

REPORT ON THE PUBLIC CONSULTATION ON THE RAYLEIGH CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

1 SUMMARY

- 1.1 The Council commissioned Essex County Council to prepare a conservation area appraisal and management plan. A draft of this document was submitted to the Environmental Services Committee on 5th April 2006. The Committee agreed that public consultation should be undertaken with a view to preparing a 'final' version of the document. This document will be used as part of the evidence base for the Local Development Framework (LDF). A copy of the draft appraisal and management plan has been circulated under separate cover to all Members.
- 1.2 The preparation of an LDF is a statutory responsibility for the authority. An up to date and accurate evidence base is a key indicator of best practice for the authority in the preparation of the LDF.
- 1.3 S.71 of the Planning (Listed Buildings & Conservation Areas) Act 1990 states that "It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas."

2 INTRODUCTION

- 2.1 The Council carried out public consultation from the beginning of May until 16th June 2006. Publicity included press releases, information on display at the Council Offices in Rayleigh and Rochford, as well as headline information on the Council's website.
- 2.2 This period of consultation resulted in 6 respondents making comments on the draft. These responses are shown in Appendix A. Also listed with these responses are officer's comments detailing a response to them. The six respondents were:-
 - English Nature
 - Essex County Council
 - Essex Wildlife Trust
 - Mr Gunner
 - Mr Skinner
 - Rayleigh Town Council

3 PROPOSED CHANGES

- 3.1 The responses, on the whole, make useful additions to the Conservation Area Appraisal and Management Plan and most are recommended for inclusion in the final plan. The detailed changes to the plan are specified below.

AMENDMENT 1

A text box should be added before the contents stating:-

Under S.71 of the Planning (Listed Buildings & Conservation Areas) Act 1990, the local planning authority has a duty from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.

Under S.39 of the Planning & Compulsory Purchase Act 2004, the local planning authority has a duty, when exercising its functions, to contribute towards achieving sustainable development.

Under S.40 of the Natural Environment & Rural Communities Act 2006, the local planning authority has a duty, when exercising its functions, to conserve biodiversity.

AMENDMENT 2

Figure 1 should be amended so that the boundary of the Scheduled Ancient Monument is correct and contiguous with that of 35 London Hill, Rayleigh.

AMENDMENT 3

Remove the words 'public open space' from above paragraphs 13.3 and 13.9. This would result in the headings being 'Rayleigh Mount' and 'The Churchyard'.

AMENDMENT 4

Add to the end of paragraph 13.4 the following sentence. "However, such tree surgery should not lead to a loss in the overall amenity value of the trees on Rayleigh Mount or a loss of screening for visually intrusive structures."

AMENDMENT 5

The figure reference to be amended from 'figure 41' to 'figure 43'.

AMENDMENT 6

That figure 14 be amended so further land be incorporated into the High Street zone, including the frontage to the Mill Car Park and the Bellingham Lane projection leaving the buildings on the east side of Bellingham Lane in the 'green' zone, but placing the buildings on the west side and the entrance to the car park in the 'yellow' zone.

AMENDMENT 7

There is a need for the document to cross reference to another piece of work commissioned from Essex County Council, namely the Historic Environment Characterisation report. It is recommended that Section 12 is renamed 'Change in the Conservation Area and Current Planning'. A paragraph will be inserted after paragraph 12.3 stating that:-

"Rochford District Council commissioned Essex County Council to prepare an Historic Environment Characterisation Project for the district. This complemented work undertaken throughout the Thames Gateway in South Essex. This work places Rayleigh in zone HECA14, which is entitled 'Rayleigh'. This document identifies the dominant historic environment characteristics for this area, noting the topography, historic urban character and archaeological character of the area."

- 3.2 In addition to these amendments, it is also proposed that a short section be added to the document to explain the arrangements for consultation.

4 ENVIRONMENTAL IMPLICATIONS

- 4.1 The preservation and enhancement of conservation areas is a statutory duty for the authority under S.71 of the Planning (Listed Buildings & Conservation Areas) Act 1990. This document, if implemented and used appropriately, could significantly enhance the conservation area.

5 RESOURCE IMPLICATIONS

- 5.1 The preparation of a final version will be completed using existing resources.

6 RECOMMENDATION

- 6.1 It is proposed that the Committee **RESOLVES**

To consider the proposed changes to the Rayleigh Conservation Area Appraisal and Management Plan and make any appropriate recommendations to the Planning Policy and Transportation Committee.

Shaun Scrutton

Head of Planning & Transportation

Background Papers:-

- Draft Rayleigh Conservation Area Appraisal and Management Plan

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APPENDIX A – RESPONDENTS & THEIR COMMENTS

There were a total of 6 respondents to the public consultation. Their responses are summarised below, together with those made by the Environmental Services Committee:

ENVIRONMENTAL SERVICES COMMITTEE AMENDMENTS

- This committee made recommendations under minute reference 124 and these changes were made prior to public consultation being undertaken.

ENGLISH NATURE

- Support the overall intention of the document
- Request that text be included to confirm that the conservation and enhancement of biodiversity will be appropriately considered within the plans. Such text should be referenced to Planning Policy Statement 9 and the duty of the Council under the Natural Environment and Rural Communities Act 2006.

Officer Comment

- Agreed – AMENDMENT 1

ESSEX COUNTY COUNCIL

- On page 18, the character zone for Rayleigh Mount as defined in figure 14 includes the area of the former outer Bailey which is of very different character i.e. car parks and modern buildings, to the rest of the zone. It is suggested that this portion of the Rayleigh Mount zone is incorporated into the High Street zone, specifically the triangle of land between Bellingham Lane and the High Street. A revision of figure 14 is necessary to resolve this issue. In addition to this, in order to aid clarity, it would be useful if each of the character zones and areas within them were numbered and had their own headed section/description within the report.
- Generally, it is also recommended that the conservation plan should refer to the Historic Environment Characterisation Report commissioned by Rochford District. This will enable the conservation plan to be viewed in the context of a broader understanding of the District historic environment. This would allow the Rayleigh conservation plan to be viewed in conjunction with the Historic Environment Characterisation report, as part of a structured sequence of historic environment planning documents.

Officer Comments

- Agreed (in part) – AMENDMENTS 6 & 7

ESSEX WILDLIFE TRUST

- No comment

MR GUNNER

- The boundary of the Scheduled Ancient Monument is shown incorrectly in figures 1 and 3. The boundary should be contiguous with that of 35 London Hill.

Officer Comment

- The boundary requires amending in figure 1, but not figure 3 – AMENDMENT 2

MR SKINNER

- Paragraph 13.3 – unsure that public open space would be an appropriate designation for the Mount.
- Paragraph 13.4 – stating that this paragraph should recognise that from many parts of the town, the trees on the Mount enhance the urban landscape. The trees on the Mount provide its prominence, as the Mount is not really that high. Selective tree surgery to open up views may not be wholly desirable.
- Paragraph 13.6 – The railings are softened somewhat by recent vegetation. There may be a need for additional planting. The paragraph refers to figure 41, but this should be figure 43.

Officer Comment

Agreed – AMENDMENTS 3, 4 & 5

RAYLEIGH TOWN COUNCIL

- Agree generally with the management proposals (page 46 *et seq*).
- Suggestion to construct a car park under the Castle Road car park made.

Officer Comment

- No comment