

Woodhall Spa Article 4 Directions and Local Development Order Consultation Feedback

Methodology

A consultation exercise was undertaken to gain the views of residents on the proposal for new planning measures that could help businesses and residents in Woodhall Spa Conservation Area preserve and enhance the area's distinctive appearance and character.

The consultation, which was available in both hard copy and online, was promoted in a number of ways.

- A media release was circulated on 24th July 2018, announcing the proposal. The media release also provided residents with details of the consultation exercise being undertaken.
- Statutory Notices were displayed in local newspapers, in the Conservation Area and at East Lindsey District Council's offices.
- In compliance with the regulations and procedures in respect of the Article 4 Directions and Local Development Order, the following organisations were consulted:
 - The Ministry of Housing, Communities and Local Government
 - Woodhall Spa Parish Council
 - Woodhall Spa Neighbourhood Development Plan Group
 - Woodhall Spa Heritage Committee
 - Woodhall Spa Chamber of Trade
 - Lincolnshire East Clinical Commissioning Group
 - Environment Agency
 - Heritage Lincolnshire
 - Historic England
 - LCC Highways
 - LCC Planning
 - Natural England
 - NHS Property Services
 - Highways England

A copy of the responses received from Woodhall Spa Heritage Committee, Ministry of Housing, Communities and Local Government, Historic England and Lincolnshire County Council are attached at the end of this report.

Responses were also received from Heritage Lincolnshire and Woodhall Spa Parish Council stating that they supported the proposal. Their responses to specific questions are included in the charts below and their general comments are detailed at the end of paragraph 3.4 of this report.

- Details of the consultation were posted to all properties within the Conservation Area.
- Posters advertising the consultation were displayed in and around the Conservation Area on notice boards and in shop windows.
- Social media; Facebook and Twitter were also used to inform residents that the consultation exercise was being undertaken.
- A dedicated web page containing all relevant information and a link to the questionnaire was placed on the Council's website.
- Copies of the proposed Article 4 Directions and Local Development Order, the reasons for making the Order, sketches that illustrated what the proposals meant and copies of the questionnaire including pre-paid reply envelopes were made

available in East Lindsey District Council's Planning Reception, Woodhall Spa Library and Woodhall Spa Parish Council offices.

Consultation took place between 25th July 2018 and 22nd August 2018.

19 electronic and 6 paper responses were received.

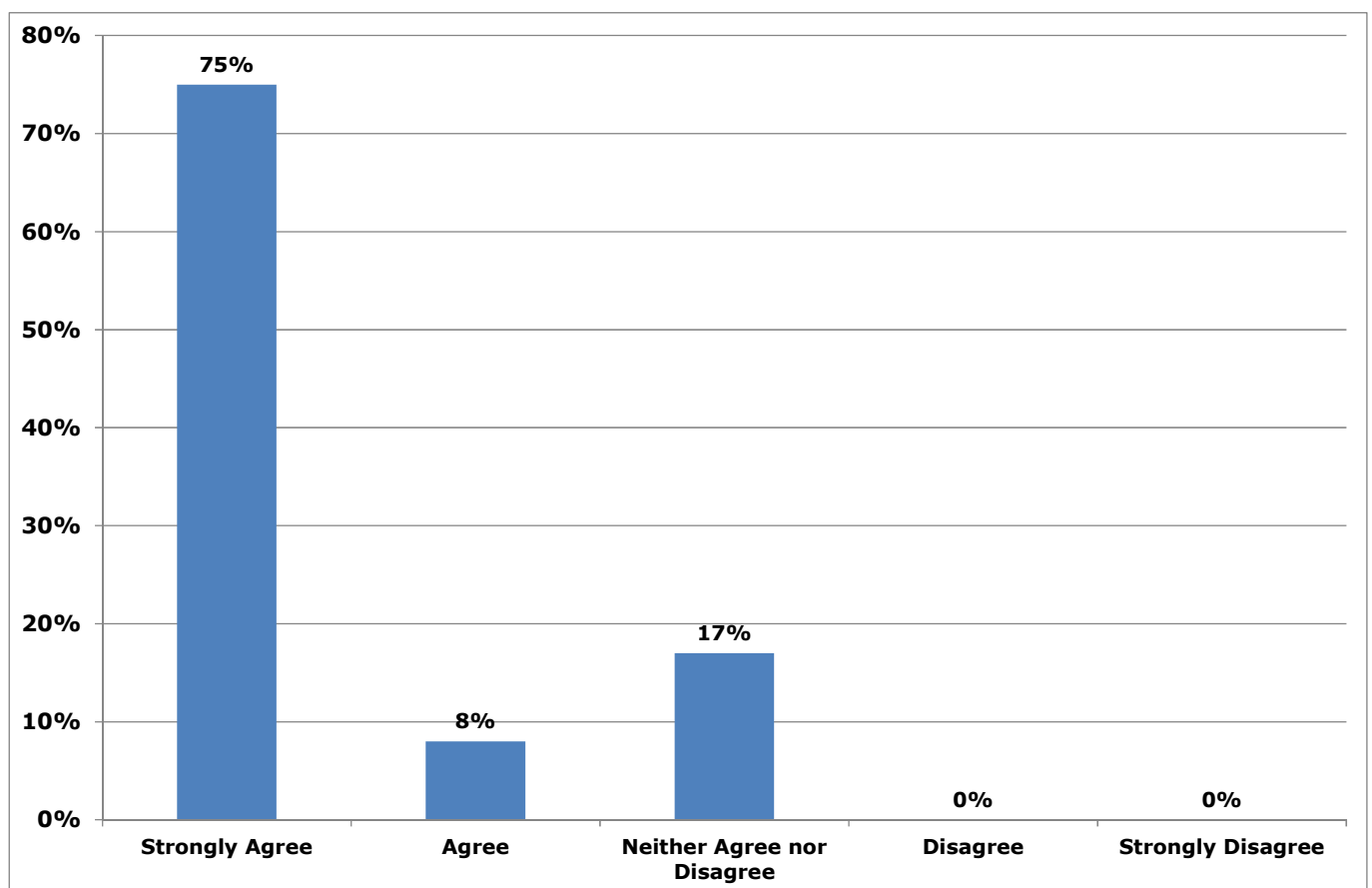
It should be noted that base data has been rounded to the nearest number (so may add up to between 99% and 101%)

1.0 Detailed Information

- 1.1. All respondents were asked to provide their address and postcode to enable the Council to identify how many respondents reside within the area the proposed Woodhall Spa Conservation Area Article 4 Directions relate to. A full list of their details has been passed to the Senior Conservation and Design Officer.
- 1.2. 76% of respondents stated that they supported the proposed Woodhall Spa Article 4 Directions and Local Development Order (LDO), with the remaining 24% objecting to the proposal.
- 1.3. Those respondents that did not support the proposed Woodhall Spa Article 4 Directions and LDO were asked why they did not support them. The majority of the comments listed below refer to the proposals being over-restrictive and detrimental to the village of Woodhall Spa.
 - I do not agree that the District Council should be able to grant itself the increased powers detailed in these orders, in general. In particular regard to my own property, I believe that its inclusion within the Conservation Area seems to be based on the sort of dwelling it is, not necessarily the area it rests in. Looking at the map provided, the boundary ignores properties to the west of ours before expanding to include it. If the aim of these orders is to maintain the character and appearance of Woodhall Spa, why is our property included within these orders when 3 adjacent, road facing properties, are not? My feelings about these orders are that they are unnecessarily over-restrictive and intrusive.
 - How is the Council going to prosecute everyone who so far has not complied?? Will they treat everyone the same?? Doubt it!!! This will cost a fortune to "police" and who will pay?? Us of course. I agree things like trees, hedges etc. should be kept to maintain the beauty of the village BUT you have got to be sensible and reasonable...
 - I think all/every case is different and should be judged on its own merits. Using sweeping powers like this is a "one size fits all approach" having lived in Woodhall for many years. Woodhall certainly doesn't fit such an Orwellian concept.

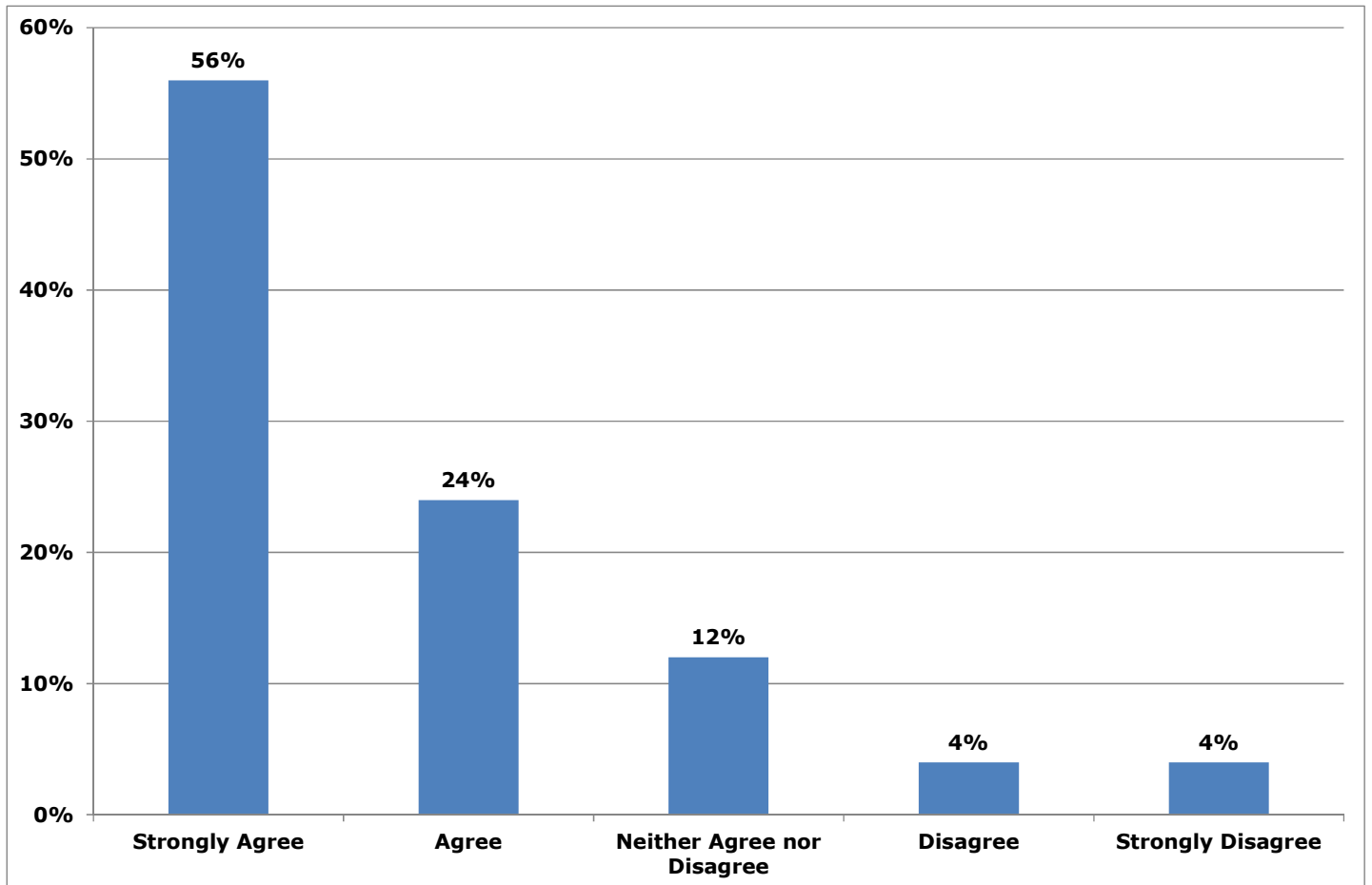
- I feel that this would be detrimental to the village as it would turn the village into a 'Disney' type village with no innovation or progress. If Article 4 had been in existence when Richard Adolphus Came designed his houses, they might have been refused. With such restrictive practices it will have a significant costly impact on anyone renovating their home, to the extent that perhaps those renovations will not take place leading to properties being left in disrepair. It will also have an impact on house prices as people will be less willing or able to buy property within the Conservation Area for fear of the additional costs. After all, an Englishman's home is his castle, and this article would deny this right. No one person or group of persons should be allowed to be the arbiter of taste for anyone else, and dictate what they should or should not do to their own homes.
- This is far too controlling. Villages should be allowed to develop with the times and not live completely in the past.
- Have you read '1984'?

1.4. The chart below shows to what extent all respondents agreed or disagreed that the unique and distinctive character of Woodhall Spa should be saved for future generations.

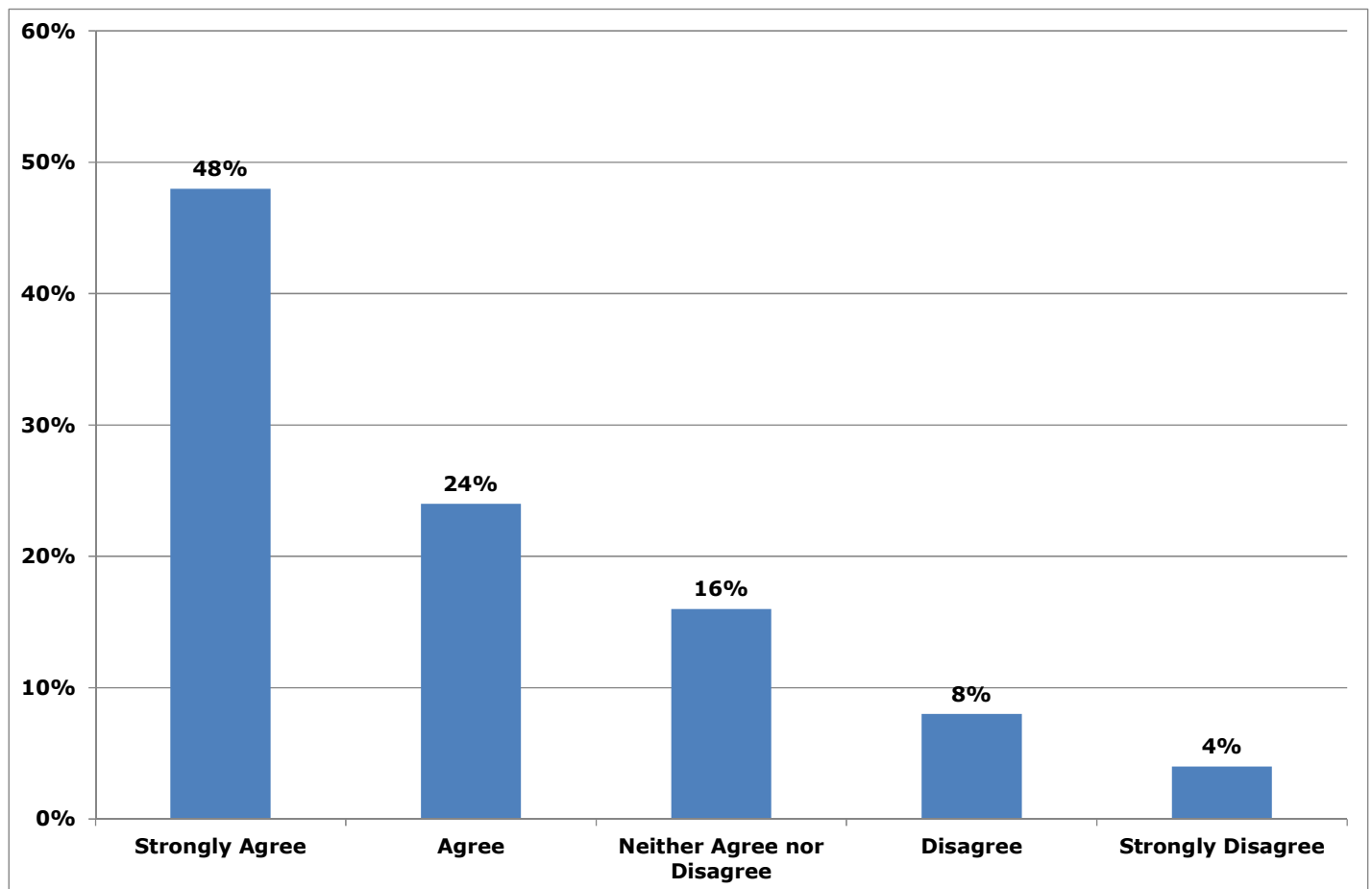


2.0. Article 4 Directions

2.1. The chart below shows that 56% of all respondents 'Strongly Agreed' that the proposed Article 4 Directions will help preserve the distinctive appearance and character of Woodhall Spa Conservation Area.



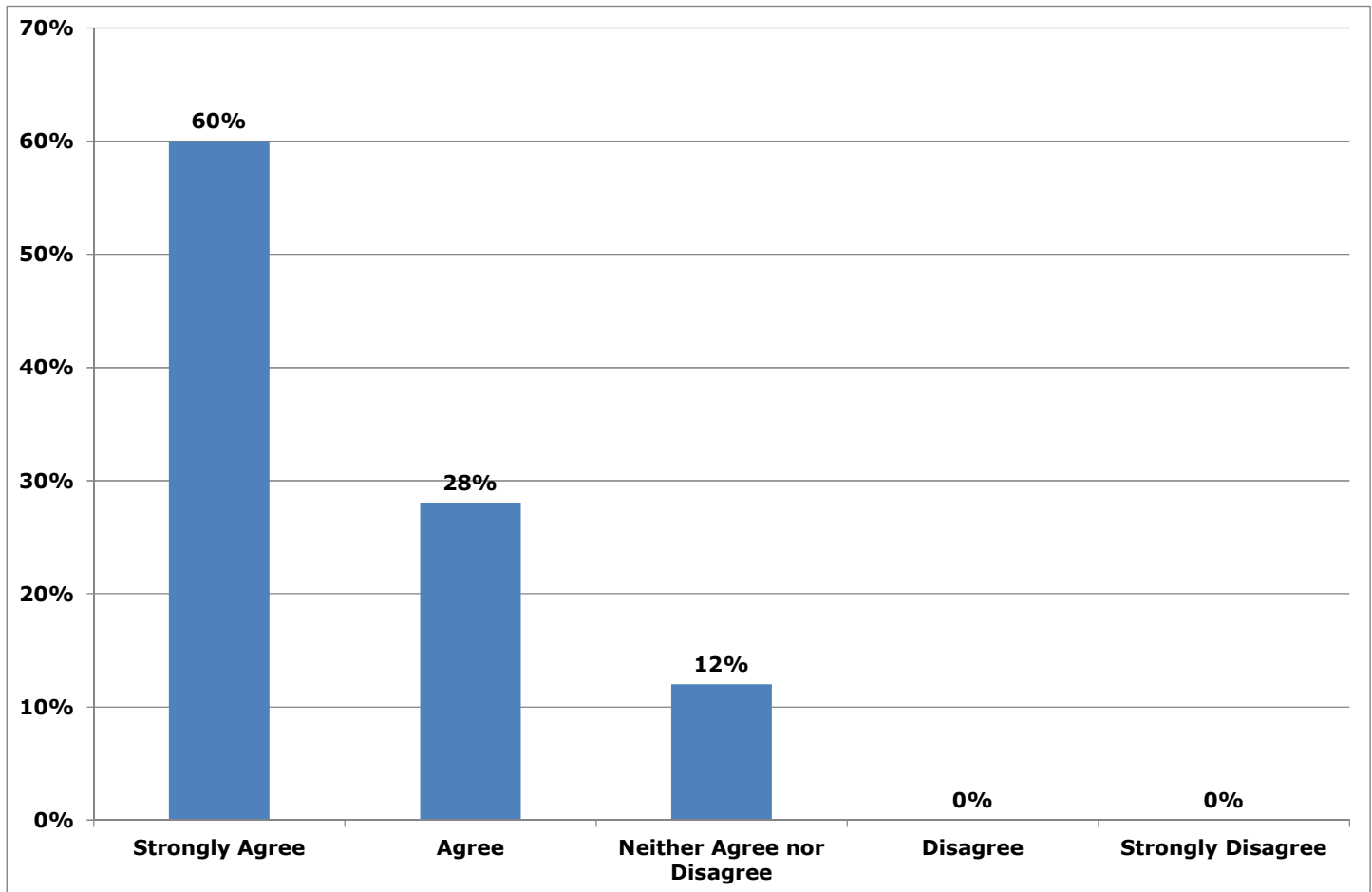
2.2. The chart below shows that 48% of respondents 'Strongly Agreed' that the measures proposed in the Article 4 Directions will protect the most important features of the Conservation Area.



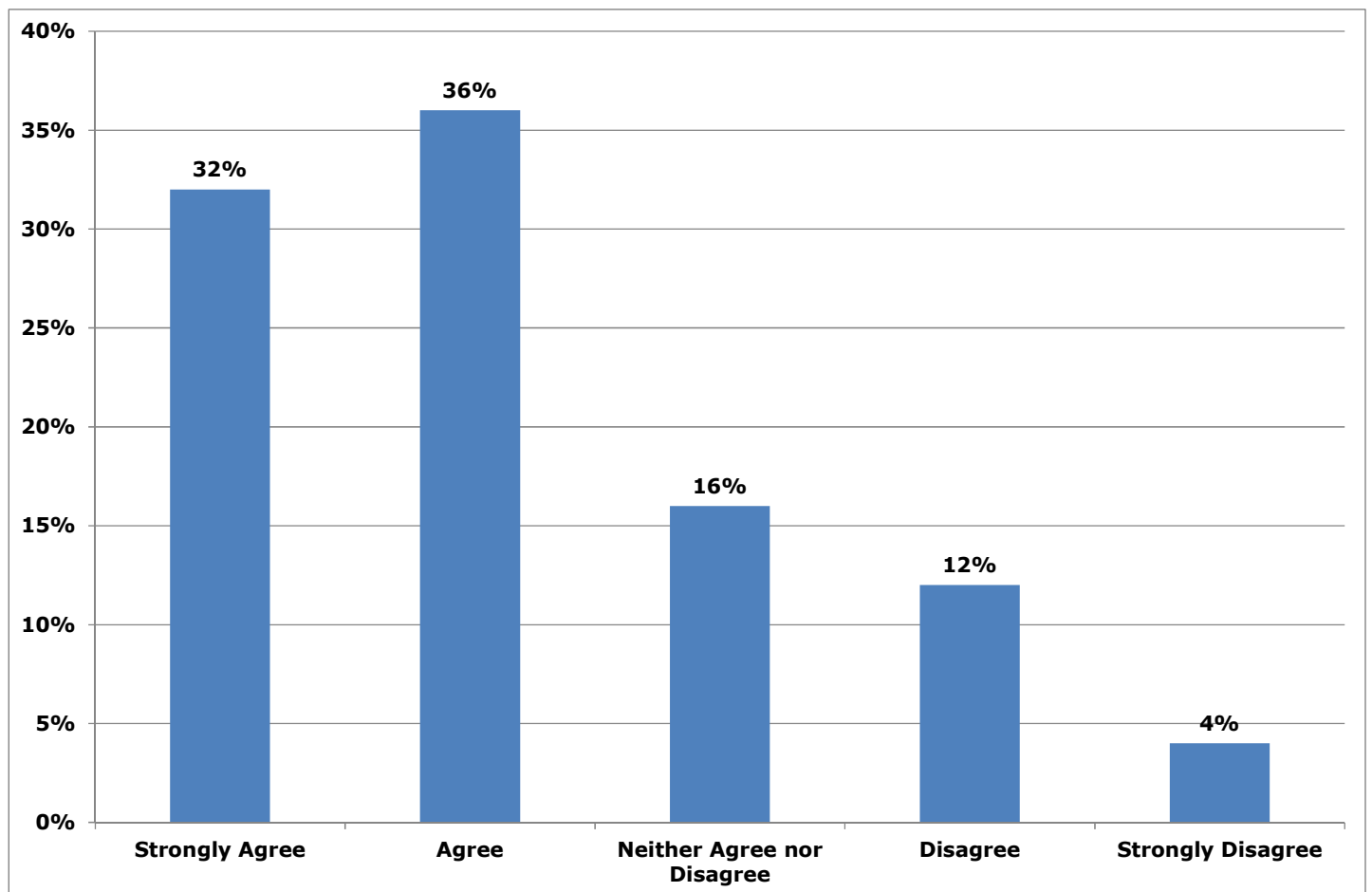
2.3. Those respondents that 'Disagreed' or 'Strongly Disagreed' at 2.2 above were asked what other important features they considered should be included in the Article 4 Directions. Two responses were received; one respondent considered that the integrity of the 'pedestrian' nature of all of Coronation Road and George V Avenue should be protected. The same respondent stated that pedestrians were being forced to give way to cars trying to pass each other on a road narrowed by parked cars and suggested that there may be a need for a 20 mile speed limit to make roads one-way and to stop on-road parking once the car park opens. They also commented that people came to Woodhall Spa for the woods and that it may be a good idea to transfer the privately owned woods to public/Woodland Trust ownership to reduce any future building development/changes for other purposes and to allow more public access (some woods are not open to the public). The other respondent considered that each application should be judged on its own merits.

3.0 Local Development Order

3.1. The chart below shows that 60% of all respondents 'Strongly Agreed' that positive change which enhances the Conservation Area should be encouraged and permitted.



3.2. The chart below shows that 32% of all respondents 'Strongly Agreed' that the works permitted by the LDO will encourage property owners to carry out work that will preserve and enhance the distinctive character of Woodhall Spa Conservation Area.



3.3. All respondents were given the opportunity to provide details of any other features, typical and common, in Woodhall Spa, that they considered might additionally be included in the LDO to encourage and help owners to add to their property. A full list of details received are included below:

- My only question is what differences will there be in the future for a property shown in yellow should they wish to make changes to the structure of the property by extension.
- There is no "in common" with Woodhall. Its distinct character comes from a non-conformist approach. Just look at the historical photos. We do not live in a Victorian theme park, we live and colourful, interesting community, where the properties reflect the colour and interesting inhabitants.
- The LDO covers the main and most obvious property features that generate Woodhall Spa's unique character. However, Woodhall Spa is also has an eclectic mix of properties and architecture in the conservation area that gives

it a unique appeal rather than a solid uniformity and rigidity as can be found in other similar protected villages e.g. Port Sunlight on the Wirral. What is perhaps more typical is a degree of innovation around the Edwardian architectural genre.

- No. This proposal goes too far. If it were just advisory that would be a different matter. Not everyone will be able to afford to make the changes required within this proposal. We are living in the 21st century and villages need to move forward, not live entirely in the past. This smacks of Big Brother and 1984!! Trees are as important to the character of Woodhall as are the bricks and mortar. Are the Council going to be thinking more carefully before they chop down trees such as along Witham Road and near the Kinema?
- I think the pictures provided and the descriptions given in the text seem clear and helpful. I did not notice anything about chimneys and chimney pots. Not sure if there is a distinctive style in Woodhall Spa that should be encouraged. Many homes have central heating now that could affect the need for either.
- Encouragement of hedges and verges where originally sited.
- Some attention needs to be given to the main shopping areas in Station Road and Broadway which have lost some of their original charm. Shop fronts and signage should be much more closely monitored to preserve the character of the village. The integrity of the pavements should be respected and shopkeepers should be asked not to clutter these up with goods.
- Original colour palette for decoration externally, no plastic windows, boundary walls to be in sympathy, grass verges to be kept and parking discouraged. Materials to be in keeping with the area. Reduction in the number of bungalows being loft extended and infill redevelopment of original properties to be discouraged.
- No, I think that the District Council has done their best within their powers over the years.
- I fully support all your trying to do to in the Conservation Area and surrounding roads in reinstating the lost facades of shops and houses, hopefully reinstating wooden windows and doors and replacing plastic fascia's and signs.

3.4. All respondents were asked if there were any other comments they would like to make about the proposed Article 4 Directions and/or the LDO. Various comments were made in support of the proposal and against the proposal. A full list is detailed below:

- I support the Article Direction; just want to understand better the new proposed process.

- I do not believe that the LDO will help owners at all. In addition, to say it will encourage owners to add only approved features is disingenuous as the LDO will force owners to comply, not merely encourage. I oppose these measures.
- This is a great initiative; it will preserve a unique and important place but also allow flexibility for people wanting to make good changes.
- How are you going to "persuade" home owners to pay for changes just because the council think it's right??? How many court cases will there be? What about Councillors etc. who own their home...will they be included? I doubt very much that this will be done fairly.
- Upon reading the documentation where it states, planning permission needed when works "are felt to be harming Woodhall Spa Conservation". "Felt" is too subjective.
- The proposed Article 4 is an outrageous subjugation of an individual's right to their own property and to make autonomous decisions in regards to said property. When somebody makes aesthetic decisions for their property it is essentially an expression of their individualism. Council intervention in determining what is and what is not an acceptable aesthetic pallet is in principle the dilution of an individual's sovereignty over their property and, in essence, their life. In this scenario, who is the judge of what constitutes tasteful and distasteful colour schemes, ideal door types or pretty window designs? Every sane person appreciates the subjectivity of aesthetics and design and so who are we entrusting with these determinations? The proposed uniformity that would ensue, based on a select few "ideal designs", diminishes diversity of expression. The state, and as an extension the Council, stand to serve the people, not the opposite. To reiterate: an individual's right to their own property is paramount, and in that the right to paint their house whatever colour they please. Ultimately, I feel the proposed Article 4 is not about conservation and protection of the "distinct character" of Woodhall Spa but about providing more power to the Council to determine what can and cannot be done in the village based on their personal preferences and taste.
- On the whole I am strongly in favour of protecting and maintaining Woodhall Spa's unique heritage and the LDO and its prescriptive focus on rainwater goods; gates; boundaries; windows and doors goes a long way towards achieving this. However, there is a significant danger that where prescription is loose this becomes a potential minefield around "taste" rather than heritage. I would actually rather see more rather than less prescription in certain places e.g. colour. Whilst it is true that in the late 20th Century the trend has been towards black and white as an historian with an interest in architecture this wasn't always the case. It would therefore be far better to prescribe a range of heritage colours and paint manufacturers: ironically some of the aesthetics might need to be specified in black and white to avoid decisions becoming about "personal taste" masquerading as a heritage decision rather than an informed, objective heritage decision. In addition

there are many key buildings where listing may be more appropriate than Conservation Area and LDO regulations.

- This proposal goes too far. The village should be moving forwards and embracing change which has a positive impact on our carbon footprint and is environmentally friendly. This means that home owners should be able to use sustainable and alternative materials and technology to enhance their homes. Many home owners are unlikely to be able to afford such things as replacement wooden windows, unless of course the council are prepared to subsidize these. This response was a joint response from the homeowners at this property.
- I think that encouraging owners to put back original features is a good idea and making it as easy as possible (without planning permission) does provide an incentive. Shame there cannot be any other financial incentive.
- Some Came buildings have designs of saga brickwork e.g. back of the mall. Are these protected? Conservation Area should be extended in line with the Cube report
- I think that, in addition to this LDO, the Council should improve the safety of pedestrians in the High Street/Stixwould Road with more pedestrian crossings and reduction in speed limit to 20 miles per hour.
- I am pleased that East Lindsey Council is taking this matter seriously as Woodhall Spa is unique and anything that can be done to preserve its character is beneficial.
- We are supportive and hope a robust enforcement of the Conservation Area is undertaken
- I believe that the woods and access roads form an important part of the central character of the area. A) The road surfaces and verges within this woodland have deteriorated significantly in the last 10 to 12 years despite the effort by County Highways to carry out the repairs. This appears to be due to the greater width/weight of lorries, vans and cars linked to the increased use of these roads as a rat run to avoid the shops/mini roundabout of the village end of Stixwould Road. Obviously access to the businesses - the Kinema, Teahouse, Dower House etc. has to be maintained. I suggest that making Coronation Road and King George Avenue one way would reduce this growing damage and that advice from County be sought in this respect. B) The increasing intrusion of holly bushes within the woods is now very noticeable and I suggest that the views of the Woodland Trust be sought.

As already stated at the beginning of this report Heritage Lincolnshire and Woodhall Spa Parish Council support the proposed Woodhall Spa Article 4 Directions and Local Development Order (LDO). They also made the following comments:

- **Heritage Lincolnshire** - Strongly supports the Article 4 Directions and the LDO as they will help to protect the special character of the Woodhall Spa Conservation Area.
- **Woodhall Spa Parish Council** - There is some conflict between existing examples. The Parish Council note concerns regarding decisions about solar panels and satellite dishes on Alveston Avenue.



Woodhall Spa Heritage Committee

(under the auspices of the Woodhall Spa Parish Council)

Policy?



Mr C Panton, Head of Planning,
East Lindsey District Council
Tedder Hall
Manby Park
Louth, Lincolnshire
LN11 8UP

10.08.2018

Dear Mr Panton,

I am responding on behalf of the Woodhall Spa Heritage Committee to the consultation on the proposed article 4 directions and local development order.

The Heritage Committee have for many years been strongly supportive of the need for article 4 directions, to prevent the cumulative damage of small changes. They are also supportive of the local development order, as a way of encouraging owners to restore original features.

We note that the way the LDO works is to require owners to comply with a detailed "development specification". The drawings of windows and doors offer a number of options, but consent depends on using a design that is historically correct. We recognise that it may not always be possible to establish precisely what the original appearance was, but we consider that in practice the regime established by the LDO will be workable and will encourage the replacement of inappropriate features with more sympathetic designs in keeping with the character of the conservation area.

We are interested in how ELDC will monitor development undertaken under the LDO. We note the intention to have a voluntary form that would allow ELDC to check compliance. We appreciate that making the form mandatory would have cost implications and that it is always open to the Heritage Committee or the Parish Council to ask ELDC to investigate inappropriate development. However, we hope the working of the LDO will be kept under review by ELDC.

The Heritage Committee has campaigned for these proposals for a long time and we are very pleased they have reached this stage. We hope they receive support and will be adopted by the Council.

Yours Sincerely



(secretary, Woodhall Spa Heritage Committee)
Cc Woodhall Spa Parish Council.



Historic England

EAST MIDLANDS OFFICE

Mr [REDACTED]
East Lindsey District Council
Tedder Hall
Manby Park
LOUTH
Lincolnshire
LN11 8UP

Direct Dial: 01604 735460

Our ref: PL00465362

13 August 2018

Dear [REDACTED]

Thank you for your email of the 24th July consulting Historic England on the proposed Article 4 Direction for Woodhall Spa and associated Local Development Order.

Like a number of conservation measures that have been implemented by East Lindsey District Council this is a positive, forward looking initiative. It will demonstrate the value of simultaneously regulating and selectively de-regulating certain works to minimise the bureaucratic burden. Critically, it should also encourage the conservation and enhancement of the conservation area, so our congratulations on bringing this to fruition with the backing of the community. It looks like a robust, well evidenced piece of work which will provide the necessary resources and certainty for those wishing to make changes. I'm glad we could facilitate it by funding the drawings and providing reassurance on the legal principles involved.

Historic England therefore fully support the proposal, and commend it to the council for adoption.

Yours sincerely,

[REDACTED]
Principal Adviser, Historic Places



Ministry of Housing,
Communities &
Local Government

RGW



[Redacted]
East Lindsey District Council
Tedder Hall, Manby Park, Louth
Lincolnshire LN11 8UP

Please ask for: [Redacted]
Tel: 0303 444 8063
Email: [Redacted]

Our ref: PCU/A4D/D2510/3208203

Date: 14th August 2018

Dear [Redacted]

**The Town and Country Planning (General Permitted Development) (England) Order 2015
East Lindsey District Council, Woodhall Spa Conservation Area Article 4 Directions (1 & 2)**

I refer to your letter dated 27th July 2018 notifying the Secretary of State that the above-mentioned Direction was made on 19th July 2018.

You are reminded to advise the Secretary of State about confirmation of the Direction in those circumstances as set out in the regulations. It would also be helpful to know if the Council decides in due course not to confirm the Direction.

Yours sincerely

[Redacted Signature]

Planning Casework Support Officer

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5 St Philips Place
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Conservation Officer
East Lindsey District Council

Dear

Re.: Formal Consultation on Woodhall Spa Article 4 Directions and Local Development Order

I am writing in response to your consultation regarding the above which was sent by email on 24th July.

We are happy to support the balanced approach that issuing both an Article 4 Direction and a Local Development Order can provide. In removing Permitted Development Rights the two Article 4 Directions set out a clear framework for achieving the maintenance of what is significant within the conservation area. Woodhall Spa is an interesting town with a unique history which the buildings in the town continue to reflect to the present day. To ensure that these buildings and the character of townscape setting continue to tell that history requires careful management by the local planning authority. The LDO provides the opportunity to make it clear that the local authority is keen to see change within the conservation area provided that it is the sort of change that enhances the conservation area and makes a positive contribution to handing down a better legacy to future generations.

Lincolnshire County Council is hopeful that the forthcoming Extensive Urban Survey will provide an improved evidence base for the historic environment of Woodhall Spa. In the meantime we are happy to endorse the approach being taken and to support the local authority in its efforts to positively manage the heritage asset in such a way that it continues to flourish.

Yours sincerely,