

Title: **Review of Bradford on Avon and Warminster Town Centre Conservation Areas**

Portfolio Holder: **Cllr Osborn - Planning and Development**

Reporting Officer: **Caroline Power, Conservation Officer**

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### **Purpose**

- To report on the results of the public consultation exercise on the proposed boundary changes to both conservation areas.
- To agree the new boundary changes to both conservation areas for formal designation.
- To delegate consideration of Conservation Area Assessments for each town to Cabinet for public consultation and adoption purposes.

### **Background**

Members will be aware that Trowbridge Town Centre Conservation Area was the first conservation area in the District to go through this process of review and to have a character assessment produced for it. Character Assessments are important tools in assessing development proposals for Development Control purposes.

The next phase in this review process is to simultaneously consider boundary changes for the existing conservation areas in Bradford on Avon and Warminster. These proposals are proposed to take account of changes that have taken place over time since the conservation areas were originally designated. This has resulted either in areas that no longer merit conservation area status being identified for removal or areas that should be included, but had previously been overlooked, being put forward for designation because of their special architectural or historic merit.

The boundary changes for both towns were reported to Cabinet on 28th June 2006. It was agreed that a formal period of public consultation should commence and that the findings of this consultation should come back to Council for a final decision. Copies of the maps for both towns showing these boundary changes are appended to the report as Appendix 1.

### **Key Issues**

#### ▪ Public Consultation for Bradford on Avon and Warminster

A thorough consultation exercise was carried out from June to August this year. This was essentially a targeted form of consultation but included advertising on the council's web site and in the local press as well as providing displays for the town libraries. The proposals together with a questionnaire were sent out by recorded delivery to all the properties that may be affected by these changes. This included the property owners, occupiers and leaseholders from within and immediately adjacent to the areas directly affected by the proposals.

Where appropriate, legal searches were undertaken of properties in multiple occupation or commercial use so that any absentee landlords would also be informed of the proposed changes.

▪ Public Consultation Summary of Results.

**Bradford on Avon**

A total of 48 (55) responses were received, the majority being the questionnaires filled in anonymously. The table below shows the results of this consultation divided between the 8 areas where changes are proposed. Appendix 2 gives a summary of the views expressed, as well as the views of the Statutory Consultees and the officer's justification for the changes. The figures in brackets show the number of responses received after the deadline for the consultation period.

<b>Proposed Boundary Change</b>	<b>Support</b>	<b>Objections</b>	<b>Officer's Recommendation</b>
Area 1 - extensions	33 (40)	3	Proceed with one of the two extensions proposed.
Area 2 - removal	12 ( 16)	2	Remove.
Area 3 - removal	10 (11)	2 (5)	Remove.
Area 4 - extension	11 (18)	2	Extend.
Area 5 - extension	13 (20)	8	Extend.
Area 6 -amalgamation	10 (12)	2	Proceed.
Area 7 - removal.	11 (13)	2	Remove.
Area 8 - extension	10 (12)	4	Extend.

The PPG will meet on the 6th September to consider these areas for inclusion and removal in the light of the consultation exercise. Their views will be reported to Council on the night as a late observation.

**Warminster Town Centre Conservation Area**

A total of 33 (34) responses were received. The table below shows the results of this consultation divided between the 12 areas where changes are proposed. Appendix 2 provides extra information as above for Bradford on Avon.

<b>Proposed Boundary Change</b>	<b>Support</b>	<b>Objections</b>	<b>Officer's Recommendation</b>	<b>PPG Response</b>
Area 1 – extension	7	1	Proceed with minor amendment.	Agreed
Area 2 – extension	3	0	Proceed	Agreed
Area 3 – extension	4	0	Proceed	Agreed
Area 4 – removal	3	0	Proceed	Agreed
Area 5 – removal	3	0	Proceed	Agreed
Area 6 – removal	8	0	Proceed with minor amendment.	Agreed
Area 7 – extension	6	3 (4)	Proceed with minor amendments	Majority agreed, 2 objections to part of the designation.
Area 8 – removal	5	2	Proceed	Agreed
Area 9- removal	4	0	Proceed	Agreed

Area10 – removal	3	0	Proceed	Agreed
Area 11- removal	5	1	Proceed	Abstained as no comment had yet been received from Warminster School
Area 12- removal	5	3	Proceed but with minor amendment.	Agreed

The PPG met on the 23<sup>rd</sup> August to consider these areas for inclusion and removal in the light of the consultation exercise. Their views are incorporated into appendix 2 of this report and summarised above.

### **Effect on Strategies and Codes**

- Raises public awareness of the market towns by highlighting significant historic features and buildings.
- Assists the Development Control Team in making decisions on proposed development within these areas.
- The production of conservation area character assessments for the District's Conservation Areas is a BVPI. There is also an indicator about reviewing existing character assessments every five years.

### **Risk management implications**

The review of the conservation areas for the district is a long-term strategy that can involve delays due to changes to work priorities, staff or financial resources or due to external policy changes (e.g. Government legislation/guidance). Therefore progress on the review will be monitored by the Planning Policy and Conservation Services Manager and will be reported through the Annual Monitoring Report to be produced in December of each year.

### **Finance and performance implications**

Costs of the two consultation exercises are contained within the existing resources of the Planning Policy and Conservation Service and Legal Services.

### **Legal and human rights implications:**

- There is no right of appeal on the designation of conservation areas. The only course of action open to members of the public or organisations once designation is confirmed is to go for a Judicial Review.
- Within conservation areas, the permitted development rights extended to householders and commercial premises are more restricted than outside of Conservation Areas. This is so the special character and appearance of the Conservation Area can be preserved and enhanced in accordance with Planning (Listed Buildings and Conservation Areas) Act 1990. Whilst the Act presents no specific requirements for consultation, it is recommended that a full and robust period of consultation is undertaken for any areas that are either to be designated or excluded.

### **Next Steps**

Subject to Members agreement for these boundary changes there will be a need to advertise the new conservation area boundaries in the local press and within the London Gazette. Site notices will also be displayed in the areas affected. Once this has been undertaken the new boundaries will be formally designated.

Officers are currently working on a review of the Character Assessment that was adopted in 2001 for Bradford on Avon and a completely new assessment for Warminster. It is anticipated that these should be reported to a future Cabinet for public consultation purposes.

**Recommendations:**

1. That the Council approves the amendments proposed for the Bradford on Avon and Warminster Town Centre Conservation Areas as set out in the summary tables to this report and that the new boundaries are advertised in the local press and the London Gazette.
2. That Cabinet is given delegated powers to approve the public consultations for the draft character assessments for both towns following further consultation with the PPG's.
3. That the final adoption of draft Conservation Area Assessments is delegated to Cabinet following the results of a public consultation exercise.

**Background papers**

File Reference: Trowbridge Conservation Area Review.

File Location: Planning Policy and Conservation Section.

Planning (Listed Buildings and Conservation Areas) Act 1990.

PPG15 Planning and the Historic Environment, 1994.

Council Agenda and Minutes 5/1/05.

English Heritage- Draft Guidance on Conservation Area Appraisals. August 2005.

## **Appendix 2: Summary of Responses Received.**

### Responses from Statutory Consultees on both Conservation Areas.

- South West Regional Assembly - No comments to make.
- Bradford on Avon Town Council - Strongly recommends the inclusion of the eastern end of Coronation Avenue in Woolley.
- Bradford Preservation Trust- supports all the proposed amendments with the exception of the proposal to include the detached houses in Coronation Avenue, Woolley -"The houses in Coronation Avenue do not compliment the character of the area and have no special architectural merit to warrant their inclusion".
- Warminster Town Council - awaiting comments.
- Warminster Preservation Trust- awaiting comments.
- English Nature - No comments regarding these proposals.
- Wiltshire County Archaeologist- Supports the inclusion of Area 11 in Warminster as it will allow for a buffer around the Saxon settlement of the town and Area 4 for Bradford on Avon that will allow the full extent of the monastic grange farm for the abbey to be included.
- The Countryside Agency - No formal comments to make.

**CONSULTATION RESPONSES TO BOUNDARY ALTERATION PROPOSALS  
FOR BRADFORD ON AVON CONSERVATION AREA - August 2006.**

Area	Respondent's Comments	Officer's Comments	OFFICER'S RECOMMENDATION
1 *	<p>Extension to Woolley to include No 49 and 53a Woolley Terrace. Most comments are in support of these two areas being included.</p> <p>One objection to No 49 being taken into the conservation area as it could jeopardise the formation of a safer access road for properties that currently use the lane on the south side of No 49.</p> <p>Overwhelming support from residents and the Town Council for the inclusion of the property identified by the PPG for inclusion in the Coronation Avenue. Comments include:</p> <ul style="list-style-type: none"> <li>▪ Will prevent further development if included.</li> <li>▪ The houses in this road are 1930's not 1950's, built for King George VI's Coronation.</li> <li>▪ These 1930's houses enhance the conservation area and should be preserved as an entity.</li> <li>▪ Indicative representation of architecture demonstrating the evolution of Bradford on Avon at this time.</li> </ul>	<p>An Inspector's decision on a proposed development at 49, Woolley Street stated that the site has "an important function in forming the setting of the conservation area both historically and in visual terms". It is considered that this area still warrants inclusion.</p> <p>The design of a new entrance way to the property in this area would be looked at more closely if it was put forward as part of another development proposal. Any changes to the lane would have to meet Highway's standards, however this would need to be balanced within the context of the conservation area.</p> <p>The houses in this road are not of special architectural or historic character despite their earlier date and origins in the 1930's. They are still not special enough in the wider context of the town to be worthy of conservation area designation. However Members should note that they have a high community value associated with them. Research has revealed that the stone wall that forms the boundary to Avondene and Meadow View predates the houses and is probably an old field boundary. However this again is not sufficient merit to persuade Officer's to a change of view.</p>	<ul style="list-style-type: none"> <li>▪ <b>That the extension to Nos. 49 and 53 Woolley Street are designated.</b></li> <li>▪ <b>That the area of Coronation Avenue is not designated.</b></li> </ul> <p>Current advice from English Heritage does indicate the importance of maintaining quality in conservation areas whilst balancing this against local community views. Whilst it is recognised that there is strong feeling locally supporting the inclusion of Coronation Avenue it is considered that this area is not special enough to qualify for inclusion. Any potential development in the vicinity will still need to be judged against existing policies that also protect setting and views to Conservation Areas.</p>
2	All comments received supported proposal.	No changes to proposal.	<b>Remove as proposed.</b>
3	(Late comments were received suggesting that the Bath Road area should be extended to include the barns and garages to the north of the current Conservation Area boundary).	Officers and the PPG looked at the possibility of extending the conservation area to include these buildings. However, they were not considered to be of special architectural or historic interest to justify this alteration.	<b>Remove as proposed.</b>
4	The County Archaeologist considers that this proposal would secure the remaining area of the monastic farm estate that was associated with the abbey in this area.	This information adds further weight to the proposal to include this area within the Conservation Area.	<b>Agree to designate.</b>

<p><b>5</b></p>	<p>A number of comments were received from residents indicate that there is mixed feeling for this area being included in the conservation area.</p> <p>One suggestion was to remove the garages at the rear of No. 95 Trowbridge Road, from the proposed extension.</p> <p>Another view was that the area should not be designated until some traffic calming is imposed.</p> <p>Most concern was expressed over the potential of putting another layer of restraint on the occupants and potentially increasing the costs of maintenance to property.</p> <p>Include the Avon sports pitch and older houses on Poulton Drive.</p>	<p>Still consider that this area merits inclusion, as the buildings are of the same quality as the area of Trowbridge Road already in. Furthermore the houses No.109-135 are much earlier in date and are suggested as being some of the earliest local authority houses in the town.</p> <p>If the garages come forward for redevelopment there will be more opportunity to influence the form and design of a new scheme.</p> <p>Opportunities for enhancement are more likely to be considered by the inclusion of this within a conservation area.</p> <p>Until government changes the legislation there is limited restriction on householders other than control of demolition.</p> <p>It is considered that the sports field is too detached from the housing on Trowbridge Road and the houses on Poulton Drive are not of the same age and character.</p>	<p><b>Agree to designate as originally proposed.</b></p>
<p><b>6</b></p>	<p>No comments received.</p>	<p>No changes to proposal.</p>	<p><b>Remove as proposed.</b></p>
<p><b>7</b></p>	<p>No comments received.</p>	<p>No changes to proposal.</p>	<p><b>Remove as proposed.</b></p>
<p><b>8</b></p>	<p>Out of the 4 no. residents who would be affected, 2 no. have written in to object specifically about this proposal but with no justification.</p>	<p>Since the conservation area was originally designated the use of Budbury Place has changed from a factory to houses. The logic of this amendment is to take account of this change of use and to include the whole of the land belonging to the houses including their back gardens.</p>	<p><b>Agree to designate.</b></p>

\* Please note that a total of 33 (40) consultation responses were received from residents in Woolley supporting the PPG proposal to include the property in Coronation Avenue.

**CONSULTATION RESPONSES TO BOUNDARY ALTERATION PROPOSALS  
FOR  
WARMINSTER TOWN CENTRE CONSERVATION AREA – Aug 2006**

<b>Area</b>	<b>Respondents comments</b>	<b>Officers comments</b>	<b>Officers Recommendation</b>
<b>1</b>	<p>The Almshouses should be retained.</p> <p>This is an unnecessary layer of bureaucracy.</p> <p>Surprised this area was not already in the conservation area.</p>	<p>These buildings are of special architectural and historic interest; consequently, it is proposed that they are included in the conservation area, although this does not guarantee their retention.</p> <p>WWDC is under a strategic obligation to review the conservation areas.</p> <p>Noted</p>	<p>There has been strong support for including this area within the conservation area.</p> <p>There is considerable justification for the inclusion of this area.</p> <p><b>Approve subject to minor amendment (see map)</b></p>
<b>2</b>	No specific comments received.	No changes to proposal.	<b>Approve as proposed.</b>
<b>3</b>	<p>Surprised these buildings are not already in the conservation area. These buildings and the associated builders yard may have been connected to the building of Christ Church.</p>	<p>Noted.</p> <p>The information provided will be considered during the production of the assessment.</p>	<b>Approve as proposed.</b>
<b>4</b>	No specific comments received.	No changes to proposal.	<b>Remove as proposed.</b>
<b>5</b>	No specific comments received.	No changes to proposal.	<b>Remove as proposed.</b>
<b>6</b>	No specific comments received.	No changes to proposal.	<b>Remove as proposed.</b>
<b>7</b>	<p>The Old Silk Works building is an interesting building, but it has been significantly changed and is in poor condition.</p> <p>The 20<sup>th</sup> century building does not have any merit.</p> <p>These buildings should not be considered under the umbrella of a conservation scheme.</p> <p>The Council should buy out the factory owners, remove the heavy vehicles, pull down the modern buildings and turn the land into a park.</p>	<p>The proposal includes the original building from 1874, which is clearly of special historic and architectural interest. It has played an important role in the industrial history of the town and though its internal use may have changed the fabric of the building is relatively unaltered.</p> <p>Structurally the building appears sound although some maintenance is required; nevertheless the condition of the building does not alter its interest</p> <p>The early 20<sup>th</sup> century extension with its northern light roof structure is both visually unique to Warminster and was built at a time when the site functioned as one unit, consequently, in historic terms it is both physically and functionally linked to the main building..</p>	<p>The majority of the concerns regarding this site appear to be formulated from a lack of understanding of the proposed designation and an imagined threat to the current or future uses of the site.</p> <p>There is a detailed history for the Silk Works that is referenced in numerous historic records for the town</p> <p>Following a site visit and consideration of the internal and external condition of these buildings it can be seen that they have retained many of their interesting historic features and both building are structurally sound..</p>



<p><b>7</b> <b>(cont'd)</b></p>	<p>You do not say what expenses this would inflict on the factory owners.</p> <p>This area should be classified brown field for housing development.</p> <p>The road access is no longer suitable for commercial vehicles.</p> <p>Proposal includes a grass verge in the ownership of a separate unit.</p> <p>One of the chimneys was taken down against a lot of local protest.</p> <p>These buildings should be preserved, as they are important to the history of the town, architecturally very attractive and true to Warminster.</p> <p>All PPG members supported the inclusion if the original building on this site, but 2 members would not agree to the inclusion of the early 20th century extension, on the basis that the designation might act as a deterrent to the future redevelopment of the site. In their view the historic and architectural interest of the buildings is insufficient to outweigh the desirability of removing the current occupiers.</p> <p>(One late objection was received which states that the site is a very ordinary and commonplace 20<sup>th</sup> century industrial site that does not merit special treatment. To place the site in conservation area would be to place an onerous, unnecessary and unwelcome burden on the occupants. Small businesses need local support to continue rather than more red tape tying them in knots.)</p>	<p>The conservation area designation is not in a conservation scheme. It does not propose any works to the site or require any change in the function of the buildings.</p> <p>This process cannot force out the current owners, but this designation will not specifically prevent the redevelopment of the site in the future should this be proposed.</p> <p>This designation does not present any cost to the owners or occupants of these buildings.</p> <p>The conservation area designation does not prevent the change of use of the site. It is already brown field; therefore, housing may be appropriate if it complies with the LDF policy requirements.</p> <p>The verge has been removed, but the original rubble stone wall is retained.</p> <p>The appropriateness of the current use is not a material consideration in determining whether these buildings are suitable for conservation area designation.</p> <p>The future use of the site is not a material consideration. Both buildings are well suited to both their current use and equally can accommodate adaptation for other uses.</p> <p>(The historic and architectural significance of these buildings needs to be considered separately to any views concerning the industrial uses of this site. Other factories and industrial buildings are known to operate successfully in conservation areas.)</p>	<p>It is considered that these buildings are of both architectural and historic interest and no evidence has been presented to the contrary.</p> <p><b>Approve subject to minor amendment (see map)</b></p>
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8	Leave in the conservation area to prevent any future development.	There is not sufficient justification to retain these buildings within the conservation area.	<b>Remove as proposed.</b>
9	No specific comments received	No changes to proposal.	<b>Remove as proposed.</b>
10	No specific comments received	No changes to proposal.	<b>Remove as proposed.</b>
11	<p>Object to the designation as the trees in this area pose a threat to house foundations.</p> <p>Object to the designation as the justification is flimsy and the area should be managed solely by the current responsible custodians.</p> <p>TPO's should not be placed on the two ash trees.</p> <p>Regular surgery to the trees is required and must continue without restriction.</p> <p>The proposed boundary makes much more sense than the current one.</p> <p>The proposed area is not closely related to the setting of the church or the school buildings.</p> <p>Views of the church are already protected and public views from within the school grounds are limited.</p> <p>This proposal relates to an appreciation of the existing conservation area rather than protecting any historic or architectural features.</p> <p>The area has been excluded from the conservation area in the past and no material change has taken place.</p> <p>The Council has not supplied evidence relating to the Saxon settlement. We understand that the Council funded an archaeological dig some years ago and found nothing.</p> <p>Biodiversity is not relevant and TPO designations should be used.</p>	<p>A conservation area designation does not prevent appropriate works to trees.</p> <p>The designation would not impact on the management responsibilities for the site.</p> <p>Whilst an application would have to be made, where there is a threat to a residential property, works to trees would not be prevented.</p> <p>The proposed area directly adjoins the school and the church and is prominent in views from outside of the conservation area of these buildings. Equally this land and its natural features are important in terms of the outlook from these buildings, neither of which are covered by the current designation.</p> <p>In terms of public views, there are a number of views outside of the school across the adjoining fields that are dependent on and influenced by the landscape and character of this area.</p> <p>Landscaping can have significant historic interest, as does archaeology. The route of the River Were is of considerable importance to the development of the town and the location of the original settlement. The tree lines and boundaries also appear to date back over 120 years.</p> <p>All of the proposed extensions have not previously been designated, and the conservation area has been unchanged for many years. This is not sufficient reason to prevent amendments.</p>	<p>This designation has the support of WCC Archaeologist and is based on sound reasoning regarding the setting of the conservation area, the archaeological significance of the location and the historic topography.</p> <p>Archaeology is covered by separate legislation, however, it is still a conservation issue and the town's archaeology is clearly of considerable historic interest.</p> <p><b>Approve as proposed</b></p>

<p><b>11</b> (cont'd)</p>		<p>The information regarding the Saxon Settlement and the location of the Church and burial grounds comes from numerous sources including publications by the County Council Archaeologists.</p> <p>There is no record of an archaeological dig funded by either the County or the District Council.</p> <p>Some trees may warrant a separate TPO, however, as a group these trees form an attractive natural boundary that is considered to make an important contribution to the character of this area and the setting of the listed buildings.</p> <p>Biodiversity does not have to be architectural or historic, but can make a positive contribution to the character and appearance of the conservation area.</p>	
<p><b>12</b></p>	<p>This area should stay in the conservation area to prevent change.</p> <p>Objection – Trees in the area may be chopped down.</p> <p>Objection – proposed de-designation removes No 3 George Street Place but not its garage from the conservation area.</p> <p>Support the designation as there is nothing here of historic interest</p>	<p>There is not sufficient justification to retain these buildings within the conservation area.</p> <p>This is not something that we can address through this process.</p> <p>The majority of the trees in this area are either already outside the conservation area or will be retained within the amended boundary.</p> <p>Some trees may be suitable for TPO's this will be raised with the tree officer. Nevertheless, this is not sufficient justification not to de-designate.</p>	<p>This area does not contribute positively to the character and appearance of the conservation area. There is insufficient justification for retaining the designation of this area.</p> <p>Ownership boundaries are not always clear on the ground. However, the removal of the garage to No 3 George Street Place would seem appropriate.</p> <p><b>Exclude subject to minor amendment (see map)</b></p>