area will make decision making more transparent and efficient, the adoption of this scheme is not expected to have a financial impact on Dacorum.

11. Conclusions and Next Steps

11.1 The Markyate Conservation Area Character Appraisal has been drafted and finalised through an extensive research and consultation process. This document will assist all parties in understanding the most important characteristics of the Markyate Conservation Area, will provide additional guidance to the Local Plan, and will be an important material consideration in all relevant planning applications.

11.2 Following adoption of the Markyate Conservation Area Character Appraisal, a copy of the document will be made available on the Dacorum Borough Council website. The boundary changes will need to be formalised via a public notice and an entry in the London Gazette.

11.3 The production of conservation area appraisals for Flamstead, Ringshall, Dudswell and Northchurch, Long Marston and Wilstone are underway. Once finalised drafts have been completed, these will go to public consultation and then approval will be sought for their adoption. The aim is to have an appraisal for each Conservation Area within Dacorum, with the priorities for production of further conservation area appraisals being drawn up.