



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

to
**STRATEGY AND RESOURCES COMMITTEE
16 SEPTEMBER 2021**

**APPROVAL TO CONSULT ON THE WOODFIELD COTTAGES CONSERVATION AREA
PROPOSAL AND THE DRAFT WOODFIELD COTTAGES LOCAL LISTED BUILDING
CONSENT ORDER**

1. PURPOSE OF THE REPORT

- 1.1 This report seeks the Strategy and Resources Committee's approval to publicly consult on the Woodfield Cottages Conservation Area Proposal and Character Appraisal (**APPENDIX 1**) and the Draft Woodfield Cottages Local Listed Building Consent Order (**APPENDIX 2**).

2. RECOMMENDATIONS

- (i) that the Woodfield Cottages Conservation Area Proposal and Character Appraisal is approved for public consultation;
- (ii) that the Draft Woodfield Cottages Local Listed Building Consent Order is approved for public consultation.

3. SUMMARY OF KEY ISSUES

- 3.1 Nos 116 – 156 Woodfield Cottages, Heybridge, CM9 4BQ, their associated outhouses and two communal water pumps were designated grade II listed buildings in 1971. The three terraces of 41 single-storey cottages are of historic interest because they were developed by the industrialist E H Bentall in 1873 as dwellings for the workforce of the Bentall Agricultural Works. The buildings are of national architectural interest for their pioneering use of mass-concrete construction. Originally the cottages had flat roofs, but pitched roofs were added in c.1918.
- 3.2 In terms of conservation, Woodfield Cottages are among the most challenging listed buildings in the Maldon District due to their relatively high degree of modernisation; a process which began before the buildings were listed and continued following listing, in many cases without obtaining the necessary listed building consents. Many of the later alterations – such as replacement windows, doors and porches – have eroded the architectural interest of the listed buildings and their character as a unified group of buildings. Some of the buildings are in a poor condition and one cottage (No. 127) has fallen into a particularly dilapidated state. In 2019 Historic England considered de-listing the cottages but concluded that the buildings remain of national architectural and historic interest despite their alteration. Historic England did, however, acknowledge the challenges the buildings present and offered to work with Maldon District Council to develop some positive and proactive measures to encourage the sympathetic restoration of the site.

- 3.3 Two proactive initiatives are now proposed to help improve the character and condition of Woodfield Cottages. The first is to designate a Woodfield Cottages Conservation Area. It is a statutory duty under Section 69(1) (a) and (b) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* that “Every local planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and shall designate those areas as conservation areas”. The designation of Woodfield Cottages as a conservation area would be justified because it is not only the cottages and outhouses which are important; the lanes, gardens and boundary treatments which surround the original buildings altogether comprise a distinct historic area the character and appearance of which it is desirable to preserve and enhance. The *Woodfield Cottages Conservation Area Proposal and Character Appraisal (APPENDIX 1)* describes the special character and appearance of the area and the opportunities for enhancement. As the cottages are already listed buildings, the creation of a conservation area will impose very few additional planning restrictions. Designation of the conservation area would open the possibility of entering into a Conservation Area Partnership Agreement with Historic England, through which grant funding could be made available for works which enhance the character of the area. If successful, this would be the first Conservation Area Partnership Scheme in Essex for seven years and the first in the Maldon District for over fifteen years. Woodfield Cottages must first be designated as a conservation area to qualify for the grant funding.
- 3.4 The second initiative proposed is the *Woodfield Cottages Local Listed Building Consent Order (APPENDIX 2)*. Local Listed Building Consent Orders were introduced by section 60 of the *Enterprise and Regulatory Reform Act 2013*. As grade II listed buildings, any works of alteration to Woodfield Cottages presently require the submission of a Listed Building Consent application to Maldon District Council. Such applications are free of charge but require a certain degree of paperwork, the preparation of architectural drawings, and usually take eight weeks to determine. What a Local Listed Building Consent Order does is grant automatic consent for selected types of alteration, as long as they are undertaken in accordance with an approved specification. The proposed order would make it easier for owners of Woodfield Cottages to carry out sympathetic and restorative alterations and to address enforcement issues, by reducing the bureaucratic requirements associated with obtaining Listed Building Consent. If adopted, the Woodfield Cottages Local Listed Building Consent Order would be the first example of its kind in East Anglia. It is hoped that some of the positive enhancement works authorised by the Local Listed Building Consent Order can be supported financially by a future Conservation Area Partnership Scheme. Historic England has set out its support for these initiatives in a letter reproduced as **APPENDIX 3**.
- 3.5 Currently, public consultation is not a statutory requirement when designating a conservation area, but it is good practice. Engagement with the local community will help gauge the level of public support for a conservation area designation. It is expected that local knowledge will help refine the quality and accuracy of the conservation area character statement. Relevant owners and other interested parties must in law be given an opportunity to comment on the Draft Local Listed Building Consent Order. The *Planning (Local Listed Building Consent Orders) (Procedure) Regulations 2014* (‘the LLBCO Regulations’) set out the consultation and publicity arrangements for LLBCOs. To aid the consultation process, a letter and questionnaire (**APPENDIX 4**) have been prepared which seek to identify any concerns, questions or suggestions the residents may have. The regulations require that, where known, owners of listed buildings affected by the Order need to be notified of and given a minimum of 28 days to comment on the LLBCO. A simple notice for this purpose and for use as a site notice is contained in the regulations.

Once consultation responses are considered, the character appraisal and the LLBCO Order will be amended where deemed necessary and permission will be sought from a subsequent meeting of Strategy and Resources Committee to designate the conservation area and adopt the LLBCO.

4. CONCLUSION

- 4.1 Maldon District Council has a commitment to protect and improve the environment of the District which includes built heritage. Policy D3 of the Maldon District Local Development Plan sets out this Council's objective of 'safeguarding, enhancing and promoting the historic environment'. 2023 will be the 150th anniversary since Woodfield Cottages were built. With the proposed positive and proactive measures in place it is hoped that this anniversary could be celebrated with these important historic buildings facing brighter prospects.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The recommendations of this report will support the Strategic Theme for Place by encouraging the protection and improvement of built heritage, which is a valuable component of the local environment.

6. IMPLICATIONS

- (i) **Impact on Customers** – Positive, because the local listed building consent order would make it much easier for owners to undertake sympathetic alterations to Woodfield Cottages, by reducing the bureaucratic requirements associated with obtaining Listed Building Consent. The conservation area designation would create the possibility of establishing a grant scheme which would support owners who undertake positive enhancement work. The conservation area character appraisal contains helpful information on the significance and history of the area and guidance on sympathetic alterations.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – Cost of public consultation will be met from the relevant budget.
- (v) **Impact on Resources (human)** – The public consultation will be coordinated by the Conservation and Heritage Specialist with support from Planning Admin staff.
- (vi) **Impact on the Environment** – Positive, due to the enhancement and safeguarding of the built heritage which will ensure its existence for the District now and generations to come.
- (vii) **Impact on Strengthening Communities** – Positive, due to the way in which the measures should improve the character of the area, fostering a greater sense of local pride.

Background Papers: None.

Enquiries to: Tim Howson, Conservation and Heritage Specialist.