

**TITLE OF REPORT: HITCHIN CONSERVATION AREA REVIEW, DESIGNATION OF THREE NEW CONSERVATION AREAS AT BUTTS CLOSE, HITCHIN HILL PATH AND HITCHIN RAILWAY/RANSOMS RECREATION GROUND, ARTICLE 4(2) DIRECTION AND HITCHIN REGISTER OF BUILDINGS OF LOCAL INTEREST**

REPORT OF THE HEAD OF DEVELOPMENT AND BUILDING CONTROL

**1. BACKGROUND AND PURPOSE**

- 1.1 Local Planning Authorities have a statutory duty under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate as conservation areas any *'areas of special architectural or historic interest the character and appearance of which it is desirable to preserve or enhance'*. Section 69 of the Act also imposes a duty on local authorities to review their conservation areas from time to time and to consider whether further designations are appropriate.
- 1.2 Hitchin Conservation Area was designated 14 March 1969 and first reviewed on 15 January 1998 and at which time a Register of Buildings of Local Interest for Hitchin was also adopted by the Council.
- 1.3 Considering the length of time which has elapsed since the first review and the amount of change that has occurred in Hitchin during this period, coupled with the publication of a consultative document by English Heritage entitled *'Guidance on Conservation Area Appraisals'* (February 2006), there is sufficient justification for undertaking a second review of Hitchin Conservation Area.
- 1.4 On 30 January 2009, The Conservation Studio Ltd (TCS) was appointed to:
- i) Undertake a Review of Hitchin Conservation Area,
  - ii) Review Article 4(2) Directions for Hitchin,
  - iii) Review the Register of Buildings of Local Interest and
  - iv) Undertake and report back on the public consultation process.
- 1.5 On 27 March 2009, a stakeholder's workshop was organised by TCS and the consultants reported at a progress meeting with officers on 8 April 2009 that this had gone well and had been a positive experience.
- 1.6 Following on from this workshop and initial survey work undertaken by TCS, two additional conservation areas were proposed at Butts Close and Hitchin Railway/Ransoms Recreation Ground. On 22 May 2009, the Consultants were appointed to produce a Townscape Appraisal Map and Justification Statement for each of the proposed conservation areas.
- 1.7 On 4 July 2009, a 9-week public consultation exercise was launched with an exhibition at Church House, Churchyard, Hitchin. The exhibition was subsequently

moved to Hitchin Town Hall and Hitchin Library and the consultation period ended on 4 September 2009.

- 1.8 Following the public consultation, representations were assessed and further work conducted. Consequently, a second round of public consultation commenced on 14 May 2010 and ended on 11 June 2010 and related to a third proposed conservation area at Hitchin Hill Path and further additions to the existing Hitchin Conservation Area together with an expansion of the proposed Article 4(2) Direction. This consultation was not accompanied by an exhibition.
- 1.9 If approved, all four Conservation Areas (including the three proposed conservation areas) will be adopted for Development Control purposes and will inform planning decisions and may support future Supplementary Planning Documents (SPD) that may be produced as part of the Local Development Framework (LDF).
- 1.10 The revised version of the Hitchin Conservation Area Review can be found at APPENDIX A to this report. The 3no. proposed new conservation areas are enclosed at APPENDIX B. With regard to the 3no. additional proposed conservation areas, more detailed character appraisals will be prepared by The Conservation Studio once it has been agreed that the boundary for those areas is acceptable.
- 1.11 Monochrome versions of the conservation area plans are appended separately to this report but for the benefit of Hitchin Committee Members only and where necessary, maps and photographs have been provided in colour. A colour version of the conservation area maps will be displayed at the committee meeting and colour versions can also be viewed on the Council's website.

## **2. PUBLIC CONSULTATION**

### **4 JULY 2009 TO 4 SEPTEMBER 2009**

- 2.1 The public consultation process resulted in over 700 letters being sent out to those listed at APPENDIX C and internal consultation with officers is also listed at APPENDIX C.
- 2.2 Throughout the 9 week public consultation, a public exhibition could be viewed either at Hitchin Town Hall or Hitchin Library (details provided on posters and on the Council's website) and the exhibition launch was covered in the local newspapers. An officer was available to answer questions on 5 separate occasions throughout the process. An article was also placed in the Council's 2009 summer edition of its OUTLOOK magazine which was issued to each household in August. All of the public consultation material was made available on the Council's website. Responses to the first round of public consultation can be found at APPENDIX D

### **Overview of questionnaire responses**

- 2.3 Over 80 paper copies of the questionnaire were taken at the exhibition but only 15 were returned whilst a further 15 responses were received on-line. The results of

the questionnaire responses are found at APPENDIX F together with the consultants report into the first round of public consultation.

- 2.4 Generally, the responses were very positive with comments such as, '*excellent work has been carried out by the consultants*', '*very impressed by both the thoroughness and the more "evaluative" aspects of the work*' and '*It's extremely positive*'. Of the 30 questionnaires returned only 1 person was very dissatisfied with the Hitchin Conservation Area Appraisal and associated maps. The same respondent also objecting to all eight proposed additions to the conservation area and tending to disagree with proposed new conservation areas at Butt's Close and Hitchin Railway & Ransoms Recreation Ground.
- 2.5 26 (86%) people either strongly agreed or tended to agree that Butt's Close should be designated as a conservation area whilst 25 (83%) people either strongly agreed or tended to agree that Hitchin Railway & Ransoms Recreation Ground should be designated as a conservation area .

#### **14 MAY 2010 TO 11 JUNE 2010**

- 2.6 The public consultation process resulted in over 60 letters being sent out to those listed at APPENDIX C and internal consultation with officers is also listed at APPENDIX C.
- 2.7 This time there was no public exhibition but the information was available on the Council's website and copies of the documents and paper versions of the questionnaire were made available at Hitchin Library. The public consultation was covered in the local newspapers.
- 2.8 Responses to the public consultation can be found at APPENDIX E. No paper copies of the questionnaire were returned but 7 responses were received on-line. The results of the questionnaire responses are found at APPENDIX F.

#### **Overview of questionnaire responses**

- 2.9 Generally, the responses were very positive, for instance, of the 7 questionnaires returned all respondents strongly agreed that Hitchin Hill / Butcher's Lane should be designated as a conservation, however, one respondent was fairly dissatisfied with the Justification Statement and Map produced for this area. Another respondent strongly disagrees that the Glover Centre, the factory unit on Dacre Road and St Mark's Church should be included on the revised Register of Building of Local Interest.

### **3. HITCHIN CONSERVATION AREA REVIEW (EXCLUDING THE THREE PROPOSED CONSERVATION AREAS)**

- 3.1 As noted on Map 11 enclosed at APPENDIX A, eight additions were proposed to the existing Hitchin Conservation Area as part of the first round of public consultation and a further two areas proposed as part of the second round of public consultation.
- 3.2 The Conservation Studio produced a report dated 20 November 2009 with respect to an analysis of the first round of public consultation carried out in Summer 2009. This report is enclosed at APPENDIX F. The Conservation Studio were not instructed to produce a report with respect to an analysis of the second round of

public consultation. The remainder of Section 3 below addresses salient points from the first round of public consultation with regard to the existing Hitchin Conservation Area.

### **Hitchin Historical Society (HHS)**

3.3 As stated at Section 1(i) of the consultant's report on the first round of public consultation, the Hitchin Conservation Area Appraisal has been amended to take into account factual errors and minor changes raised by HHS.

3.4 Listed at Section 2 of the consultant's report on public consultation at APPENDIX F are 10no. generalised issues raised by HHS. With the exception of expanding further upon item 2(x), the other 9no. items separately listed under this section are not considered to be of direct relevance to the consideration of the Hitchin Conservation Area Appraisal. With regard to item 2(x), The Conservation Studio suggested that there may be scope for using a local designation of 'High Townscape Value' to protect areas of medium quality which do not have the cohesive townscape which characterises conservation areas. Although some of the residential streets suggested by HHS could be protected in this way, officers have given this consideration and concluded that this would not be enforceable.

3.5 As part of HHS' response, a number of extensions to the existing conservation area were suggested and these are found at APPENDIX C. Each area has been considered as follows:

#### **'Triangle' area**

3.6 This area has been surveyed by The Conservation Studio (TCS) and part of which considered worthy of inclusion. HHS support the extension of the CA in the Verulam and Radcliffe Road area, however, HHS consider that *'this extension has been drawn too tightly around key buildings (eg St Saviours). While accepting that there are difficulties in this area we would argue, nonetheless for careful reconsideration of the CA boundary eg long Walsworth Road in connection with the proposed Trevor Road designation and in Dacre Road....'* In response, please see TCS's comments in the public consultation report under 3 (vii).

#### **Whinbush Road**

3.7 No comments provided in the consultant's report. Officer have reconsidered this area and remain of the view that the inclusion of this area would dilute the special interest of the conservation area.

#### **Lancaster Road/York Road**

3.8 HHS accepts '..... for the present, the general judgement concerning the proposed additions in the north west segment (eg. Bunyan/York/Lancaster Roads)'. See item 3 (xii) of the consultant's report on public consultation.

#### **Thomas Bellamy House/ Hitchin Infirmary**

3.9 Included as part of second round of public consultation

#### **Old Park Road / Nuns Close**

3.10 Part of Nun's Close included in extension to Hitchin Conservation Area. See item 3(iv) of the consultant's report on public consultation at APPENDIX F.

### **Brown's Almshouses, Wratten Road East**

- 3.11 Included within a proposed extension to Hitchin Conservation Area.

### **Storehouse Lane / Kershaw's Hill**

- 3.12 HHS accepts that *'given the topography, inclusion of the Hill is not straightforward but the road itself presents a unique and chronological west to east assemblage of buildings from the 1880's to the Great War ....'* . Part of Storehouse Lane has been included in a proposed extension to Hitchin Conservation Area. See item 3(vi) of the consultant's report on public consultation.

### **Wymondley Road**

- 3.13 Included within a proposed extension to Hitchin Conservation Area. See item 3(ix) of the consultant's report on public consultation at APPENDIX F.

### **Midland Cottages**

- 3.14 Included within proposed conservation area at Hitchin Railway / Ransom's Recreation Ground.

### **Taylor's Hill Cottages**

- 3.15 No comments provided in the consultant's report. Officers have reconsidered this area and remain of the view that the inclusion of this area would dilute the special interest of the conservation area.

### **Hitchin Hill**

- 3.16 Included within proposed conservation area at Hitchin Hill Path / Butcher's Lane.
- 3.17 In addition to the above, HHS have proposed 'Open Space' additions. Part of Area X identified on plan submitted in August 2009 has been incorporated into the proposed Butt's Close Conservation Area. With regard to Area Y, see comments in consultant's report under item 3(iii). This area has not been included as a proposed open space or proposed as an extension to Hitchin Conservation Area. Area Z has been incorporated into a proposed conservation area at Hitchin Railway / Ransom's Recreation Ground.

### **Hitchin Forum (HF)**

- 3.18 Positive comments have been received, for instance, HF have commended the fact that public involvement has been so actively sought, that the document brings together a considerable amount of information, making it more interesting for the public to consider and that the separation into 'character areas' is helpful. Similar to above, the Hitchin Conservation Area Appraisal has been amended to take into account factual errors, minor changes and spelling corrections (see Section 4(ii) of consultant's report). Of the other 8no. matters raised by HF, officers considered it appropriate to address item 4(v).
- 3.19 Furthermore, Hitchin Forum fully supports all of the proposals set out in the second round of public consultation.

### **The Hitchin Society (THS)**

- 3.20 In their letter dated 29/08/09 (see APPENDIX D), THS expressed its gratitude to the consultants for a *'comprehensive and thoughtful appraisal'* and to offer its

support for the proposals *'almost unreservedly'*. THS agrees with all eight proposed additions to the conservation area included in the first round of public consultation. THS are also in agreement with all the suggested amendments and additions in the second round of public consultation (see letter dated 08/06/10 at APPENDIX E)

### **Representation by GC Planning Partnership on behalf of the owners of no.45 Walsworth Road**

- 3.21 The objection is based on the contention that the *"... area incorporating no.45 Walsworth Road does not meet the fundamental tests set out in national guidance and is not at a standard that would qualify for adoption as an extension to the Hitchin Conservation Area"*. The justification for including properties in Trevor Road and Walsworth Road was given at pages 41 and 42 of the July 2009 public consultation draft of the Hitchin Conservation Area Character Appraisal.
- 3.22 At that time, the three-storey terraced group dating to around 1880 and including no.45 Walsworth Road, together with other properties on Walsworth Road, Radcliffe Road, Trevor Road and Verulam Road were proposed to form an extension to Character Area 4 on Map 7 of the draft Appraisal. At para 5.2 of the GC Planning Partnership's submission, it is argued that *"It is clear that the built form of the proposed extension area is in complete contrast to the open area of Windmill Hill. The character of the proposed extension area bears no relationship with the distinct open characteristics of Windmill Hill"*.
- 3.23 It is acknowledge that the *"... built form of the proposed extension area is in complete contrast to the open area of Windmill Hill..."*. Consequently, Character Area 4 has been re-assessed and Character Area 4 now terminates at the mini roundabout on Walsworth Road. Beyond the roundabout and to the north and east, a new Character Area (Area 6) has been defined and which incorporates the terrace which includes no.45 together with properties at Benslow Lane, Radcliffe Road, Trevor Road, Verulam Road and Walsworth Road.
- 3.24 Furthermore, attention is drawn to the consultant's public consultation report (see APPENDIX F) where, at 6(i) justification is provided for the inclusion of the terrace within the conservation area.

### **Recommendation**

- 3.25 That the terraced group including nos.43-46 (incl) should remain within the proposed extension to Hitchin Conservation Area and accords with the consultants response to this representation found at Section 6 of their report – an action which states *'Leave proposed CA boundary as it is'*.

### **Representations by AT4 Architects on behalf of the Trustees for the William Brown Almshouses, Wratten Road East**

- 3.26 The representation requests that the William Brown Almshouses *'remain outside the conservation area.... They are of no architectural merit and conservation inclusion just makes the work of the charity more difficult to maintain the properties'*.
- 3.27 The Conservation Studio state that the Almshouses have social and historical significance, therefore, make a positive contribution to the special architectural

and historic interest to merit an extension to the conservation area. This is supported by the Hitchin Historical Society and Hitchin Forum.

**Recommendation**

- 3.28 That the William Brown Almshouses should remain within the proposed extension to Hitchin Conservation Area as set out in Section 7 of the consultant's report on the public consultation.

**Dr A Tollington regarding no.28 Wratten Road West**

- 3.29 Dr Tollington first responded by email on 15/08/09, 'strenuously' objecting to the proposed boundary change insofar as this includes Wratten Road West, Hitchin. Justification was sought as to why the terrace is considered to make a positive contribution to the proposed extension to Hitchin Conservation Area. On 28/08/09 TCS responded to Dr Tollington by email to which Dr Tollington replied by email on 01/09/09. These emails are enclosed at APPENDIX D.
- 3.30 Whilst it is noted that the roof at no.28 Wratten Road West is covered with concrete tiles not the original slate, that the windows, doors and guttering are plastic and that it no longer has a picket fence to the front boundary, Dr Tollington's property has not been considered in isolation. No.28 Wratten Road West forms part of a group of matching terraced houses in three short blocks (see photos enclosed at APPENDIX D). According to The Conservation Studio, the inclusion of the whole terrace within Hitchin Conservation Area was originally proposed by Hitchin Historical Society and a detailed justification for inclusion is provided at Section 12 of the consultants report on the public consultation (see APPENDIX F).

**Recommendation**

- 3.31 That no.28 Wratten Road West and indeed, all 3no. short terraced blocks, remain within the proposed extension to Hitchin Conservation Area in line with the suggested action at point 12 of the consultant's report on the public consultation.

**Representations by Brian Barber Associates on behalf of owners of nos.44 and 46 Wymondley Road**

- 3.32 A letter from Brian Barber Associates was received on 10 June 2010 to which the Conservation Officer replied on 2 August 2010 (see APPENDIX D). Brian Barber Associates contend that the fact that part of the land within the curtilage of nos.44 and 46 Wymondley Road was identified in the Strategic Housing Land Availability Assessment (SHLAA) as a potential site for housing under reference H/r43, is relevant.
- 3.33 In considering the SHLAA, views were sought from the Council's Planning Policy Team and these are enclosed at APPENDIX D.
- 3.34 Brian Barber Associates acknowledge that Wymondley Road forms '*an attractive urban street particular with the impact of trees and building line*', however, the planning consultants consider that '*there is no need to arbitrarily extend a boundary whereby much of the street provides a similar character and appearance*'. On the latter point, officers do not concur with the view that '*.... much of the street provides a similar character and appearance....*'. Quite the contrary, there is considerable variety between The Chilterns, Dowlands, Riddy

Shott and Connaught House. Whilst on the first point, rather than taking an arbitrary line, the proposed boundary follows a well-defined boundary on the ground unlike the boundary that would exist if the following view from the consultant's is accepted:

*'if a change to the boundary is still made, it is considered that land identified as a potential housing site should be omitted from the Conservation Area as has other developments to the south and east of the site'.*

3.35 The followings options were considered:

**Option A** - Do not include any of the land or buildings at nos. 44 or 46 within Hitchin Conservation Area

**Option B** - Include all land and buildings at nos. 44 and 46 within Hitchin Conservation Area

**Option C** - Re-draw the conservation area boundary to exclude potential site for housing under reference H/r43.

3.36 Historically, the character of development on the south side of Wymondley Road up to Riddy Shott (no.52) was predominantly large dwellings on substantial plots. However, in more recent years this character has become more fragmentary on the east side of The Chilterns when The Aspens was built and planning permission has recently been granted to develop the area identified as H/r44 in the SHLAA. Whereas, in comparison, large dwellings on substantial plots remain to the west of The Chilterns.

**Recommendation**

3.37 Due to the character of the site and other considerations including taking into account the implications of SHLAA and that the area identified as H/r43 has a more open character when compared with the gardens immediately behind nos.44 and 46, officers advise that the boundary of the conservation area is re-drawn omitting H/r43 but ensuring that the large mature Copper Beech trees remain within the proposed extension to Hitchin Conservation Area.

3.38 As part of the second round of public consultation, concern was raised that the boundary to the proposed extension to the conservation area along Wymondley Road did not extend sufficiently far into the highway to include the trees planted in the grass verge on the south side of the road.

**Recommendation**

3.39 That the boundary on the south side of Wymondley Road be extended to include the trees of amenity value on this side of the road and for these amendments to be incorporated into Map 8 – Character Area 5 forming part of the Hitchin Conservation Area Appraisal.

**4. PROPOSED ARTICLE 4(2) DIRECTION**

4.1 Due to the time lapse since the previous Article 4(2) Direction was served (plan enclosed at APPENDIX G) and due to changes to the Planning (General Permitted Development) Order and changes in ownership of dwellinghouses, it is proposed



that a new Article 4(2) Direction is considered for the north-east part of Hitchin Conservation Area. Although marked on the relevant Character Area maps that were the subject of public consultation, for clarity, a single map of the proposed Article 4(2) Direction has been attached at APPENDIX G. If supported by Members in principle and subject to endorsement by Cabinet, it is suggested that the Direction is progressed independently to the adoption of the Hitchin Conservation Area Review.

### **The implications of an Article 4(2) Direction**

- 4.2 The area identified on the plan of the proposed Article 4(2) Direction and comprising The Avenue, Chiltern Road, Highbury Road and Wymondley Road is considered to be an area of important examples of virtually unaltered mid-Victorian to early/mid twentieth century domestic architecture in Hitchin. By comparison with the above properties, whilst more alteration has taken place to dwellinghouses at Benslow Lane, Trevor Road and Walsworth Road, these properties are nonetheless also considered worthy of conserving and it is recommended that the proposed Article 4(2) Direction is served on these properties accordingly. Most of the buildings referred to above are indicated as positive buildings on the appraisal maps.
- 4.3 Because the detailed design elements of the buildings are critical to the character of the area, it is recommended that permitted development rights are withdrawn for the very special features of the area: namely:
- Changes to roof materials
  - Changes to window and door designs,
  - Demolition or erection of porches
  - Alterations to existing and construction of new front boundary walls
  - Hardstanding in front gardens
- 4.4 Such small-scale changes as listed above can cumulatively erode the appearance and character of a conservation area. A direction can be made covering one or more properties (not residential properties in multiple occupation or commercial properties) and can restrict one or more classes or permitted development, or part of one class.
- 4.5 The effect of an Article 4(2) Direction being made on a property in respect of a particular category of permitted development is thus not that development within that category can never be carried out, but simply that it is no longer automatically permitted, but must instead be the subject of a specific planning application. This does not necessarily mean that the planning authority will refuse permission, but it does enable it to retain some control over design and detailing – and possible to grant permission subject to appropriate conditions. An Article 4(2) Direction may be made where it is to restrict the carrying out of development, in relation to a building or land that fronts a “relevant location” (that is, a highway, waterway or open space) in conservation areas.
- 4.6 A full list of classes affected by the proposed Article 4(2) Direction was appended to a letter delivered to owners/occupiers of properties affected by the proposed Direction. It was originally intended that the proposed Article 4(2) covers the area identified by the red line on the plan enclosed at APPENDIX G, however, following representations received and taking into account that an Article 4(2) Direction can

only be served on family dwellinghouses in a conservation area, the precise extent of the Direction and the classes affecting each property will need further work once the principle of serving the Direction is established. If the District Council decides to serve an Article 4(2) Direction the public will have a minimum further 21 days to make further representations and the local authority may then confirm the Direction, not less than 28 days after the last notice was published and not more than 6 months after it was made.

#### **Representations received with regard to the proposed Article 4(2) Direction.**

- 4.7 Firstly, it should be noted that Hitchin Forum, The Hitchin Society and Hitchin Historical Society all support the proposed Direction.
- 4.8 Further representations were received from one resident in The Chilterns suggesting that *'It would be very easy, if desired, to exclude much of the modern housing in The Chilterns from the Article 4(2) provisions by judicious indentations in the boundary running along Riddy Lane. This might reduce unnecessary workload on the Planning Department's team....'* This is a valid point and if there is support for the principle of serving the Article 4(2) Direction, the houses referred to above, can be reconsidered before serving the Direction.
- 4.9 Another representation was received from Brian Barber Associates on behalf of the owners of nos.44 and 46 Wymondley Road. It is claimed that *'The two properties are very different in their character and appearance and it is considered that the imposition of an Article 4(2) Direction is unnecessary and unfairly restrictive. To impose controls on such matters as gates, fencing and surfacing is unacceptable. This is also relevant as land to the rear of the two dwellings is considered to have potential for residential development.'* It is accepted that the properties are very different and that the imposition of an Article 4(2) Direction on no.46 would not be necessary. However, the appearance of no.44 (Dowlands) is such that an Article 4(2) Direction would be an appropriate way of controlling alterations, for example, changes to the roof covering, window replacements, retention of chimney stacks or erection of a porch. Furthermore, the imposition of an Article 4(2) Direction on no.44 would not affect land at the rear as the classes covered by the Direction would only apply to aspects of the main house that fronts the highway.
- 4.10 Consequently, officers remain of the view that the imposition of an Article 4(2) Direction on Dowlands, no.44 Wymondley Road is justified.

#### **5. PROPOSED DESIGNATION OF NEW CONSERVATION AREAS AT BUTTS CLOSE, HITCHIN RAILWAY & RANSOM'S RECREATION GROUND AND AT HITCHIN HILL PATH /BUTCHER'S LANE**

- 5.1 A Justification Statement and Townscape Appraisal Map for each of the three proposed conservation areas are enclosed at APPENDIX B. Whereas at 4.0 above, members have been requested to consider a new appraisal document for the existing Hitchin Conservation Area, there are no 'appraisals' currently prepared for the 3no. proposed conservation areas. What is being sought, is members support for the boundaries and annotation shown on the mapping at APPENDIX B. Subject to support from this committee and endorsement from Cabinet, the existing contract with The Conservation Studio allows for additional

work to be carried out to complete appraisals for these 3no. areas. Outlined below are the responses to the public consultation on these 3no. areas.

### **BUTTS CLOSE**

- 5.2 This area has been surveyed by The Conservation Studio and the Justification Statement provided at APPENDIX B is considered to provide robust grounds for a separate conservation area.
- 5.3 Of the 29 responses received to the questionnaire, only 1 person responded with 'tend to disagree' to Butts Close being designated as a conservation area, otherwise the responses were very positive. Together with the responses from Hitchin Historical Society, Hitchin Forum, The Hitchin Society and one resident and apart from comments at 1(iv) and 1(v) of the consultant's report on the public consultation (APPENDIX F), the proposed designation has gone more or less unchallenged.

### **HITCHIN RAILWAY AND RANSOM'S RECREATION GROUND**

- 5.4 Of the 29 responses received to the questionnaire, 25 responded with 'tend to agree' or 'strongly agree' to Hitchin Railway and Ransom's Recreation Ground being designated as a conservation area. Together with the responses from Hitchin Historical Society, Hitchin Forum, The Hitchin Society and one resident and apart from comments at 1(v) and 1(vi) under this heading in the consultant's report on the public consultation (APPENDIX F), the proposed designation has gone more or less unchallenged.

### **HITCHIN HILL PATH / BUTCHER'S LANE**

- 5.5 This area has been surveyed by The Conservation Studio and the Justification Statement provided at APPENDIX B is considered to provide robust grounds for a separate conservation area.
- 5.6 Of the 7 responses received to the questionnaire, all responded with 'strongly agree' to Hitchin Hill Path / Butcher's Lane being designated as a conservation area, however, one respondent was fairly dissatisfied with the Justification Statement and Map produced for this area. Positive support for this designation has also been received from Hitchin Historical Society, Hitchin Forum, The Hitchin Society and one resident. Consequently, the proposed designation has not been challenged.

## **6. REGISTER OF BUILDINGS OF LOCAL INTEREST (BLI's)**

- 6.1 The following points regarding BLI's should be noted when considering the buildings referred to below:
- To designate a building as being of Local Interest means that in terms of PPS5:Planning for the Historic Environment, it would be regarded as a non-designated asset. According to the Practice Guide accompanying PPS5, the desirability of conserving non-designated assets and the contribution their setting may make to their significance is a material consideration, but individually less of a priority than for designated assets or their equivalents,
  - Unlike listed buildings, where internal and external alterations that affect the character of the building require listed building consent, consent is not required for alterations to a BLI unless they materially affect the external appearance of the building in which case a decision would need to be taken by the local

planning authority as to whether or not the proposed works are permitted development,

- Conservation Area Consent is required for the substantial or total demolition of an unlisted building within a conservation area, measuring 115 cubic metres or greater.
- Should an owner submit a high quality redevelopment scheme it will be considered on its own merits and the onus will be on applicant to justify their proposal.

6.2 A Register of BLI's for Hitchin currently exists and was adopted in January 1998. There are 44 buildings on the current register. Whilst undertaking a review of Hitchin Conservation Area, The Conservation Studio were instructed to compile a revised Register and were assisted in this exercise by Hitchin Historical Society. Some of the buildings proposed for inclusion by HHS were not added to the list. Subsequently, a proposed register containing 88no. Buildings with the criteria for inclusion included at the front of this document, was put out to public consultation last year (see APPENDIX H).

6.3 Following the first round of public consultation, one objection was received from AT4 Architects on behalf of the Trustees for the William Brown Almshouses, Wratten Road East whilst representations were also received from Macrame Properties Limited and Hitchin Historical Society (HHS) to include additional buildings on the Register.

#### **INCLUSION OF BUILDINGS ON BLI REGISTER**

6.4 During the first round of public consultation, additional buildings put forward for inclusion by HHS are listed in HHS's Attachment 3 at APPENDIX D. The table below lists those buildings re-examined of which 8no. buildings were subsequently added to the draft Register prior to the second round of public consultation bringing the total of BLI's to 96.

<b>Building</b>	<b>Response and recommendation</b>
Lodge for Little Benslow, Benslow Lane	Two-storey Lodge adjacent to Little Benslow Hills, brick ground floor and rendered upper storey. Probably built in the late 19 <sup>th</sup> /early 20 <sup>th</sup> century when its 'parent', Little Benslow Hills, was extended. Little Benslow Hills (also included in the Register of Buildings of Local Interest) was built in 1859 by William Ransom. This lodge complements the main house and its grounds. <b>Include on Register</b>
Bus Garage, Bridge Street	Built as an early motor garage in 1928 for J Williams and Sons and in 1933 became the most northerly bus garage of London Transport but closed in 1959. Whilst still retaining its original façade, the building does not possess sufficient interest to be included. Importantly, Conservation Area Consent previously granted for its demolition on 11/11/2009. <b>Do not add to Register</b>
The Glover Centre, Burymead Road	1920s office block and factory unit built about 1929 for the Hitchin Glove Company; one of the first units in the new light industrial area of the town. <b>Include on Register</b>

Flat roofed terraces, Heathfield Road	Almost all of these buildings have been significantly altered. Their architectural interest lies in their eccentric flat-roofed and angular form and design which is unlikely to be altered. Do not fulfil any of the five criteria for designation. <b>Do not add to Register</b>
Highover Farm, Highover Way	The original building may date from the 17 <sup>th</sup> century but has been much altered and now has a 19 <sup>th</sup> century frontage. At one time it formed part of the Wilshere estates. Highover Farm has considerable historic interest as one of the oldest buildings in Walsworth - documented to 1599. <b>Include on Register</b>
Nos.1-37 Kershaw's Hill	A high proportion of the terraced houses have been altered and are not appropriate for inclusion in the Register. Do not fulfil any of the five criteria for designation and although consideration has been given to inclusion within conservation area, this part of Hitchin lacks <u>special</u> historic or architectural interest. <b>Do not add to Register</b>
St Mark's Church, Lancaster Avenue	St Mark's Church was founded as a daughter church to St Mary's when the town expanded to the north. It was built in 1936 with distinctive red brick and red clay tile roof. The church has an unusual 20 <sup>th</sup> century vaulted roof, narrow lancet windows and distinctive detailing including rainwater heads. A modern extension is out of character but does not intrude on the original structure. The church was built in response to the increased population of the growing interwar suburban area and is a key building in the social and religious development of the town. <b>Include on Register</b>
Orchard and Anvil PH, Nightingale Road	This building was built as a public house in 1840. It is red brick with a clay tile roof and according to HHS, is one of the earliest buildings in the northeast quarter of the town and was probably the last operating forge in the town c.1955. The site is owned by a developer and a planning application was submitted in December 2008 but subsequently withdrawn. Further pre-application discussions have take place between the developer and the LPA. The demolition of the public house will require planning permission as a result of it being a commercial building physically attached to a dwelling. Although the building has some townscape interest and local historic interest, this interest is considered to be insufficient to merit inclusion on the Register. In addition, taking into account site ownership and that a well-designed redevelopment could positively contribute to the area, it would not be appropriate to include the building on the Register. <b>Do not add to Register</b>
Nos.1-4 Russell Slip	Not of sufficient architectural or historic interest and do not fulfil any of the five criteria for designation. Inclusion would tend to dilute the otherwise high quality of list entries. <b>Do not add to Register</b>

Flat roofed Terrace, 64-66 et al Stevenage Road	Early row of unusual flat roofed terraced houses, built c1919; distinctive Ruberoid bituminous roofs. Do not fulfil any of the five criteria for designation. There is no evidence of local significance in roofing material. Otherwise unexceptional buildings which do not fulfil criteria. <b>Do not add to Register</b>
Wedmore Road Council Houses, Sunnyside	Although built in 1924/25 as Hitchin's first council houses, they are of a standard house type of no particular local architectural interest and are unremarkable. They do not fulfil any of the five criteria for designation. The plaque is notable but not a reason for inclusion on the Register. <b>Do not add to Register</b>
Cottages at Taylors Hill	Not of sufficient architectural or historic interest and do not fulfil any of the five criteria for designation. Inclusion would tend to dilute the otherwise high quality of list entries. <b>Do not at Register</b>
Hine Memorial Garden, Tilehouse Street	Opened in Sept 1952 as the Hitchin Urban District Council memorial to town historian R L Hine. On the site of the former Free School; red brick wall on east side includes stone and bronze plaque to Hine; original and replica Free School benefactor plaques; There is ambiguity as to what within the garden could be regarded as a BLI. Whilst the connection with R L Hine is important locally, the garden itself is not considered be of sufficient architectural or historic interest and does not fulfil any of the five criteria for designation. <b>Do not add to Register</b>
Brooker's shop and Factory Unit, 50 Walsworth Road	The single-storey shop does not merit inclusion because it contains insufficient interest. However, the brick built factory unit in Dacre Road is a distinctive building is and part of the industrial development of the town. This brick-built building at the corner of Dacre Road and Walsworth Road is a distinctive edifice (with unusual cast-iron window frames) that forms part of the industrial development of the town. Its industrial and architectural interest is complemented by its association with one of the town's longest surviving and most distinctive local firms (Brookers). <b>Include Factory Unit on Register but omit Brooker's Shop</b>
Old Wells Garage, West Hill	An unusual surviving structure in Hitchin consisting of a single storey workshop and garage building, plus two petrol pumps. Constructed by Frank Herbert Wells and his father c.1925. It is a very good example of an inter-war garage with a significant amount of its original machinery intact. It is of local interest to Hitchin's motoring history and possibly of national importance. <b>Include on Register</b>
Whinbush Grove, Whinbush Road	Enclave of mid C19 suburban development begun in 1856 with Whinbush House and completed in 1878; no. 8 dates from c1868. The development is connected with the Jeeves family. <b>Include on Register</b>

Walsworth British School, Woolgrove Road	Mid nineteenth century schoolhouse, brick and tile, built in 1852; foundation connected with Mary Exton, a prominent Hitchin Quaker; now an area Community Centre. Although the date of construction and historical connection is of interest, the building is substantially altered and not of sufficient interest to merit inclusion. <b>Do not add to Register</b>
Dowlands, Wymondley Road	Large Edwardian part rendered brick built villa of 1904. Designed by Hitchin architect Walter Millard for George Spurr, an important Hitchin department store owner. <b>Include on Register</b>

6.5 In addition and after the first round of public consultation had closed, representations were received from Macrame Properties Limited. In a letter dated 25 January 2010 (see APPENDIX D), a revised narrative for Benslow Nursing Home (referred to as 59 Benslow Rise on the draft Register) was proposed and apart from a minor omission has been incorporated in full into the amended draft version of the Register. In a follow up letter dated 30 January 2010, the 2no. buildings below were proposed for inclusion on the Register.

**No.71 Benslow Lane**

6.6 A brief synopsis of the building was enclosed with the letter dated 30 January 2010 and is included at APPENDIX D. Built in 1867, the property is put forward for inclusion based upon the association with the Ransom family history although the second paragraph is almost entirely dedicated to Henry Tomkinson, the connection with no.71 Benslow Lane is somewhat tenuous. No.71 was substantially remodelled in 1995/96 and has, more recently, been added to. A garage has been built to the side but between the building and the highway and it is considered that the building fails to adequately satisfy any of the five criteria for inclusion on the Register (up-to-date photo at APPENDIX D). **Do not add to Register**

**The Bungalow, Station Approach**

6.7 The proposed Register already includes a number of buildings associated with the railway at Hitchin. Interestingly, this building was built as the platform master's house and according to the synopsis provided (see APPENDIX D), was later incorporated into the grounds of Benslow House (also a BLI) by John Ransom and the building formerly marked the entrance to a private driveway flanked by beech trees leading to Benslow House. Although the building now has a concrete tile roof, double-glazed Upvc windows and a small kitchen extension, because of its historical association with the railway and the fact that it has retained its simple linear form, it is considered worthy of inclusion (up-to-date photo at APPENDIX D). **Include on Register**

6.8 The inclusion of The Bungalow (not subject to previous public consultation and currently not identified on the amended draft Register), would bring the final total of entries on the Register to 97.

**Recommendation**

6.9 That the 9no. buildings in 6.4 and 6.7 above be included on the proposed Register of Buildings of Local Interest.

- 6.10 In addition to the 9no. building proposed to be included as set out under 6.4 and 6.7 above, and whilst considering planning application ref: 10/00914/1 for the erection of two 3-bedroom detached dwellings, detached twin garage and renovation and modification of small barn to provide additional residential garaging, the farm buildings at Highover Farm, Highover Way were looked at more closely.

### **Highover Farm and farm buildings at Highover Farm, Highover Way**

- 6.11 At the LPA's request, HHS were asked whether any further information could be provided in relation to these buildings. An augmented entry has been provided by HHS and has been further altered by officers as set out below:

*Highover, as a distinct location, is first mentioned in 1287. C16 to C18 evidence underlines Highover's importance within Walsworth and its association with a key Hitchin wool-merchant family, the Pulters. The farmhouse is probably one of the oldest surviving buildings in Walsworth, with documentary reference to 1599 and has long been substantial (e.g. 5 hearths in 1663); although altered and partly re-fronted in brick c1890 it contains much earlier timber framed structures within. Timber barns, possibly C17, to the west whilst C19 red brick single-storey buildings form the remainder of the farmyard enclosure. Also connections with another key Hitchin family of the C18 and C19, the Wilsheres. Overall a very important and long evolved complex of agricultural buildings and surrounding landscape.*

### **Recommendation**

- 6.12 That the augmented entry suggested by HHS and modified by officers and including references to the farm buildings, be included on the proposed Register of Buildings of Local Interest.

### **OBJECTIONS TO INCLUSION ON BLI REGISTER**

- 6.13 During the first round of public consultation one objection was received by AT4 Architects to the inclusion of William Brown Almshouses, Wratten Road East on the Register. During the second round of public consultation, representations were received from Brian Barber Associates and from Barker Parry Town Planning raising objection to the inclusion of Dowlands and The Glover Centre, 23 Bury Mead Road, respectively on the Register.

### **Representations by AT4 Architects on behalf of the Trustees for the William Brown Almshouses, Wratten Road East**

- 6.14 The representation requests that the William Brown Almshouses are not locally listed as *'they are of no great architectural merit'* (APPENDIX D). There are two ranges of almshouses built 1931 and 1938 under the bequest of William Brown. They form a garden and courtyard with a 1990's extension. The proposal is supported by the Hitchin Historical Society, Hitchin Forum and The Hitchin Society.

### **Recommendation**

- 6.15 That the William Brown Almshouses should remain on the proposed Register of Buildings of Local Interest.



**Representation by Brian Barber Associates on behalf of the owners of nos.44 (Dowlands) and 46, Wymondley Road**

- 6.16 A letter from Brian Barber Associates dated 10 June 2010 is enclosed at APPENDIX E.
- 6.17 Dowlands was put forward for consideration by HHS and their wording used for the Register entry. Following the objection received, HHS were asked whether any further information could be provided in relation to this building. An augmented entry was provided by HHS and with changes proposed by officers, the following entry is suggested for Dowlands:

*A substantial early Edwardian villa of 1904, exemplifies work by Hitchin architect, Walter Millard FRIBA, also a skilled water-colourist and archaeological investigator of St Mary's Parish Church. Built for George Edmunson Spurr, Hitchin shopkeeper, parish Churchwarden, supporter of local causes and Chairman of the Urban District Council 1928-31 whose business survived in Market Place until 1971. The house, partly rendered, is brick built with a tiled roof, distinctive twin gables and three chimney stacks. This building is little altered with original timberwork (including windows and doors) ironworks and veranda; the east facing elevation architecturally being the most interesting. Although still retaining a substantial rear garden, no.44 (of no interest) was built on part of former side garden.*

- 6.18 To include Dowlands on the Register would be to recognise the important contribution the building makes at a local level. Unlike a proposal within the setting of a statutorily listed building, there is no statutory requirement to consider the setting of a Building of Local Interest. It is considered that including this property on the Local List will not have any significant bearing on '.....other potential development or opportunities within the curtilage of the building .....'.

**Recommendation**

- 6.19 That Dowlands should remain on the proposed Register of Buildings of Local Interest.

**Representations by Barker Parry Town Planning on behalf of the owners of The Glover Centre, 23 Bury Mead Road**

- 6.20 Following receipt of the objector's letter (enclosed at APPENDIX D), HHS were asked whether any further information could be provided in relation to this building. An augmented entry was provided by HHS as set out below:

*Typical "light industry" office and factory unit built in about 1929 for the Hitchin Glove Company whose business survived into the 1980s. Important as one of the earliest such 1920s-30s schemes in Hitchin; precursor of the development of the Wilbury-Cadwell industrial area from the 1940s that reflected a new phase of consumer driven business and reflected a shift of economic power from the old industries of the north to the new ones of the south; also highlights social changes through provision of better, more airy, working conditions and new opportunities for a female workforce. Although somewhat altered still recognisable as a symbol of these national trends and how they affected Hitchin.*

### **Recommendation**

- 6.21 Notwithstanding the augmented entry provided by HHS and having carefully considered the information provided by Barker Parry Town Planning, it is considered that The Glover Centre, 23 Bury Mead Road should be omitted from the final version of the Register of Buildings of Local Interest on the basis that it is a much altered inter-war light industrial office and factory unit which fails to satisfy the criteria set out for inclusion on the Register.

## **7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS**

- 7.1 None

## **8. FORWARD PLAN**

- 8.1 This Report contains recommendations on key decisions that will be notified to the public in the Forward Plan on 15 September 2010

## **9. RECOMMENDATIONS**

- 9.1 It is recommended that Hitchin Committee support the recommendations and advice as laid out in this report and its views will be reported to Cabinet, currently scheduled for December 2010.

### **Recommendation 1**

- 9.2 That Hitchin Committee supports the Hitchin Conservation Area Appraisal (as amended and dated March 2010) and associated mapping as set out in Section 3 of this report and in the recommendations at 3.25, 3.28, 3.31, 3.37 and 3.39 above.

### **Recommendation 2**

- 9.3 That Hitchin Committee supports the principle of serving an Article 4(2) Direction as set out in Section 4 of this report and covering family dwellinghouses within the area identified by a red line on the map enclosed at APPENDIX F. The precise extent of the Direction's area and the classes applied to each dwellinghouse, to be addressed at a later stage subject to a decision being made by Cabinet regarding the principle of serving the Article 4(2) Direction.

### **Recommendation 3**

- 9.4 That Hitchin Committee supports the extent of the proposed conservation area designation at Butts Close as set out in Section 5 of this report and illustrated on the Townscape Appraisal Map enclosed at APPENDIX B.

### **Recommendation 4**

- 9.5 That Hitchin Committee supports the extent of the proposed conservation area designation at Hitchin Railway & Ransom's Recreation Ground as set out at Section 5 of this report and illustrated on the Townscape Appraisal Map enclosed at APPENDIX B.

### **Recommendation 5**

- 9.6 That Hitchin Committee supports the extent of the proposed conservation area designation at Hitchin Hill Path / Butcher's Lane as set out at Section 5 of this report and illustrated on the Townscape Appraisal Map enclosed at APPENDIX B.

### **Recommendation 6**

- 9.7 That Hitchin Committee supports the Revised Register of Buildings of Local Interest as set out in Section 6 of this report and in the recommendations at 6.9, 6.12, 6.15, 6.19 and 6.21 above.

## **10. REASONS FOR RECOMMENDATIONS**

10.1 To ensure that the Council's statutory duties are carried out.

10.2 To enable the Council to:

- i) adopt an up-to-date review of Hitchin Conservation Area,
- ii) adopt 3no. new conservation area designations at Butts Close, Hitchin Railway & Ransom's Recreation Ground and at Hitchin Hill Path / Butcher's Lane with appropriate documents to inform future planning decisions,
- iii) serve an Article 4(2) Direction on part of Hitchin Conservation Area, and
- iv) to adopt a Register of Buildings of Local Interest for Hitchin.

## **11. APPENDICES**

11.1 The following appendices are attached:

- APPENDIX A - Hitchin Conservation Area Appraisal (as amended May 2010)
- APPENDIX B - Justification Statements and Townscape Appraisal Maps for proposed conservation area designations.
- APPENDIX C - List of consultees
- APPENDIX D - Responses to first round of public consultation (July/Sept 2009)
- APPENDIX E - Responses to second round of public consultation (May/June 2010)
- APPENDIX F - Summary of questionnaire responses (August 2010) and 2no. reports from The Conservation Studio on the first round of public consultation.
- APPENDIX G - 2no. plans: the first indicating the previously served Article 4(2) Direction area and the second indicating the proposed Article 4(2) Direction area
- APPENDIX H - Register of Buildings of Local Interest (May 2010)

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**13. BACKGROUND PAPERS**

13.1 None other than those referred to in this report.