

WELWYN HATFIELD BOROUGH COUNCIL  
CABINET PLANNING AND PARKING PANEL – 18 JANUARY 2024  
REPORT OF THE ASSISTANT DIRECTOR – PLANNING

WELWYN VILLAGE CONSERVATION AREA CHARACTER APPRAISAL AND  
MANAGEMENT PLAN

**1 Executive Summary**

- 1.1 Under national planning policy guidance and advice by Historic England, Local Planning Authorities (LPAs) are required to review their areas and formulate and publish proposals for the preservation and enhancement of conservation areas. LPAs should also consult the public and take account of views expressed.
- 1.2 A review of the Welwyn Village Conservation Area has taken place. The review has been undertaken by the Council's heritage consultant, Essex Place Services. A Draft Conservation Area Character Appraisal and Management Plan (CAAMP) was produced which identified potential changes to the conservation area boundary to remove areas where designation may no longer be justified.
- 1.3 Public engagement was carried out, consisting of an eight-week consultation, and a public drop-in session at Welwyn Parish Council offices. The views of residents, local businesses, local interest groups and statutory consultees were sought on the content of the Draft Conservation Area Character Appraisal and Management Plan.
- 1.4 The comments received have been considered by officers in conjunction with the Council's heritage consultant, and a final version of the CAAMP has been produced. This includes an amended conservation area boundary in response to the comments received.
- 1.5 The final version of the CAAMP is included in Appendix 1, a schedule of properties proposed for removal from the conservation area is included in Appendix 2, a summary of permitted development rights in conservation areas is included in Appendix 3, the CAAMP consultation report is included in Appendix 4 and a map of the proposed conservation area boundary changes is included in Appendix 5.

**2 Recommendation(s)**

- 2.1 That the Cabinet Planning and Parking Panel (CPPP) notes the results of the public consultation and public drop-in session.
- 2.2 That CPPP recommends to Cabinet and Council that the Welwyn Village Character Appraisal and Management Plan is adopted and the boundary of the Welwyn Village conservation area is revised as proposed, to remove areas where designation is no longer justified.

### **3 Explanation**

- 3.1 Welwyn village historic core Conservation Area was designated in 1969; there is a map of the conservation area extent, but there has been no accompanying Character Appraisal or Management Plan.
- 3.2 Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, 'local planning authorities must review their conservation areas from time to time... and determine whether any parts or any further parts of their area should be designated as conservation areas'). Resources permitting, it is advised that every five years is ideal, but review frequency will vary according to the development pressures in the local area. The Conservation Area Appraisal and Management Plan document provides baseline information for applicants to consider when designing or planning new development in Welwyn.
- 3.3 The assessment that has been undertaken follows best practice guidance, including Historic England's revised Historic England Advice Note 1 for Conservation Area Appraisal, Designation and Management (2nd Edition 2019) and The Setting of Heritage Assets (2nd Edition 2017).
- 3.4 The appraisal seeks to analyse the special architectural and historic interest of the Welwyn Village Conservation Area, identifies opportunities for beneficial change and the need for additional protection.
- 3.5 The review of the Welwyn Village Conservation Area and the production of the Conservation Area Appraisal and Management Plan are part of a wider aim by Welwyn Hatfield Borough Council to preserve or enhance the special character and appearance of the Conservation Area as required by the Planning (Listed Buildings and Conservation Areas) Act 1990. It will also enable sustainable decisions to be taken about the future management of the area and any heritage assets within it.
- 3.6 Consultation
- 3.7 Following consideration at CPPP, it was unanimously agreed by CPPP and confirmed by Executive Member decision to proceed to consultation on the Welwyn Village CAAMP.
- 3.8 Consultation on the Draft CAAMP ran for eight weeks, from 9<sup>th</sup> November 2022 to 6<sup>th</sup> January 2023. In line with the Council's Statement of Community Involvement, notification letters/emails were sent to owner/occupiers within the Welwyn village area, local resident/interest groups and statutory consultees. Adverts were placed in two local newspapers and on the Welwyn Hatfield Brough Council website. In addition, consultation documents were placed at deposit points within the Parish and at the Council offices.
- 3.9 A public drop-in session was also held at the Welwyn Parish Council offices, providing an opportunity to discuss the proposals.
- 3.10 The online questionnaire asked respondents whether they had any comments on the character appraisal and management plan sections of the Draft CAAMP. The character appraisal section included proposed revisions to the conservation area boundary.

3.11 The consultation attracted 24 responses, from a mix of residents, organisations and statutory consultees. A full report on the consultation is included as Appendix 4, but in summary:

- A total of 24 responses were received; 18 from individuals who lived or worked in the area, two from local organisations (Welwyn Parish Council and the Welwyn Planning Action Group), and four from consultees/organisations (of these four, two were merely acknowledgements and had no wish to comment).
- Overall, the document was well received and no comments were received in objection to the publishing of a Conservation Area Appraisal and Management Plan for Welwyn village.
- In terms of the character appraisal sections of the document, comments were received on the proposed revisions to the conservation area boundary, and on the boundaries of the character areas within the conservation area. Requests were also made for some additional detail to be included on non-designated heritage assets and archaeology/below ground heritage assets, inclusion of heritage assets and wildlife sites in the wider village area, and additional key views.
- Whilst a number were generally in agreement with the proposed removal of certain areas from the conservation area (including Historic England as statutory consultee), some respondents did not (fully) agree with the proposed revisions to the conservation boundary.
- About half were of the view that the conservation area should be enlarged, although these representations were mainly from one area to the north of the village, Danesbury Park Estate.
- In terms of the management plan sections of the document, responses received included comments on additional detail to take into account in the management of the area. This related to matters such as tree maintenance, drainage, archaeology, building heights, transport policies, parking and the Welwyn heritage trail. Comments were also made that residents needed to be made aware of their obligations within a conservation area.

3.12 In response, Council officers, in conjunction with the Council's heritage consultant, Essex Place Services, have reviewed all of the comments.

- Where considered appropriate, the proposed conservation area and character area boundaries have been adjusted. A map of the proposed revisions to the conservation area boundary and a schedule of properties proposed for removal from the conservation area are included in Appendices 5 and 2 respectively.
- Where the proposed amendments to the boundary have remained the same, justification has been provided within the report. It is also noted that where areas are proposed to be removed from the conservation area, they may still contribute to the special interest of the area in terms of the setting of the conservation area.

- Where considered appropriate, additional detail has been added to the report on the matters identified in both the character appraisal and management plan sections, as well as some minor corrections and clarifications.
  - A Frequently Asked Questions section has been added to the end of the report to aid awareness of conservation areas and how property owners are affected. A summary of permitted development rights in conservation areas (as they currently stand) is also included in Appendix 3, although it is noted that the relevant legislation underpinning these rights is subject to frequent change.
- 3.13 The final version of the CAAMP incorporating all the above revisions is included as Appendix 1.
- 3.14 Implications of a decision to adopt the CAAMP with the associated revisions to the conservation area boundary are set out below in sections 4 to 15 of this report.
- 3.15 It is noted that, for areas proposed for removal from the conservation area, the protection of trees afforded due to conservation area status will no longer apply. To ensure trees are adequately protected, a tree survey has been carried out by WHBC's Landscape and Ecology team. Where considered appropriate, additional protection (Tree Preservation Orders) have been put in place.

### **Next Steps**

- 3.16 If the recommendation is approved by this Panel, Cabinet and Council, the Welwyn Village CAAMP will be adopted, and the changes to the conservation area boundary will be made.
- 3.17 The adopted CAAMP will be used to guide future development in the area and will be a material consideration in the assessment of planning applications.
- 3.18 There are several notifications to be carried out as statutory requirements of amendments to a designated conservation area, as set out in the Legal Implications section below.
- 3.19 As best practice, it is also recommended that notification letters/emails are sent out to local owner/occupiers of properties which are to be removed from the conservation area, as well as other interested parties, as set out in the Communication and Engagement Implications section below.

### **Implications**

#### **4 Legal Implication(s)**

- 4.1 Section 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that the Council must advertise any amendments to a designated conservation area via an advert in a local newspaper and the London Gazette, and must inform Historic England and the Secretary of State in the Department for Culture, Media and Sport.
- 4.2 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that all properties within the designated conservation area boundary must have this registered as a local land charge. Some properties will need the

designation as a local land charge to be removed due to the amended boundary. A list of the properties proposed to be removed from the conservation area are included in Appendix 2.

## **5 Financial Implication(s)**

- 5.1 There are no financial implications arising directly in relation to this report. The cost of notifications for the amendments to the conservation area boundary will be met through existing budgets.
- 5.2 A tree survey has already been carried out by the Landscape and Ecology Department to see whether any trees in areas proposed for removal from the conservation area would require additional protection. The tree survey has a cost implication for the Landscape & Ecology Dept and the Planning Dept in terms of officer time but there are no additional financial implications relating to the survey.

## **6 Policy Implications**

- 6.1 As a designated conservation area, there are policies in place which are applicable to Welwyn Village, to preserve and enhance its character and to resist poor quality development proposals that harm its character or setting. Areas outside the conservation area boundary can still contribute to its significance by being part of its setting.
- 6.2 By drawing a tighter boundary, some areas which do not contribute to the special architectural and historic value of the conservation area will be removed, helping to better preserve and enhance the remaining areas within the boundary.
- 6.3 If adopted, the Character Appraisal and Management Plan will be used to guide future development in the area and will be a material consideration in the determination of planning applications.
- 6.4 Where areas are to be removed from the conservation area, properties would, in some cases, regain permitted development rights (PD) (provided permitted development rights have not been limited/removed as a condition of a previous planning consent). This would mean that certain works and some demolition would no longer require planning consent. Consent for tree works would also no longer be required in these areas.

## **7 Risk Management Implications**

- 7.1 Having an up to date Character Appraisal and Management Plan helps to protect areas of special architectural and historic interest within the conservation area from inappropriate development. Removing areas from the conservation area which do not make a positive contribution to its character, enables the conservation area to be better protected as the special character is not diluted.
- 7.2 As noted in section 6.3, areas proposed for removal from the conservation area would, in some cases, benefit from regaining national permitted development rights (provided permitted development rights have not been limited/removed as a condition of a previous planning consent). This would mean that certain works and some demolition would no longer require planning consent. Consent for tree works would also no longer be required in these areas.

- 7.3 However any permitted development which is likely to have a more significant impact on the neighbouring conservation area, such as additional storeys/increases in height, would still be subject to additional checks under the General Permitted Development Order, such as a prior approval process.
- 7.4 It is also noted that for some of the housing developments proposed for removal from the conservation area, there are conditions in place limiting or removing permitted development rights.
- 7.5 To mitigate against any harm to trees, a tree survey has been carried out and additional tree protection has been put in place where considered appropriate.

## **8 Security and Terrorism Implication(s)**

- 8.1 There are no security and terrorism implications arising directly in relation to this report.

## **9 Procurement Implication(s)**

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

## **10 Climate Change Implication(s)**

- 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 more limited and some works may require planning permission. Removal of some areas from the conservation area would broaden the scope for use of these new technologies within those areas.

## **11 Human Resources Implication(s)**

- 11.1 There are no Human Resources implications arising directly in relation to this report.
- 11.2 The process of revising the boundaries of the designated conservation area and removal of the associated land charges on properties will be managed by the planning and land charges teams.
- 11.3 The process of notifications will be managed by the planning and communications teams.
- 11.4 A tree survey and application of any tree protection measures has already been carried out by the landscape and ecology, and planning teams.

## **12 Health and Wellbeing Implication(s)**

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

## **13 Communication and Engagement Implication(s)**

- 13.1 Should Council approve the amendment of the conservation area boundary, as best practice, it is recommended that notification letters/emails advising of the amended

boundary be sent to owner/occupiers of all properties to be removed from the conservation area, as well as other interested parties, and the information be published on the WHBC website.

13.2 This is in addition to the statutory requirements for notification set out in the Legal Implications section above.

13.3 As noted above, the cost of these notifications would be met through existing budgets.

#### **14 Link to Corporate Priorities**

14.1 The subject of this report is linked to the Council's recently agreed Corporate Priority "Together, create opportunities for our communities" and being proud of our environment and heritage.

#### **15 Equality and Diversity**

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

**22<sup>nd</sup> November 2023**

Elizabeth Burnham  
Senior Planning Officer

**Background papers:** None

#### **Appendices**

Appendix 1: Welwyn Village Conservation Area Character Appraisal and Management Plan – Final version

Appendix 2: Schedule of properties

Appendix 3: Summary of permitted development rights in conservation areas

Appendix 4: Summary of consultation responses

Appendix 5: Conservation area boundary amendments map