

HAVANT BOROUGH COUNCIL

At an extraordinary meeting of the Operations and Place Shaping Board held on 17 July 2019

Present

Lloyd (Chairman), Carpenter, Howard, Jenner, Milne, Mrs Robinson, Satchwell and Francis (co-opted member)

18 Apologies

Apologies for absence were received from Councillors Guest and Raines.

19 Declarations of Interest

There were no declarations of interest.

20 Review of Old Bedhampton Conservation Area

In order to provide some background to the item the Board received a short briefing on Conservation Areas and Heritage Assets from the Conservation Team Leader. He highlighted that the only fundamental difference between the heritage consultants commissioned by Bidbury Mead Friends (BMF) and HBC's Conservation Officer was that of the proposed boundary extension.

The Board received a deputation from Mr Mayor, a resident of Lower Road, Bedhampton, in support of the boundary proposed by the heritage consultants commissioned by BMF.

Ms Murphy, the heritage consultant commissioned by BMF explained that the remit of the assessment had been agreed by the council and BMF and the methodology used followed the relevant Act and Historic England guidance. There was a set standard for such assessments and this was the approach that she had used. She felt that her assessment had been fair and had taken into account both the natural environment and man-made interventions. She highlighted the importance of sunken lanes and was pleased that the majority of her assessment had been endorsed by HBC's Conservation Officers.

With particular reference to the field south of Lower Road, the Board questioned Ms Murphy on the differences between the boundary that she had proposed in June and the final version submitted in October. In reply it was confirmed that these amendments had been made on the advice of the HBC Conservation Officer, who considered that the boundary proposed in June had been arbitrary.

Mr Fellowes, HBC Conservation Team Leader, gave a presentation to the Board, which detailed the key differences between their boundary recommendation and the recommendation in the assessment commissioned by BMF.

In conclusion, he set out that the boundary proposed by HBC's Conservation Officers would not dilute the Conservation Area, as is required by the National Planning Policy Framework, and would form a more robust document. It would have been easier for officers to accept the conclusions of the assessment undertaken by BMF, however due to concerns with the proposed boundary it was felt appropriate for HBC to review the assessment in order to ensure that the Conservation Area would be robust.

The Board questioned whether alternative protection could be offered to the areas not included within HBC's proposed boundary extension, such as a Neighbourhood Plan or a mechanism to protect the Narrow Marsh Lane route. In reply, the Planning Policy Manager stated that a Neighbourhood Plan could be put together, as was the case for any area, but confirmed that Narrow Marsh lane was not currently a designated Right of Way. Rights of Way were protected by legislation, although even if designated there were mechanisms that could alter the route. BMF confirmed that a Definitive Map Modification Order (DMMO) had been submitted to Hampshire County Council, seeking to designate Narrow Marsh Lane as a Right of Way.

Cllr Gary Robinson spoke as a local ward councillor. He stated that BMF had worked with HBC to agree a specification and instructed an independent review which they had funded. Unfortunately, whilst the review was in line with the requirements laid out by HBC there was a difference in opinion in respect of the boundary extension.

BMF felt that the farm buildings on Lower Road were worthy of inclusion and were the same proximity to the centre of Bedhampton as the shops to be included within the boundary proposed by HBC.

Ms Murphy had a great deal of experience in drafting Conservation Areas and the appropriateness of her proposals had been backed by evidence. He explained that some of the character of Lower Road had been eroded due to a lack of protection and believed that there were elements of special historic interest in the field to the south of Lower Road, such as the bridge over the railway and the ancient roadways. He highlighted that Prof. John Boardman had agreed that Lower Road and Kingscroft Lane were both sunken lanes.

He closed by drawing the Board's attention to three recently reviewed Conservation Areas in the Borough: Emsworth, Mill Lane and Sir George Staunton. The boundaries of these had all included elements detached from the main settlements like the boundary proposed by Ms Murphy. He believed that the council should accept the findings of the independent review as funded by BMF.

The Board discussed Lower Road and with reference to the destruction of the bank in places by residents, questioned whether residents valued its historic importance. Whilst the Board acknowledged that Lower Road was a sunken lane, it had mixed opinions as to whether it was of sufficient quality to be included within the Conservation Area. In reply, Cllr Gary Robinson and Ms Murphy believed that it was. The area contained significant historic interest, as identified by the recommendation to locally list Manor Farm. Ms Murphy added that in her opinion the remnants of the sunken lane character and significant

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evidence of its historic use back to the 1700's made it special as per the definition of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Board discussed the protection that an Article 4 Directive would give and was advised by the HBC Conservation Team Leader that such measures were generally not put forward for heritage protection outside of a Conservation Area.

The Director of Regeneration and Place explained that officers had considered Ms Murphy's report carefully. He reminded the Board that in the event of a Judicial Review of any decision by the Council the evidence to back up a Conservation Area designation would need to be provided by the council. He did not consider that there was sufficient evidence to defend the boundary put forward by Ms Murphy, whereas there was to support the recommendation put forward by HBC's Conservation Officers.

If not protected by being in a Conservation Area, the Board encouraged that alternative mechanisms to protect the Lower Road area be explored and suggested the production of a Neighbourhood Plan.

Cllr Satchwell proposed that it be recommended to Cabinet that:

- (i) the Old Bedhampton Conservation Area Appraisal and Management Plan (at Appendix A) be recommended to Full Council for adoption;
- (ii) it considers implementing an Article 4(1) Direction to restrict permitted development in the Conservation Area; e) Recommend that Cabinet consider locally listing the Manor Farm buildings to the south of Lower Road; and
- (iii) it considers locally listing the Manor Farm buildings to the south of Lower Road.

This recommendation was duly seconded by Cllr Howard.

Following a vote the motion was declared lost, three councillors voting for the motion, four councillors voting against this motion and no councillors abstaining from voting.

There being no alternative motions, the Board did not make a recommendation to Cabinet.

The meeting commenced at 5.00 pm and concluded at 6.52 pm

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Chairman

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