

**Response to comments made as part of the formal consultation on the proposed
Woodhall Spa Conservation Area Article 4 Directions & Local Development Order 2018**

Q3 Do you support the proposed A4Ds and LDO

Yes 76% No 24%

If 'No' please give reasons why

COMMENT

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.

RESPONSE

When resources permit the conservation area boundary should be reviewed. However, the immediate priority remains to preserve and enhance the existing conservation area as proposed by the Article 4 Directions and Local Development Order.

Enforcement action is taken when appropriate. However, action cannot be taken retrospectively. Unauthorised or inappropriate alterations may be unpicked by subsequent owners taking advantage of the LDO

Each case will be judged on its merits in accordance with the legislation, local and national policies and guidance and taking account of the views of those affected by the development.

ACTION

A review of the conservation area will be carried out from time to time when resources permit.

If there is no alternative to enforcement action and action is desirable it will be investigated through the normal channels.

The Article 4 Directions allow each case to be judged on its merits. If they are not confirmed the work would not require planning permission and therefore could not be judged. No change recommended.

COMMENT

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.

Q7 What other measures do you feel should be included in the A4Ds if you do not feel the proposals will protect the conservation area's most important features?

COMMENT

Consider action to protect the 'pedestrian' nature of Coronation Road and George V Avenue. Consider 20 MPH limit, one way or parking restrictions.

RESPONSE

Woodhall Spa and the conservation area is a popular location to live, work and visit. Society, through its elected representatives, has determined that development should be managed in the public interest.

However, no one person or group of people will be the arbiter taste as an individual's proposals as the Article 4 Direction will mean the proposals will be the subject of consultation with the Parish Council, neighbours and others interested parties.

Works carried out to a property can impact on the appearance and value of an adjoining properties, whereas the proposals are intended to bring more clarity, certainty and confidence to investors and owners alike.

By law the Council has to pay special attention to the desirability of preserving or enhancing the character of appearance of a conservation area.

RESPONSE

It is acknowledged that these areas do have a special character but the powers to address highway issues do not rest with the District Council.

ACTION

No change recommended.

No change recommended.

ACTION

Refer comment to LCC. Some measures could impact on the area's special character and one way systems can increase traffic speeds.

COMMENT

Each application should be judged on its merits.

RESPONSE

Planning applications are judged on their merits. However, unless the Article 4 Directions are confirmed, there will be no requirement to submit a planning application.

ACTION

No change recommended

Q10 Are there any other original features typical Woodhall Spa that might be included in the LDO?

COMMENT

What differences will there be in the future for a property covered by A4D No1 should an owner wish to add an extension.

RESPONSE

Many extensions already require planning permission. Most that respond to their surroundings thoughtfully and can show how they have responded *inter alia* to the conservation area are approved. The Article 4 Direction will not change this.

ACTION

No change recommended

There is no "in common" with Woodhall Spa. Its distinct character comes from a non-conformist approach.

There is not uniformity in Woodhall Spa and this is part of its character. This has also limited the types of development permitted in the LDO. However, there is a strong unity of form resulting from a commonality of materials, appearance, architectural features, boundaries and the like. These are the substance of the LDO.

No change recommended

The LDO covers the main and most obvious property features that generate Woodhall Spa's unique character. But it also has an eclectic mix of properties and architecture in the conservation area which gives it a unique appeal.

Agree. This is why the LDO has focussed mainly on those features which are common to the conservation area as stated above.

No change recommended

This proposal goes too far. If it were just advisory that would be a different matter. This smacks of Big Brother and 1984!!

The LDO is not compulsory. It is in a sense advisory. It permits works that will preserve or enhance the character or appearance of the conservation area.

No change recommended

COMMENT

RESPONSE (continued from above)

ACTION

The pictures and descriptions seem clear and helpful. I did not notice anything about chimneys and chimney pots.

Chimneys are included in Article 4 Direction No.1 therefore no surviving chimney stacks should be removed or altered unless planning permission has been granted.

The reinstatement of missing or altered chimneys would enhance the character and appearance of the conservation area and it is likely that planning permission would be granted for such work. Most main chimneys though, do survive.
No change recommended to the LDO.

Encouragement of hedges and verges where originally sited.

Although not development, advice is offered in the LDO on suitable hedge planting. Roadside verges are an important feature of Woodhall Spa but their protection and care, if within the public highway, would normally rest with the County Council.

No change to the LDO needed.
Refer comments on verges to LCC as highway authority.

The main shopping areas have lost some of their original charm and need attention. Shop-keepers should be asked not to clutter the pavements.

Woodhall Spa's shops make an important contribution to the conservation area. However, they have not been included in the LDO as their appearance & character does vary markedly. From time to time East Lindsey has made grants available to shop keepers to help restore their character and commercial attractiveness.
Shop-keepers should not obstruct the public footway. However, thoughtful 'al fresco' facilities can enrich an area and the visitor economy.

No change recommended to the LDO.
Refer concerns about cluttering (obstructing?) the pavement to LCC as highway authority.

Original colour palette for decoration externally, no plastic windows, boundary walls to be in sympathy, Area, reduction in the number of bungalows being loft extended and infill redevelopment of original properties to be discouraged.

Some of these issues are addressed by the LDO. Others relate to discouraging work. The aim of the LDO is to encourage certain types of development which would preserve or enhance the conservation area. Other works not permitted by the LDO but

No change needed

COMMENT

No. I think that the District Council has done its best within its powers over the years.

I fully support all you are 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.

Q11 Are there any other comments you would like to make about the proposed Article 4 Directions or Local Development Order?

COMMENT

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.

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? I doubt very much that this will be done fairly.

RESPONSE (continued from above)

covered by the Article 4 Directions, will require planning permission and, as a result, be opened up to neighbour and other public comment.

Noted

Noted

RESPONSE

Officers will help explain any queries.

The success or otherwise of the LDO will be monitored. Owners are being given the choice to carry out works that do not require planning permission or to apply for permission for alternative works and have the proposal considered in accordance with legislation and local and national policies and guidance.

Noted

Owners are being given a choice. They are not obliged to take advantage of the permitted development rights afforded by the LDO
The Council has followed all legal procedures and is acting in accordance with its planning powers.

ACTION

No change needed.

No change needed.

ACTION

All planning enquiries will be handled by the planning duty officer.

No change recommended

No change needed.

No change recommended

COMMENT

Upon reading the documentation where it states, planning permission needed when works "are felt to be harming Woodhall Spa Conservation". "Felt" is too subjective.

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. I would actually rather see more rather than less prescription in certain places e.g. colour. 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.

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

RESPONSE

Assessments of significance should provide an objective basis on which to judge harm. However the level of harm to the conservation area is likely to call for a judgement to be made.

The introduction of planning controls nationally is the government's response to concerns about unregulated development. The introduction of planning controls locally is the Council's response to government legislation and the local community's concerns about the character and appearance of the conservation area being eroded by what is currently permitted development. 76% of respondents, the majority of whom have property in the conservation area, have supported the proposed measures.

As it has not been possible to research colours and most old photos are in black & white, the LDO has avoided an over-prescriptive approach. It would improve informed objective decision-making if somebody interested and knowledgeable were to research historic colours in Woodhall Spa as such information would complement the LDO.

The designation of a conservation area does not stop development. Conservation is about managing change. The materials used in the conservation area are from sustainable sources including timber

ACTION

No change recommended

No change recommended

No change recommended

No change recommended

COMMENT (continued from above)

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.

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.

In addition to this LDO, the Council should improve the safety of pedestrians in the High Street and 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.

RESPONSE (continued from above)

windows made from sustainable woodland. LDO drawing No.4 shows how to draft proof even existing windows and double glaze many of the traditional timber windows found in Woodhall Spa.

Noted

Material changes to the external appearance of The Mall would need planning permission. Local knowledge is key to increasing awareness and understanding the importance of buildings, features, materials etc. and their contribution to the significance of the conservation area. The Cube report is used as evidence to inform the Historic Environment section of the recently adopted Core Strategy of the East Lindsey Local Plan.

Such matters are outside the remit of the LDO and the District Council

Noted

ACTION

No action needed on LDO.
When preparing annual budgets the Council will always review how funds can be targeted to help investor confidence and the local economy.

No changes needed.
A review of the conservation area will be carried out from time to time when resources permit.

Refer comments to LCC as highway authority.

No change needed

COMMENT

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 character of the conservation area.

A) The road surfaces and verges within this woodland have deteriorated significantly in the last 10 to 12 years despite efforts 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 at 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.

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 – Commented that there appeared to be some inconsistency recently with planning decisions affecting the conservation area where solar panels were approved on one building but a satellite dish proposed on another building nearby was not approved.

RESPONSE

Noted

Such matters are outside the remit of the LDO and the District Council

Although the LDO offers suggestions on species to plant as hedges, woodland management is outside the remit of the LDO and the District Council

Noted

There may be sound planning reasons for the decisions. In the case of development affecting a conservation area it should be made clear how the development will impact on the significance of the conservation area and how the planning balance has been concluded.

ACTION

No action needed

One-way systems can lead to increased speeds, more signs and circuitous routes. However, the Highway Authority is Lincolnshire County Council. Refer comments to LCC Highways

Refer comments on woodland management to the Woodland Trust

No Change needed.

Refer comments to Development Manager

END OF RESPONSE TO COMMENTS RECEIVED