

Part I

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WELWYN HATFIELD BOROUGH COUNCIL
CABINET – 6 JANUARY 2020
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING
AND GOVERNANCE)

PEARTREE CONSERVATION AREA

1 Executive Summary

- 1.1 The Council has a duty to determine whether any parts of the borough have special architectural or historic interest that should be preserved and enhanced.
- 1.2 A character appraisal has judged that the Peartree area of Welwyn Garden City warrants designation as a conservation area.
- 1.3 The Council consulted on whether to designate the Peartree area as a conservation area from 26 September to 11 November 2019. This included a letter to all residents in the area and a public drop-in exhibition at Woodhall community centre on 15 October 2019.
- 1.4 The consultation generated 5 responses from statutory bodies and 20 responses from residents and these are summarised below.

2 Recommendations

- 2.1 That this Panel considers whether to recommend to Cabinet and Council that the Peartree area of Welwyn Garden City be designated as a conservation area.

3 Explanation

- 3.1 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that “*Every local planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.*” These areas should then be designated as conservation areas.
- 3.2 Section 71 continues that “*It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.*”
- 3.3 The National Planning Policy Framework (NPPF) states that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. Councils should maintain a historic environment record which assesses the significance of heritage assets and the contribution they make to the environment. This information should be used to help formulate policies and determine planning applications. It clarifies that councils should be sure that an area justifies conservation area status, so that the concept is not devalued.

- 3.4 In light of this legislation and policy framework, the Planning Service has embarked on a process of reviewing its eight existing conservation areas (Ayot St Lawrence, Ayot Green, Welwyn historic core, Welwyn Garden City town centre and west, Beehive, Old Hatfield historic core, Essendon historic core and Northaw historic core) and appraising whether any new areas also warrant conservation area status.

Peartree character appraisal

- 3.5 The character appraisal prepared by Place Services in Appendix 1 confirms that the Peartree area does warrant conservation area status.
- 3.6 It describes Peartree as one of the first developments to be laid out to the east of Welwyn Garden City and benefits from a distinct character and appearance which contributes to the understanding of the garden city as a whole. Much of the area's architectural language, landscape and streetscape remains largely intact, providing an insight into an area that was planned to accommodate lower income housing, comparative to the larger homes built in the west.
- 3.7 It is considered that Beechfield Road, Barnfield Road, Furzefield Road, Pinewood, Sandpit Road, part of Woodhall Lane, part of Holwell Road, part of Mill Green Lane and part of Cole Green Lane as well as Gainswood and Pondcroft cul-de-sacs warrant designation. This includes Woodhall shops, Woodhall community centre, Salvation Army church, Catholic Church of our Lady, Little Tulips day nursery and Pear Tree Inn public house.
- 3.8 It is considered that Moss Green, Woodhall Court and Peartree Court have alternate or diluted character and that Four Acres and Hunters Close are too distant from the core area to warrant designation.

Peartree consultation responses

- 3.9 There are 25 responses to the consultation; 5 from statutory bodies, 10 from residents within the proposed area, 9 from residents outside the proposed area and 1 resident from an unknown location.
- 3.10 The five statutory bodies were:
- Historic England are unable to comment specifically due to the number of consultations that they receive.
 - Natural England does not consider that the designation of Peartree as a conservation area poses any likely risk or opportunity in relation to their statutory purpose, so does not wish to comment on this consultation.
 - National Grid has carried out an assessment with respect to the National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines. It has identified that it has no record of such apparatus within the area.
 - Herts Highways considers that the main impact would be the enhanced materials and/or street furniture that might be required. If the designation goes ahead HCC would require the borough council to ensure that mapping is updated so that

levels of maintenance and replacement appropriate to a conservation area are applied. The same information would be used to advise utilities and works promoters that construction needs to be in accordance with the borough council's planning requirements. They have no objection.

- Herts CC Growth and Infrastructure Unit have considered the document and have no comments to make.

3.11 The views of residents are:

	Yes	No	No response
Question 1. Do you think the character appraisal for Peartree accurately reflects the special character and historic interest of the area?	13	6	6
Question 2. Do you agree with the proposal to designate Peartree as a conservation area?	11	9	5
Question 3. Do you agree with the proposed boundaries of Peartree conservation area?	11	9	5
Question 4: Do you think there is anything else that could be done to protect the character and appearance of the Peartree area?	14	4	7

3.12 The results indicate that there is mixed support for the designation of the Peartree area as a conservation area.

3.13 In respect of Question 4, the following issues were raised:

- Disagreement with the driveway proposals; street parking is messy. Proposals could provide design guides for full frontage parking to keep it attractive and in character. Most properties with hardstanding look neater than those with a single space and a garden, as long as there are still beds, uniformity and hedge retention.
- The main blight throughout the town is traffic, parking and street furniture. Off-street parking on hardstanding has to be accepted and will become essential as electric car use and chargers develop.
- Management under the EMS should be more than enough to preserve the character of the Peartree area.
- Verges and avenues of trees should be maintained. There should be a blanket prohibition of parking on verges which must be enforced.
- No parking on grass verges.
- Protect the verges. People pave over their front gardens but don't want to pay to have the curb dropped so the verges are constantly damaged.

- Many people park on grass verges because there isn't enough parking available. This needs enforcing. Allow driveways on end of terrace and semi-detached properties, which would leave spaces available for mid terrace properties. Conservation status would mean that there would be a cost to residents applying for a driveway which may deter them which may affect the visual characteristics of a road with parking on grass verges. There is no point thinking about a conservation area without a solution to parking issues.
- Enforce a time limit on parking in the car park opposite the doctor's surgery.
- Have a resident parking scheme, more traffic calming measures and enforcement of restrictions on commercial traffic access. There needs to be signage to identify Peartree as a historical area and not just a ward.
- Original porches should be maintained.
- Modern telecommunications are demanded throughout the country but require service cabinets, masts and duct inspection chambers – high capacity fibre optic internet provision could reduce satellite and aerial installations which would benefit the visual environment.
- Unregulated works go unpunished which leads to visual characteristics of the roads being compromised.
- This proposal seems to be just an extension of the EMS and the 'rules' everyone is asked to abide by to protect the unique appearance should be more robustly patrolled. People in the area need to be educated on their obligations. There should be reminders sent out with council tax bills on what it means to live within the EMS area.
- No changes are needed – just keep doing a good job of what is done at the moment.
- At Woodhall House there aren't individual bins, there are huge topper bins which are eyesores and regularly get upended by anti-social youths. It is no good having a lovely conservation area if there are on-going problems with litter and other problems are allowed to continue.
- Maintenance is the key to retaining a traditional appearance, as it is not economical to try to fix a property or items in high state of disrepair. This is usually the point where old gets replaced with new and the traditional 'charm' is lost. This not only applies to properties, but also roads, hedges, bins, lamps, railings, trees, outbuildings etc.
- Clear guidance should be published on what is and isn't acceptable within the existing EMS boundaries. Residents have not necessarily considered the impact of changes to the area as a whole when they work on their homes and may be more minded to do so if they see a justification for it.
- The appraisal may not be clear for some who live in the area therefore they are unable to make informed decisions as the cost implications are also not clear.

The existing EMS should be sufficient enough to preserve the look of the area without imposing unnecessary additional cost to residents and the public purse. This proposal has given no consideration to the impact on the people that live in the area who happen to be the poorest in WGC. The majority of housing in this area is also council and not privately owned. Other considerations are the additional cost to homeowners for the use of specified materials and the potential impact of not being able to implement greener measures for their homes.

- Would like to see the other half of Holwell Road included – Why have the older and important houses opposite Holwell Primary School been excluded from the plan? These display architectural features distinctive of the houses/roads chosen and are more historically significant. Could these be considered? There is a concern that by subdividing Peartree into those in the conservation and those not may re-prioritise resources. For instance the east side of Holwell Road has seen deterioration in its aesthetic over the last decade – increased parking on grass verges, litter and paving of vast driveways.
- The report showed lack of understanding about the day to day life in Peartree. Criticisms of uPVC windows, hardstanding, security cameras and pull-down hoardings and designation the day nursery and café/day room of the church as negative quality buildings all reveal a mentality that puts preservation of the 'historic' look of the area above residents' needs.
- The quality of the area should be valued as much as other areas of the town and should receive the same care and maintenance.
- Verges and trees should be maintained to an acceptable standard across the proposed conservation area, including a prohibition of verge parking. Funding for this could be considered/resourced through a joint venture initiated by both WHBC and Herts CC.
- Important for residents so have pride in their community.
- There needs to be awareness of the demographic of the area. It is a working class area and by imposing a conservation area it will make it harder for people to make amendments to their properties. It is hard enough to buy a property and even harder to climb the ladder so most people can only afford to extend their current properties. This might make it less appealing for people as it is another loop to go through.
- The convex footprint of the Woodhall shopping parade is an example of appalling retail design by today's standards. This encourages petty crime and leads to the necessity of metal shutters. The service area behind the shops is not fit for purpose. Rather than conserving this area it should be earmarked for total redevelopment in a compatible architectural design in the future.
- Homeowners are divided between the benefits that a conservation area brings versus the needs of families to extend their homes. WGC homes are small and families will always require expansions.
- The demographic of Peartree requires consideration. There are many local authority tenants that do not care for their front of house appearance.

- The initiative is welcomed – some moved to the area because they liked the fact that front gardens simply can't just be pulled up and turned in to a car park, remove trees and hedges, and that there is protection of unique characteristics.
 - Peartree is evolving all the time and doesn't need to be conserved as the houses in the main are not of architectural interest. There are one or two in the area but not necessarily in Peartree which have already been over developed.
 - The Peartree area is already beautiful with a lot of trees.
 - Why does the proposed area not cover all of Peartree? This area is covered by EMS but isn't administered properly and people have made changes to their properties that should not have been allowed. Now those changes will be protected even though they shouldn't be there.
 - A window on the landing at Woodhall House (the previous Barclays Bank entrance) was smashed by hooligans in August. On 15 October it still hadn't been repaired even though the area is meant to be inspected and cleaned every week by the council. It is pointless having a conservation area if these things are allowed to continue.
 - Turning Peartree into a conservation area is not the right step. It is already in the EMS which has been doing its job successfully. By introducing a conservation area the overlap would become too significant, and tax payers don't like to see job duplicity and would rather see the money invested somewhere where there is a positive difference. Therefore as the EMS already exists there is no point in adding to it.
 - Although it is important to retain a traditional look of the properties and surroundings, the concerns of a conservation area are that families will be put under more financial pressure due to: rising cost of maintenance; longer approval time; application permissions associated with cost; use of traditional materials, e.g. replacing double glazing uPVC vs timber has cost and maintenance implications; and use of approved materials and applicable methods.
 - Energy demands are growing and the planet can't keep up with the growth. The long term drive should be to make our buildings more ecological and energy efficient, hence using modern materials in the building industry should be supported not denied.
 - The area is suffering with crime and anti-social behaviour problems, which should be the focus of resources rather than implementing additional schemes to restrict what people can and can't do to their homes.
- 3.14 Three key issues emerge from these comments: parking/hardstanding/verges, the cost of home improvements and the estate management scheme.
- 3.15 Parking is a perennial problem. The creation of more hardstandings has the benefit of removing cars from the street but creates a less green, more urban environment and often results in the loss of hedges. The Council and Herts

County Council are keen to resist parking on verges but it is difficult to enforce and can serve to make on-street parking even worse.

- 3.16 The designation of Peartree as a conservation area means that planning officers will be looking for proposals that protect and enhance the area, which includes careful attention to design and the use of materials. The Council has called a climate change emergency and planning policies can therefore look more favourably on proposals for energy efficient technologies.
- 3.17 Welwyn Hatfield Borough Council is responsible for administering the planning system and the Welwyn Garden City Estate Management Scheme. It is recognised that there are similarities and overlaps between conservation area and EMS rules. Officers take the view however that if an area is worthy of conservation area status then this should happen regardless of whether it is also covered by the EMS. This situation already exists for the west of the town and Beehive area which are both conservation areas and part of the EMS. It is also worth noting that EMS only covers residential properties and their gardens, whereas conservation areas include everything within their boundary including commercial and retail buildings, streets, verges, open space, street furniture, etc.
- 3.18 One response recommended that Ravenfield Road and Peartree Lane should also be considered for conservation area designation. The Council has commissioned Place Services to assess the value of this area and will bring a separate report to a future meeting of this Panel.

4 Legal Implications

- 4.1 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that the Council must advertise the designation of a conservation area via an advert in the Welwyn Hatfield Times and the London Gazette and must inform Historic England and the MHCLG Secretary of State.
- 4.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that the designation of a conservation area must be registered as a local land charge on all properties in the area.

5 Financial Implications

- 5.1 The financial implications of designating a conservation area is that anyone wishing to make changes to their property will need to apply for planning permission and pay the associated fee. The Council will receive these fees but use more officer time to determine such applications.
- 5.2 Although it is not a planning matter, the designation of a conservation area may have an impact on property values, depending on whether it is perceived as a desirable protection or a hindrance to making changes to properties. A study undertaken by English Heritage and the London School of Economics in 2012 found that houses in conservation areas sell at a premium and show a greater appreciation in value than those in other areas, even when adjusted for the kind of property and where it is located.

6 Policy Implications

- 6.1 The positive implications of designating Peartree as a conservation area are that policies will be in place to preserve and enhance its character and to resist poor quality development proposals that harmed its character. The character appraisal sets out opportunities for enhancement and management proposals to help protect and enhance the character of the area that would be used in the determination of planning applications.
- 6.2 The negative implications of designating Peartree as a conservation area are that it will remove nationally permitted development rights. Those wishing to make changes to the external appearance of their property, to demolish any building or to carry out works to a tree would need planning permission. It is a criminal offence to carry out demolition in a conservation area within planning permission. The Council could take enforcement action against breaches of planning control and will rank breaches as a higher priority than those not in a conservation area.
- 6.3 If the designation is agreed, the character appraisal and management plan will become a material consideration in the determination of planning applications.

7 Risk Management Implications

- 7.1 There are no risk management implications associated with this report, although it should be noted that some residents have opposed the designation of the conservation area.

8 Security and Terrorism Implications

- 8.1 There are no security or terrorism implications associated with this report.

9 Procurement Implications

- 9.1 Place Services provide heritage advice to the Council through a service level agreement.

10 Climate Change Implications

- 10.1 There are no direct climate change implications associated with this report. It should be noted however that the designation of a conservation area means that some permitted development rights relating to energy efficient technologies are removed and such works require planning permission.

11 Human Resources Implications

- 11.1 There are no human resources implications associated with this report. It is worth noting however that conservation area work is part of the planning policy function, which is currently busy progressing the Local Plan.

12 Health and Wellbeing Implications

- 12.1 There are no direct health and wellbeing implications associated with this report. The protection and enhancement of the character of Peartree area as a conservation area may contribute to the wellbeing of residents.

13 Communications and Engagement Implications

- 13.1 The designation of Peartree as a conservation area will require formal letters to be sent to all properties within the designated area, wider communication to other interested parties, an advert in the Welwyn Hatfield Times, an advert in the London Gazette, a letter to Historic England, a letter to the MHCLG Secretary of State and its registration as a local land charge on all affected properties.

14 Link to Corporate Priorities

- 14.1 The subject of this report is linked to the Council's Business Plan 2018-2021 and particularly Priority 2 Our Environment to enhance spaces.

15 Equalities and Diversity

- 15.1 An EqIA was not completed because this report does not propose changes to existing service-related policies or the development of new service-related policies.

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Background Papers:

Peartree Conservation Area report, to CPPP on 3 July 2019 and Cabinet on 9 July 2019

Appendices:

1. Peartree Conservation Area Character Appraisal (Place Services, March 2019)
2. Schedule of all affected properties in Peartree area
3. Consequences of conservation area designation
4. Consultation responses