

Appendix A - Churchgate Street Conservation Area – Character Appraisal and Management Proposals Consultation Responses Schedule

This consultation was technically informal and not covered by legislation. However, to ensure consistency and to follow best practice we carried out the consultation as though it was a formal one, in accordance with the relevant legislation and Statement of Community Involvement.

The consultation ran from **Monday 2 September to Monday 30 September 2024**. Notification letters were sent to all addresses in the Churchgate Street Conservation Area, and emails/letters were also sent to relevant and statutory consultees on our database. **In total, 249 emails/letters were sent.**

The Churchgate Street Residents Association (RA) advertised the consultation on their Facebook page twice during the period, and Harlow Council advertised it on their Facebook page three times. The RA was also invited to receive a briefing on the consultation but the Council did not receive a response.

7 people/organisations submitted responses, which have been split into 31 comments.

The response comments are provided in the table below, along with responses from the Council.

| Response Comments | | | | Council response |
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| Author | ID | Point | Text | |
| Connie Garrett Online 6/9/24 | 1 | Para 1.1 | I wanted to live in Churchgate Street because it is an important, historical location. I believe that historical buildings should be protected in perpetuity. I am happy that there will be more protection for these stunning buildings and the area. | Noted. |
| | 2 | Fig 2.2 | This development [East of Harlow Strategic Housing Site] worries me very much. Churchgate Street has significant traffic problems and flooding issues. This will be exacerbated by even more development of the local fields. How will Churchgate Street cope with even more traffic. | Access to all the roads within Churchgate Street from routes travelling through the new East of Harlow Garden Community would be for walking and cycling only. The use of SuDS, including new ponds and swales, will help address future flooding events. Please refer to the East of Harlow Masterplanning Guidance document and associated consultation statement for more information: https://www.harlow.gov.uk/planning-and-building-control/planning-policy/local-plan/supplementary-planning-documents-and |

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| Jo Sealy Email 10/9/24 | 3 | | We are new residents to the area in Mill Lane, however our property is just outside of the conservation area. The document created provides valuable information on the history of the area, thank you. | Noted. |
| | 4 | | However as new residents we can see many of the current buildings with fresh eyes and are surprised that so many residences have been allowed to deteriorate in a designated conservation area. Clearly many have not been maintained for many years | The draft Management Plan will include general advice for homeowners wishing to improve their properties. However, the Council has limited powers to enforce upkeep and maintenance of non-listed buildings in Conservation Areas. |
| | 5 | | - The volume of vehicles that clutter Churchgate Street. Probably unavoidable as more people own vehicles, but trying to exit Mill Lane onto Churchgate Street is a challenge with vehicles parked right up to the edge of the vehicular exit, particularly hazardous as they are often vans that obstruct any kind of view | The draft Management Plan will include a recommendation that the Council works with Essex County Council to address parking issues in Churchgate Street, including whether any parking or speed restrictions would be appropriate. This will need to consider the availability of off-road car parking and safety of existing highway users. |
| | 6 | | - Mill Lane being used as a cut through with speed to Sheering Road, often caused by parents trying to get to the schools. They are often driving at speed and this means that elderly people and children who walk through Mill Lane are at risk. Also as a homeowner exiting a driveway it can be an unnecessary challenge | Please see response to Comment 5. |
| | 7 | | -The surprising speed with which other drivers travel down Mill Lane and sometimes Churchgate would be worth consideration | Please see response to Comment 5. |

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| Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings (Old Harlow Councillors) Email 19/9/24 | <i>Note: This response has been reorganised so the comments within it are split by topic. The wording, however, remains unchanged.</i> | | | |
| | 8 | History | <p>Preserving Harlow's history is important, not just to maintain the character of settlements that have existed locally for centuries, but to make sure current and future generations understand what came before the New Town. By maintaining examples of special architectural and historic interest, work to plan for future developments can be better informed and residents can best play their part by maintaining what remains.</p> <p>As the three Ward Councillors for Old Harlow, we welcome the opportunity to contribute to this consultation. Churchgate Street is one of the oldest communities in the town. The fact that evidence shows a Saxon Church was built in 1044 on the site of the current St. Mary's and St. Hugh's Church, proves how historically important Churchgate Street is.</p> <p>It is true to say that through the centuries Churchgate Street, first referenced as that in 1582 and designated a CA in 1969, has been considered a village community. This has been defended for many years by the Churchgate Street Residents' Association, whose many committee members over the years have worked hard to defend and preserve their village way of life.</p> <p>That is why a consultation on the CA is important and timely. The town is fortunate to have such a rich history on its doorstep, making sure the four parts of the existing CA are maintained, including the ribbon pattern and form of development that Churchgate Street is known for, must remain a key foundation that future planning policy has regard for.</p> | Noted. |

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| <i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i> | 9 | NPPF | We are aware that the National Planning Policy Framework recognises the need for the conservation of listed buildings (there are several in Churchgate Street) in the definition of heritage assets. The council will, of course, need to continue to work within that policy framework and the prescribed conditions that flow from it. | Noted. |
| | 10 | Proposals | <p>It is our view that the council could go further than what is already stated in the consultation draft. There is scope in our view to: extend the existing CA; review the contribution scores for buildings that already sit within it; revisit the proposed Permitted Development Rights (PDRs) that will sit under the Article 4 Direction (A4D); and look at adding an additional heritage buffer zone to preserve blue and green infrastructure that could be impacted by future development as part of the East of Harlow strategic housing site.</p> <p>To best respond to each section of the draft consultation document, we have provided comments on it in the order presented. Recommendations are included at the end of this response to provide constructive challenge about how to take the final drafting work forward.</p> <p>The below recommendations are drawn from points made in the body of this consultation response for planning officers to consider as engagement work with the community progresses in the coming weeks and months</p> | Council responses to the issues raised in this comment are provided in this schedule below. |

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| <i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i> | 11 | General | <p>Splitting the CA into four sections for the purposes of the detailed appraisal work was the right approach to take. It helps to understand the density levels of each part of the CA better.</p> <p>The more that can be done through the application of planning policy to preserve the historic character of Churchgate Street the better.</p> <p>It is helpful that the council has consulted Churchgate Street residents now.</p> | Noted. |

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| <p><i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i></p> | 12 | East of Harlow Garden Community | <p>The prospect of a major development, the East of Harlow strategic housing site, means that new steps to safeguard and manage the Conservation Area (CA) are very much needed. It cannot be underestimated what impact additional housing, on top of the Gilden Park development, will have on the existing community in Churchgate Street.</p> <p>One potential significant impact to the CA is the approval of the East of Harlow strategic housing site Supplementary Planning Document (SPD). It is welcome that consideration has been given to the following: adding in ecological buffers to limit the impact; a plan to guard against high housing density near the CA; work to respond to topography concerns; and steps to protect existing green and blue infrastructure.</p> <p>The Section 106 agreement for the East of Harlow strategic housing site, which we continue to be concerned about, would need to agree upfront conditions about investment in the areas identified before any house building could occur. We believe the draft consultation needs to consider adding in further mitigations to protect the CA from the designated East of Harlow site.</p> <p>There is concern that the CA is threatened by the prospect of further housing development in and around the M11 corridor just above it.</p> | <p>The East of Harlow Masterplanning Guidance SPD, adopted September 2024, will require developers to consider existing settlements when preparing the masterplan for the East of Harlow Garden Community.</p> <p>This includes Churchgate Street and potential impacts, for example on landscape and topography, arising from issues such as nearby building heights and density. Landscape screening is an example of a mitigation tool to provide a physical noise and visual buffer. There is also a requirement that any routes from the new development into Churchgate Street would be for walking and cycling only, while the incorporation of SuDS in the new development would mitigate against the increase in hard surfaces by mimicking natural drainage, thereby alleviating potential flooding events.</p> <p>There will be an opportunity for residents to have further input into the planning of the East of Harlow Garden Community, including in relation to Section 106 agreements, during the masterplanning and planning application stages. The Conservation Area Appraisal will also be an important material consideration informing design codes for the Garden Community.</p> |

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| <p><i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i></p> | <p>13</p> | <p>Churchgate Street Area District Plan (1981)</p> | <p>There is scope to learn some lessons from the past management of the CA and how it should be applied with the addition of an A4D.</p> <p>When the CA was first designated by Essex County Council in March 1969, that set the foundation for how management of the historic aspects of Churchgate Street should be marshalled. The next key step was, of course, the Churchgate Street Area District Plan (CSADP) that was adopted by Harlow Council in 1981. The CSADP's detailed approach to development management and use of the land was a robust way to defend the historic composition of the community. The principle that only limited development would be most appropriate was exactly the right approach and that planning assessment has merit today</p> <p>As the draft consultation document points out, the CSADP was superseded by the Harlow Local Development Plan that was adopted in 1995. We welcome acknowledgement in the draft consultation document that the CSADP from the 1980s contains key information to steer the direction of policy that will be applied to the CA in future. It is important to remember that the CSADP guided the expansion of the CA in the early to mid-eighties northwards to include parts of Sheering Road.</p> <p>The key takeaway from the management steps undertaken by the CSADP is that expansion of the CA is possible, not only feasible in policy terms, but also when practically applying it to preserve heritage assets, listed buildings and supporting infrastructure.</p> <p>Previous work to conserve key elements of Churchgate Street should not be forgotten. By learning lessons from work undertaken since the CA was first created in the 1960s, the council can best position the policy underpinning it to ensure the architectural character can</p> | <p>While the CSADP is a useful tool for assessing the history of managing the Conservation Area (CA), it no longer carries any weight because of its age and the various local and national planning policies and guidance that have now superseded it.</p> <p>However, Churchgate Street remains protected from inappropriate development through current planning policies contained in the Harlow Local Development Plan (HLDP), in particular because of its designation as a CA.</p> <p>The draft Character Appraisal document acknowledges that the CSADP contains important information to understand how the preservation of Churchgate Street and the planning of the wider area has evolved since the CA was originally designated. The site appraisals in the CSADP also provide useful background information.</p> <p>The CSADP's extension proposals, which primarily suggested the inclusion of 13 - 23 Sheering Road, were justified because of the historic and architectural importance of these buildings. Any further extension to the CA would have to be similarly justified.</p> |
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| | | | act as a reminder for decades to come of how early settlements were established in Essex that led to the formation of Harlow in its own right | |
| <i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i> | 14 | Density | The summary of the overall density provides a good indication about how future planning assumptions should be made. Maintaining a low-density layout to the north and south to act as buffer zones to protect that core community within the central, and higher-density building spread, should be a prime focus for all future policy and planning decisions. It is all about continuing to manage the balance between buildings and open space sitting within the CA. | <p>National and local planning policies require development proposals to consider any effects on a CA and ensure its features are protected.</p> <p>During the determination of any planning applications which could affect the CA, the Character Appraisal document would assist in providing additional evidence to require the CA's features – such as the existing density, views, topography, etc. – to be protected. The Appraisal, along with the Management Plan, will also become material considerations in the determination of applications in and around the Churchgate Street area.</p> |
| | 15 | Building Heights and Topography | <p>Managing building heights within the CA matters from a heritage point of view. The Church remains the tallest building because of its spire, which must be maintained. We believe that the draft consultation document should take a stronger position on height as the majority of buildings are two-storey anyway. This should be factored into future policy discussions when considering the topography of the area.</p> <p>Recommendation 1. Include a stronger commitment as part of the CA to ensure development cannot exceed two-storeys, with St. Mary's and St. Hugh's Church remaining the highest building in Churchgate Street.</p> <p>Update the A4D to include new height restrictions. This step could help to protect the established topography of the CA.</p> | <p>The legislation for Permitted Development Rights states that, in Conservation Areas, adding additional storeys to a building requires planning permission and it is not, therefore, a permitted development right. Any impact on the Conservation Area would, therefore, be considered during the Development Management process when any application for such a proposal was received.</p> <p>An Article 4 Direction can only remove Permitted Development Rights, as set out in legislation, and cannot introduce other planning restrictions.</p> <p>This matter is, however, a potential consideration for the future Local Plan Review.</p> <p>Please also see response to Comments 14 and 26.</p> |

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| <i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i> | 16 | Building Styles | Most of the buildings in the CA were built before the 20 th century, half date back to the 18 th and 19 th century. There are a mix of building styles given the history of Churchgate Street, including Tudor, Georgian, Victorian and Edwardian features. The draft consultation document acknowledges the different building styles, but it is not made explicitly clear why this is important from a heritage perspective. | The Character Appraisal document will be amended to clarify why the variety of building styles in the CA are important from a heritage perspective. This will also be highlighted in the Management Plan. |
| | 17 | Listed Buildings | A third of CA buildings are nationally listed as Grade II, and the Queen's Head Pub is Grade II* given that dates back to the 16 th century. Listed status comes with additional protections and weight in planning policy terms. One of the strongest arguments for the A4D is the fact that two-thirds of the buildings in the CA are not listed and are therefore vulnerable to being altered. | Noted. |
| | 18 | Views | We agree with the assessment in the draft consultation document that there are some far- stretching views across the CA that should be maintained. The short-distance view along Churchgate Street itself should be preserved too, including the current formation of the Churchyard. Landmark buildings like Auckland House, the Church and Millhurst all highlight the character of Churchgate Street and the views of such buildings should continue to be preserved. | The view along Churchgate Street, including into the churchyard, is identified in Fig. 4.8 of the draft Character Appraisal document. Any impacts on features of the CA, such as views, would be considered during the determining of any planning application which could affect the features. This will also be highlighted in the Management Plan. Please also see response to Comment 14. |

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| <p><i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i></p> <p><i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i></p> | 19 | Green and Blue Infr. | <p>Green and blue infrastructure form a key part of the CA, particularly the Glebe Open Space, many mature trees protected under their individual Tree Preservation Order (TPO) and the brook that runs down Hobbs Cross Road.</p> <p>Efforts should now be made to explicitly identify additional ecological buffer zones within the CA to guard against the East of Harlow strategic housing site.</p> <p>There is scope in our view to add in further protections for blue and green infrastructure within the CA.</p> <p>The council will also need to think carefully about how best to preserve blue and green infrastructure that forms a key part of the CA.</p> <p>Recommendation 5. Work with Epping Forest District Council to agree where an additional green buffer zone could be included to guard against the negative impact of the proposals for an East of Harlow strategic housing site. That buffer zone should be protected under the CA.</p> <p>Look at the land surrounding Windmill Fields and Elmbridge to make sure adequate protections are in place for the CA and housing estates that could be directly impacted by new development</p> | <p>The draft Character Appraisal document recognises the importance of the Green and Blue Infrastructure in the CA, which will continued to be protected against inappropriate development under local and national planning policies. Please also see response to Comment 14.</p> <p>Identifying buffer zones for restricting development would require designation of land. Where this would be on currently non-designated 'white' land, any new designation would have to be defined, justified and proposed through the Local Plan Review.</p> <p>For land allocated as the East of Harlow Garden Community, the locations of Green Infrastructure (including open space) within the Community will be determined through the masterplanning and planning application stages. Other types of Green Infrastructure could include buffers between the Community and Churchgate Street, as identified in the East of Harlow SPD which acknowledges the importance of the relationship between the two areas.</p> <p>The Green Infrastructure in the new Garden Community, including potential open space near Windmill Fields and Elmbridge, for example, would be protected against inappropriate development by local and national planning policies. It would not, therefore, require designation as a CA. Such a designation would also be unjustifiable as it would lack significant historic or architectural importance.</p> |

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| | 20 | Promoting the CA | What is missing from the draft consultation document are steps that can be taken to further promote the CA locally and regionally as a significant heritage asset. | The draft Management Plan document will include suggestions for how the CA can be further promoted using the resources available to the Council. This could, for example, be in conjunction with Essex County Council, local organisations such as the Harlow Civic Society and Churchgate Street Residents' Association, and national organisations such as Historic England. |
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| <p><i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i></p> | <p>21</p> | <p>Extending the CA</p> | <p>We are surprised that consideration has not been given to extending the CA to cover Mill Lane and the playing field, which both warrant further appraisal for their historic value.</p> <p>An expansion of the CA may be required, the various properties along Hobbs Cross Road, Mill Lane and Staffords (including Sheering Drive) could be prime candidates to form part of the expansion.</p> <p>The revision of the boundary of the CA needs to be looked at again. We oppose any attempts to reduce the boundary of the CA. The proposed changes set out in table 5.2 and figure 5.1 could weaken it. The proposal to include Churchgate Court is something that should be welcomed, but we feel the council could be more ambitious and extend the CA. We have already proposed that Hobbs Cross Road, Mill Lane and its playing field, Staffords and Sheering Drive should be considered.</p> <p>There is an argument for extending the boundary of the CA to ensure the historic surroundings of the community are best protected.</p> <p>Recommendation 2. Conduct a new appraisal of Hobbs Cross Road, Mill Lane and its playing field, Staffords and Sheering Drive for the potential to extend the CA to cover those areas.</p> <p>The CA could be expanded to include housing and community infrastructure built later in Churchgate Street's history. These areas have historic merit in terms of how they enhance the CA's special character.</p> <p>Extending the CA to cover more land used historically for agricultural purposes and to channel key water courses through Churchgate Street, particularly at the southern end of the CA, should be considered for inclusion.</p> | <p>A preliminary assessment of the areas identified for inclusion, i.e. Hobbs Cross Road, Mill Lane and Staffords (including Sheering Drive), has been completed and can be seen at Appendix A.</p> <p>The outcome of this assessment is that most of these areas lack sufficient historic and architectural quality or interest to be added to the CA, but it was concluded that the addition of Sheering Drive could be justified. The proposals in the draft Character Appraisal document, including the revised boundary of the CA, will be amended accordingly, along with the justification of the inclusion as detailed at Appendix A. It should be noted, however, that photos of the buildings in Sheering Drive will not be able to be added to the Character Appraisal document because they are not visible from public land.</p> <p>The current area of the CA is 6.34ha. Arising from the proposals in the draft Character Appraisal document, the area would reduce slightly to 6.1ha. However, the inclusion of Sheering Drive and the churchyard of St Mary's Church would result in a total area of 7.97ha, meaning the CA would be increased by 1.87ha (25%). This information has been added to the Character Appraisal document.</p> <p>Proposals a., b., c. and e. in Table 5.2 of the draft Character Appraisal document involve removing small amounts of land from the CA by revising its boundary. These proposals are intended to ensure the overall CA is strengthened, by removing parts which can no longer be justified as being part of the CA. These are mostly parts which have changed over the years and are now relatively detached from the main part of the CA with modern development present. Examples of these include development on land which was formerly part of Millhurst and Meadham, as a result of the land being allocated for housing in the CSADP. The draft</p> |
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| | | | <p>Recommendation 7. Commit to a policy position that looks to extend the boundary of the CA.</p> <p>There should be no attempt to reduce the size of the CA. The council should instead continue to support the old CSADP policy principle that, where possible, extending the CA, to encompass more historically significant features, should be the default position.</p> | <p>Character Appraisal document will be amended to clarify the reasoning for these proposals.</p> <p>Regarding the inclusion of land used historically for agricultural purposes, etc., the Council has considered this, but in accordance with guidance do not consider it justifiable to include such land, as it does not hold sufficient historic or architectural importance.</p> |
| <p><i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i></p> | 22 | Flooding | <p>The draft consultation document highlights in paragraph 4.19 that the brook has been assessed to be classed as a flood zone 3 risk by the Environment Agency, which means there is a high probability for flooding. This is a known risk as the height of the land towards the brook is 53 metres above sea level. Flooding is a major risk to the CA so we would like the council to consider adding in additional restrictions as part of the A4D. If there is scope to further limit future development to the front of CA properties directly in the high flood risk zone, then the feasibility of doing so should be explored.</p> <p>Recommendation 3. Review the CA protections for the brook and other green and blue infrastructure impacted by the flood zone 3 classification.</p> | <p>An Article 4 Direction can only remove Permitted Development Rights, as set out in legislation, and cannot introduce other planning restrictions. Unfortunately, this means there is no scope to add in flooding-specific restrictions to the Direction.</p> <p>Flooding risk would, however, be considered as part of the normal consideration of planning applications submitted for proposed development in the area. For example, the recent planning application regarding Chantry House, near the brook, was refused, in part due to a lack of sustainable drainage measures that would ensure the site and its surroundings are not exposed to increased flood risk.</p> <p>Please also see response to Comment 19.</p> |

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| (Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued) | 23 | Building Scoring | <p>From our perspective, some aspects of the scoring shown in figure 4.31, particularly the contribution awarded to Hillsborough House and Churchgate Street cottages 2 to 6, do not fully reflect their historic value. The weatherboarding, chimney stacks and non-Georgian elements might be worthy of a higher contribution score, even though the shop window at number 4 was removed decades ago. Hillsborough House was built in the early 1860s and is assessed as a well-conserved building, so we would ask that the score is reassessed, even though the brick wall hinders the view of it.</p> <p>Recommendation 4. Look again at the contribution scores for Hillsborough House and Churchgate Street cottages 2 to 6.</p> <p>Assessed as well-conserved buildings, but judged to have a lower score than expected because of minor changes made decades ago. The overall historic style of each form of housing is worth revisiting</p> | <p>A review was accordingly undertaken on the scoring of these buildings.</p> <p>The score for Hillsborough House was 1 out of 2 because of the brick wall in front of the house. However, the brick wall does not hinder the contribution of the building itself, so the score has been increased to 2 out of 2.</p> <p>The score for 2, 4 & 6 Churchgate Street was 1 out of 2 because of the conversion of a ground floor window to a shop window. However, the weatherboarding and neo-Georgian features outweigh that conversion, so the score has been increased to 2 out of 2.</p> |

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| <i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i> | 24 | Article 4 Direction Need | <p>We are encouraged that the council seeks to strengthen the CA to prevent the proliferation of building alterations under certain PDRs. There is already some protection for the CA against some PDRs that would require planning permission, which are outlined in the draft consultation document. There is provision under planning law to also require Listed Building Consent for demolition or alterations. It is therefore welcome that the creation of an A4D for certain areas of the CA is being proposed to further enhance the application of planning law and listed building protections.</p> <p>It is clear that the introduction of an A4D will enhance the status of the CA and strengthen the existing ability to control development in the local area.</p> | <p>Noted.</p> <p>For clarity, it is proposed that the Article 4 Direction would cover the entire CA (subject to the proposed boundary revisions as outlined in the draft Character Appraisal document; please also see response to Comment 21).</p> |

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| <i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i> | 25 | Enforcing an Article 4 Direction | The outline proposals for the A4D do seem largely reasonable and proportionate, but we do recognise the point made in paragraph 5.14 about balancing the wishes of homeowners who want to alter their property by seeking planning permission. It would be helpful to learn how other local authorities have gone about applying an A4D to a CA to better understand the evidence threshold for such action to be taken. | <p>Other Councils across the country have introduced similar Article 4 Directions in Conservation Areas, and broadly include general changes to the exterior of a property (i.e. those covered by Part 1, Class A of the GPDO). However, the inclusion of more specific PDRs in an A4D, such as those relating to chimneys, roof alterations, satellite dishes, etc., is determined based on the nature of the CA in question.</p> <p>The rationale for the designation of Conservation Areas varies because of their different individual characteristics; it would not, therefore, be possible to compare like-for-like given the varying local circumstances. Even within Harlow, the A4Ds in place in Conservation Areas differ slightly, due to the level of protection required based on the characteristics of the CA in question.</p> <p>For example, the A4D for the Mark Hall North CA includes outbuildings, because of several corner plots where rear gardens are more visible. As mentioned in the response to Comment 26, there are few corner plots in Churchgate Street and so outbuildings are not proposed to be included in the A4D.</p> |

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| <p><i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i></p> | <p>26</p> | <p>Article 4 Direction Contents</p> | <p>The majority of the proposals set out within table 5.1, which includes certain classes of PDR available in the CA as part of the restrictions allowed under an A4D, should be welcomed. There are some points in the table that we would like further clarification on, including learning more about the evidence for not including Part 1, Class E, which covers outbuildings as part of the A4D. It is also interesting that Part 1, Class C, which focuses on general roof alterations is proposed to not be included as part of the A4D when such changes could be argued to have a material impact on the topography of the CA. In terms of including Part 1, Class D, which covers porches, there is a point where the A4D could run the risk of over policing development that will not impact the character of the CA. It may be the case that existing listed building protections provide enough coverage to prevent harmful changes. It would be helpful to learn more about the evidence for including this as part of the A4D.</p> | <p>It was concluded that Class E (outbuildings) should not be included in the A4D because there are very few corner plots in the CA where rear gardens (and therefore outbuildings) could be visible. Given the lack of corner plots and associated impact from outbuildings, and the need to seek a balance between protecting the CA and being overly restrictive, it was decided to not include this in the A4D.</p> <p>In terms of roof alterations, the addition of extra storeys could cause the biggest impact on the roof forms in the area or the topography. Adding extra storeys, however, already requires planning permission in a CA because the relevant PDR (Part 1, Class AA) does not apply to CAs.</p> <p>Similarly, additions or alterations to roofs – including loft conversions and dormers – already require permission in a CA due to Part 1, Class B not applying to CAs. It should be noted that the removal or addition of chimneys (Part 1, Class G) would require planning permission because they are proposed to be included in the A4D. Part 1, Class C, which is available to homeowners in a CA but is not proposed to be included in the A4D, relates to alterations which do not involve enlargement, such as the installation of roof lights.</p> <p>It is recognised that the majority of buildings in the CA either already have porch additions, or cannot have porches added because of close proximity to the pavement. Including porches in the A4D (Part 1, Class D), however, allows changes to existing porches (and any new porch additions) to be managed effectively via the Development Management process, avoiding any changes or additions which could be harmful.</p> <p>The above points are explained in Table 5.1 of the draft Character Appraisal document, except the points about loft conversions and roof lights, which will be added. It should also be noted that the addition of Part 1, Class</p> |
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| | | | | D was requested by the Council's Development Management team. |
| <i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i> | 27 | Confirming an Article 4 Direction | <p>As the A4D decision cannot be applied retrospectively, it seems that the plan to have it confirmed by February 2026 could have a negative impact. To make sure there is not a flood of PDR applications in the period leading up to 2026, would it not be wise to bring forward the confirmation date to ensure steps to mitigate attempts to alter the historic character of buildings is best managed. We suggest that the timetable is changed to plan for the A4D to be confirmed in November 2025.</p> <p>6. Bring forward the confirmation of the CA A4D to November 2025.</p> <p>The provisional February 2026 confirmation date risks a surge in PDR applications ahead of the A4D's adoption. Bringing forward the adoption date may mitigate the impact of such alterations granted under existing PDRs</p> | <p>The proposed Article 4 Direction is 'non-immediate', meaning it only comes into force 12 months after it is made, to ensure homeowners have sufficient notice. The consultation document will be amended to clarify this, and future correspondence/documents will also state this.</p> <p>Furthermore, in accordance with national legislation, where an A4D is confirmed sooner than 12 months after it is made, the Council could be liable to pay compensation to a homeowner if they submit a planning application for development covered by the A4D and the application is refused. There is no right to compensation in this case, however, if the A4D is confirmed at least 12 months (but less than two years) after it was made.</p> <p>The use of a non-immediate A4D accords with the process used for other recent A4Ds in the district. The decision to use a non-immediate A4D balances the risk of works being carried out within the 12-month window, against the risk of compensation claims and reduced notice for homeowners should an immediate A4D be used.</p> |

| Response Comments | | | | Council response |
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| <i>(Cllr Joel Charles, Cllr Michael Garnett, Cllr Sue Livings, continued)</i> | 28 | CA Reviews | We also support the inclusion in paragraph 5.24 that the management plan and guidance document (MPG) will work to identify where the CA can be improved in the future. Reviewing the CA should be a regular piece of work undertaken by the council and we would like to see that better clarified in the next version of the draft consultation document. | <p>Subject to resources, the Council has a rolling programme of reviewing each Conservation Area in turn and it is assessed whether extra protection, such as Article 4 Directions, are required.</p> <p>Any issues in the CA would also be addressed through the Development Management process if/when planning applications are submitted for proposals in or affecting the CA.</p> <p>The draft Character Appraisals document will be amended to clarify this point.</p> |
| Sharon Jenkins, Natural England Email 25/9/24 | 29 | | Natural England does not have any specific comments on this Conservation Area Appraisal and Management Plan. | Noted. |
| Ross McGivern, Historic England Email 25/9/24 | 30 | | We welcome the review and preparation of this draft appraisal, management plan and Article 4 Direction for the Churchgate Street Conservation Area. | Noted. |
| <i>(Ross McGivern, Historic England, continued)</i> | 31 | | Having reviewed the supplied documents, we do not wish to provide detailed comment at this stage. However, we are pleased to note the comprehensive and considered approach to better understanding and managing the conservation area. We note this approach has informed both the proposed review of both the designated boundary and evidence-based rationale for the Article 4 Direction. | Noted. |

Appendix A: Preliminary appraisal of areas suggested for inclusion in the CA (see Comment 21)

Comment 21 suggested expanding the CA to include Hobbs Cross Road, Mill Lane and its playing field, Staffords and Sheering Drive. As a result, a preliminary appraisal of these areas, below, was carried out by assessing the areas, the types of buildings within them and the resulting suitability of the areas for inclusion in the CA.

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| <p>Hobbs Cross Road, extending eastwards from the existing CA boundary which terminates just to the west of Elmbridge</p> | <p>The most significant range of buildings along this part of Hobbs Cross Road is Burnside Terrace, consisting of seven pairs of semi-detached, rendered houses which were designed by Harlow District Council and completed in approx. 1960. Also present is Churchgate Primary School, which reflects standard style primary school building completed in the 1970s.</p> <p>Further along, in the Green Wedge, are the buildings of St Nicholas School, one of them being Hillingdon House which was originally an Edwardian country house. Approx. 250m southwards there are a number of isolated cottages, three of which are nationally listed.</p> | <p>While there are isolated buildings which have historic and architectural importance further eastwards/southwards along Hobbs Cross Road, the area adjacent to the existing CA boundary – i.e. Burnside Terrace and the primary school – does not contain buildings of sufficient architectural or historic interest, so the extension of the CA along Hobbs Cross Road could not be justified.</p> |
| <p>Mill Lane and its playing field</p> | <p>Most of the houses along Mill Lane, including the developments of Church Mill Grange and Cobbins Way, were built in the last thirty years as a result of the land being allocated in the CSADP for low-density residential use. There are also allotments present next to the playing field.</p> | <p>This area is detached from Churchgate Street and the modern buildings do not have sufficient historic and architectural importance that would justify inclusion in the CA. The exception to this is Millend, which is already in the CA, and the adjacent Ashberry House which is of a similar style, so it is proposed to be included in the CA (see Table 5.2 of the draft Character Appraisal document). These houses are of a style which complements the area and their proximity to the CA means they make an important contribution to it.</p> |
| <p>Staffords</p> | <p>Consists of 12 detached houses, built in exposed brick with some rendering, which were designed by Harlow District Council and completed in 1970. They benefit from</p> | <p>While the setting of these relatively modern houses is notable because of the large amount of open space and mature trees, this area has a detached feel from Churchgate Street and the buildings do not have sufficient historic and</p> |

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| | significant front gardens with a number of mature trees. | architectural importance that would justify inclusion in the CA. |
| Sheering Drive | <p>An area of older housing, adjacent to Gilden Way but sufficiently screened from it, consisting of New Hall and Longbarn. Only visible and accessible from a narrow private drive.</p> <p>New Hall is a 15th/16th century, timber-framed, Grade II nationally-listed house. Longbarn is a 17th century, Grade II nationally-listed barn which has been converted into two houses.</p> | <p>This area is detached from Churchgate Street. The buildings and their settings are also already protected through national listing. However, in the interests of recognising that they pre-date the more modern developments surrounding Churchgate Street, it would be logical to include them and their settings in the CA. Sheering Drive is also currently the only part of the historic area that is not in the CA. Historic mapping shows that the area between Sheering Drive and Churchgate Street, which is now occupied by the 1970s Staffords development, was broadly open land. Sheering Drive historically had, therefore, more of a connection to Churchgate Street than it does today. This provides further justification for its inclusion in the CA.</p> <p>It is proposed, therefore, that the CA boundary be extended so that it runs westwards along Sheering Road, south along the brook to the west of Staffords, then runs north and west to follow the Green Wedge boundary, before running north-east along Gilden Way, returning to Sheering Road.</p> |