

Report Title:	Approval of the Cookham Village Conservation Area Appraisal
Contains Confidential or Exempt Information	No - Part I
Lead Member:	Cllr Haseler, Cabinet Member for Highways, Transport, Planning and Parking
Meeting and Date:	Cabinet - 29 th September 2022
Responsible Officer(s):	Andrew Durrant, Executive Director of Place Services and Adrien Waite, Head of Planning
Wards affected:	Bisham-Cookham

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REPORT SUMMARY

This report seeks Cabinet approval for the adoption of the updated Cookham High Street Conservation Area Appraisal, renamed the Cookham Village Conservation Area Appraisal, to bring it in line with current Historic England guidance. The council's Corporate Plan recognises that heritage assets are one of the borough's strengths and that distinctive towns and villages create a high-quality environment in which we live, work and visit. This recommendation supports the council's corporate objective to create "Inspiring Places", by providing guidance for appropriate new development that enhances the heritage significance of the Cookham Village Conservation Area.

This report notes the results of the public consultation exercise undertaken on the draft document as required under section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consult publicly on the documents prior to formal adoption and to have regard to the views expressed. The consultation exercise, which included letters to each property in the area and public meetings, showed strong local support for the document.

If adopted, there would be no financial implications arising from the publication of this document.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) Agrees the revised conservation area appraisal document and notes the change of name of the conservation area from the Cookham High Street Conservation Area to the Cookham Village Conservation Area.**
- ii) Agrees the revised boundary of the conservation area to encompass the additional areas identified as part of the boundary review and their publication in the London Gazette and one local paper as required under Section 70 (5) and (8) of the Planning (Listed Building and Conservation Areas) Act 1990.**
- iii) Agrees that all addresses in the extensions to the conservation area will be notified by letter advising of the new boundary and the changes that this will mean for residents and owners.**

- iv) Notes that once designated, Historic England and the Historic Environment Record (HERS), administered by Berkshire Archaeology, will be advised of the changes. The Council's GIS will be updated, and the appraisal document will be made available on the Council's web site.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
Approve the document for formal adoption with associated publicity and advice to residents, this is the recommended option	This would provide an updated document for decision making replacing the existing appraisal which dates from 2002
Not to approve the document, this is not recommended	Development management decisions would be made using an outdated policy document to the detriment of the conservation area
To approve the document without publicity for the extensions or advising residents within these areas of the changes, this is not recommended	This would be contrary to the requirement of the relevant legislation (1990 Act) and also not in line with best practice, leaving local owners unaware of the changes to the conservation area and the appraisal.

- 2.1 It is a statutory duty of local planning authorities (LPAs) to formulate and publish proposals, such as Conservation Area Appraisals, for the preservation and enhancement of conservation areas. Conservation areas are considered as designated heritage assets and are designated because of their special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. In drafting appraisals and in line with the Government's desire to engage with local communities, it is reasonable to consult the public on drafts of these proposals and to consider their views when drafting the final document.
- 2.2 Public consultation on the draft document took place during the summer of 2018, but finalisation of the document has been delayed because of issues with drafting, resourcing and Covid. The document was made available at Maidenhead Library and Cookham Library and on the Council's web site. A press release was issued, and emails were sent to Councillors, Historic England, Berkshire Archaeology and local groups, and letters and a questionnaire were sent to all addresses within the existing conservation area. Two public meetings were held, the first at Elisabeth House, Cookham and the second at Cookham Methodist Church. Both meetings were advertised in the local paper and approximately 40 people attended in all.

- 2.3 After collation of the responses, it was noted that there was overwhelming support for the change of name of the conservation area, with only one person objecting. No additional buildings were identified for inclusion as significant non-listed buildings. Nineteen responses supported a revised boundary, and there were comments on extending the boundary to the sailing club and river, an area that is now included in the proposed appraisal.
- 2.4 The inclusion of Odney Common was suggested and considered, but this was not included as the area was not considered integral to the settlement or related to the work of Sir Stanley Spencer. In addition, the inclusion of Romanlea and parts of Cookham Rise were suggested, however, this was not taken forward, as the area whilst of merit, is historically linked with the development of the railway and has more in common, both architecturally and historically, with the station and the area around it. The nursery school was suggested for inclusion, and given its architectural significance was included within the final boundary. Black Butts Cottages were also included as an attractive group of early 20th century worker's cottages that have historical links with the development of the area.
- 2.5 The inclusion of parts of School Lane and the houses west of Pound Lane was considered, but the houses were not considered to have sufficient architectural merit, or historic interest, to include them within the area. The exclusion of the area known as Philo Field was requested, however, views from this area were considered important as was the need to ensure that the boundaries of the area were rational and followed existing features.
- 2.6 A number of drafting issues were also identified and updated in the final version of the document. Historic England were supportive of the appraisal and made suggestions regarding the management of the area that will need to be addressed in a future more detailed management plan.
- 2.7 The responses from the consultation are included in the tables attached as Appendix B and C.
- 2.8 The revised document replaces the current document that dates from 2002 and is now outdated. It proposes a change of name of the conservation area, from the Cookham High Street Conservation Area to Cookham Village Conservation Area, as the area covered is much wider than just the High Street. The document has been amended to take account of public consultation, with the boundary expanded to include Black Butts Cottages, acknowledging that this group of buildings is of both architectural and historic interest and of a quality that is worthy of protection as part of the conservation area. The area is also extended to the north to create a more coherent boundary along the river side and taking account of existing landscape features. The revised appraisal document is included as Appendix D.

3. KEY IMPLICATIONS

- 3.1 The updated document will assist officers when considering applications within the conservation area and help residents when seeking permission for works that will require consent. In the long-term this will help improve the decision-making process and the quality of applications submitted within the area, creating more certainty for both officers and owners alike.

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Agreed updated document on website	Updated document not published to website	Updated document available on website	n/a	n/a	31 October 2022
Change of name of the conservation area	Name retained	Name updated in line with recommendation	n/a	n/a	31 October 2022

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 By producing informed documents that set out the special character and significance of places the Council is providing important guidance to those seeking to make changes as well as simply to inform residents, owners, businesses as to the value of these special places in the most economic, efficient, and effective manner.
- 4.2 The costs of advertising in the London Gazette and a Local Newspaper; and sending letters to the occupiers of the additional properties added within the extended boundary are minimal and will be borne by the Planning Department as part of the existing budget. There are no further costs to consider.

5. LEGAL IMPLICATIONS

- 5.1 Under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, every local authority must from time to time determine whether any parts of their authority are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Such areas are to be designated as conservation areas. The same section places a duty upon local authorities from time to time to review the past exercise of such functions and to determine whether any parts or any further parts should similarly be designated. Section 71 of the Act advises that it is the duty of local planning authorities from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area, which are conservation areas, such as, for example, Conservation Area Appraisals.
- 5.2 The proposed extension of the conservation area will have several consequences for those persons whose land will be affected, namely:

- (i) The demolition of certain buildings may only be undertaken with the consent of the authority
- (ii) In certain circumstances, it becomes an offence to cut down, top, lop, uproot, wilfully damage, or wilfully destroy any tree, except with the consent of the authority
- (iii) Permitted development rights under the Town & Country Planning (General Permitted Development) Order 1995 are more restricted
- (iv) Planning applications for development which would, in the opinion of the authority, affect the character or appearance of the Area must be publicised
- (v) The right to display certain types of illuminated advertisement without express consent from the authority is excluded

5.3 Additionally, a designated conservation area is included as a charge on the Register of Local Land Charges.

5.4 In terms of legislation and guidance relevant to conservation areas, in addition to the requirements of the Act, Section 16 of the *National Planning Policy Framework (NPPF) 2021* and the Planning Practice Guidance "*Historic Environment*" provides additional guidance on this matter, as does Historic England's *Advice Note 1 on Conservation Area Appraisal, Designation and Management*.

6. RISK MANAGEMENT

Table 3: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
That the document is not agreed, and this conservation area remains ill-defined and insufficiently protected	High	Completion of the detailed appraisal, with consultation and adoption by the Council Cabinet	Low

7. POTENTIAL IMPACTS

7.1 An EQIA screening form has been completed for this proposal, no adverse impacts have been identified. This has been published on the Council's web site and is appended as Appendix A.

- 7.2 Climate change/sustainability- The Council’s adopted corporate plan sets out the goals we will work towards as a council to protect our natural environment and adapt to climate impacts which are already here. The appraisal will assist in identifying and subsequently protecting local character and distinctiveness in any decision on development whereby climate change is a material consideration.
- 7.3 Data Protection/GDPR. Correspondence with local residents will be carried out in line with relevant guidance and legislation.

8. CONSULTATION

- 8.1 Public consultation took place during the summer of 2018, but finalisation of the document has been delayed because of issues with drafting, resourcing and Covid. The document was made available in hard copy at Maidenhead and Cookham Libraries and online on the Council’s web site, where comments could be made. Emails advising of the consultation were sent to Councillors, Historic England, Berkshire Archaeology, the Parish Council, local groups and letters and a questionnaire were sent to all properties within the conservation area. The questionnaire asked for views on changing the name of the conservation area, whether there were any additional buildings to be added to the list of significant non- listed buildings, and if the conservation area boundaries were appropriate.
- 8.2 Posters advertising the consultation and the two drop- in sessions were displayed in the local libraries and on notice boards in the area. Both meetings were also advertised in the local paper. The meetings, attended by officers, were held at Elisabeth House, Cookham and a later meeting at Cookham Methodist Church. The document and a questionnaire were also made available at the public meeting and responses were collected by officers.
- 8.2 The general consultation responses are included in the table attached as Appendix B, with responses to the questionnaire and issues arising from the drafting of the document in Appendix C.
- 8.3 Overall, the responses were positive and constructive, and after consideration, as noted in Appendices B and C, the document was revised to take account of the relevant concerns.

9. TIMETABLE FOR IMPLEMENTATION

Full implementation stages are set out in table 4.

Table 4: Implementation timetable

Date	Details
29th September 2022	Cabinet consideration and approval
October 2022	Advertisement in the Gazette and local paper
October 2022	Letter to owners notifying them that they are within the extended conservation area and advising of the effect this will have in terms of proposed works to their properties

10. APPENDICES

This report is supported by 4 Appendices:

- Appendix A - Equality Impact Assessment
- Appendix B - Consultation Responses
- Appendix C - Responses to Questionnaire and additional comments
- Appendix D - Appraisal document

11. BACKGROUND DOCUMENTS

11.1 This report is supported by 3 background documents:

- Planning and Housing Overview and Scrutiny 17th November 2016, Cookham High Street Conservation Area Appraisal Consultation and adoption
https://rbwm.moderngov.co.uk/documents/s9955/meetings161117_Cookham%20CAA%20report.pdf
- Cabinet Report 28th June 2018, Conservation Area Appraisals Review Issue - items at meetings - Conservation Area Appraisals Review Programme (moderngov.co.uk)
[Report template \(moderngov.co.uk\)](#)
- Historic England Advice Note 1 (Second Addition) Conservation Area Appraisal, Designation and Management-
<https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/>

12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>		<i>Statutory Officers (or deputies)</i>	
Adele Taylor	Executive Director of Resources/S151 Officer	17/8/22	
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	17/8/22	12/9/22
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	17/8/22	10/9/22
Elaine Browne	Head of Law (Deputy Monitoring Officer)	17/8/22	
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	17/8/22	18/8/22
<i>Mandatory:</i>		<i>Procurement Manager (or deputy) - if report requests</i>	

<i>approval to award, vary or extend a contract</i>			
Lyn Hitchinson	Procurement Manager	N/A	
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	17/8/22	
Andrew Durrant	Executive Director of Place	18/8/22	18/08/22
<i>Heads of Service (where relevant)</i>			
Adrien Waite	Head of Planning		
Sian Saadeh	Development Manager Service Manager	17/8/22	18/8/22
Ian Motuel	Planning Policy Manager	17/8/22	18/8/22
<i>External (where relevant)</i>			
N/A	N/A		

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Highways, Transport, Planning and Parking	Yes
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Cabinet decision. First entered into the Cabinet Forward Plan: 25 th July 2022	No	No

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