

**Report of the Assistant Director of Planning and Sustainable Development**

**FULFORD VILLAGE CONSERVATION AREA APPRAISAL:  
RESULTS OF CONSULTATION AND PROPOSED FINAL DRAFT**

**Summary**

1. This report presents the results of a public consultation exercise on the draft Fulford Village Conservation Area Appraisal which includes a boundary review. The report recommends that, following minor revisions to the report and to the suggested boundary alteration, the document be adopted.

**Background**

2. A conservation area appraisal defines in detail the special architectural and historic interest of an area; by doing so it explains why an area is worthy of protection and it provides a clear basis on which to formulate and evaluate development proposals. An important aspect of the appraisal process is a review of the appropriateness of the existing boundary.
3. The draft appraisal, including suggested boundary changes, was approved for consultation by planning Committee on 29<sup>th</sup> May 2008.

**Consultation**

4. The consultation exercise ran from 9<sup>th</sup> June until 28<sup>th</sup> July 2008, a period of seven weeks, and it was facilitated by the Community Planning Team. Public consultation used the following methods:
  - a) leaflets describing proposals were distributed to all properties within Fulford Parish and also to properties in Fishergate Ward affected by the proposals (approx 1600 leaflets) Annex A and B. The leaflets included a tear-off comments slip. Copies of the appraisal document were made available at the Council offices in St Leonard's Place, at York Public Library, and at Fulford Library and St Oswald's School. Notices were posted in the latter two locations.
  - b) the document was discussed as an agenda item at the Fulford Parish Council meeting on 7<sup>th</sup> July 2008.
  - c) an exhibition of the proposed boundary changes was held in the Community Centre on School Lane, Fulford, on Friday 11<sup>th</sup> July 2008.

d) the following statutory bodies and amenity societies were consulted: English Heritage, Council for British Archaeology, York Civic Trust, Conservation Areas Advisory Panel, York Natural Environment Panel. The Fulford Village Design Statement Group also responded.

e) the consultation was advertised in the York Press

**181** replies were received representing a response rate of approx **11.3%**.

The list of responses is recorded at Annex E alongside specific comments from officers.

### **Boundary Review**

5. Question 1 in the summary leaflet asked, “**Do you agree with the proposed extensions to the conservation area? Should the conservation area remain unchanged? Do you have any alternative suggestions?**”

**67.77%** were in support of the boundary changes as proposed

**27.97%** wanted the conservation area extended further than proposed

**2.76%** were against the proposals

**1.0%** neither agreed nor disagreed

**0.5%** agreed to proposed area 1(C) and disagreed with proposed area 2 (D)

In addition 6 anonymous replies were received.

6. Suggestions for further extensions to the conservation area included mainly open areas surrounding the village such as Fulford Ings (SSS1 status and greenbelt), fields to the South and West as far as Water Fulford Hall and the A64 (green belt status), Fenby Field (designated as open space)land surrounding Germany Beck (greenbelt except for housing allocation), the playing fields and cemetery (greenbelt). These areas are considered part of the wider landscape rather than part of the special historic and architectural interest of the village itself. They are also protected through other designations.

7. Buildings suggested for inclusion were Fordlands Care Home, the Water Board Cottages off St Oswald’s Road and St Oswald’s Hall (former church). Conservation Area designation should not be used to protect individual buildings. It recognises the special quality of areas. An extension including the modern care home would not meet the designation criteria. The Water Board cottages are independent of the historic village and it is considered that a more suitable mechanism for acknowledging their special nature would be by inclusion on the local list.

8. The former Church of St Oswald is important to the early foundations of the village (ref 4.6 Appraisal). The tracks along the Ings which run past it are part of a wider network. The church itself is now detached from the planned village settlement which relocated to the ridge. St Oswald’s Road is included within the Fulford Road conservation area and the area between the church and the two conservation areas is of no special merit. It is considered that St Oswald’s

Church and its demesne is protected adequately through its grade 11\* listed status and that the conservation area boundary should not be extended to include it.

- 9 A high number of consultees agreed with the inclusion of the former area of Fulford Park but they felt that the omission of the triangular area to the west of Connaught Court was anomalous. A very detailed response was submitted by planning specialists on behalf of the Royal Masonic Benevolent Institution. They consider that the appraisal does not define the distinctive qualities of the proposed extended area (1/C) sufficiently to argue for its inclusion in the boundary; that designation is not an appropriate means of protecting landscape features; that the former parkland was informal and therefore not special further away from Fulford Park House, and that the character and scale of Connaught Court buildings devalues the characteristics of the area; that the Almshouses can be better protected by listing. They also infer that the appraisal has not been prepared without reference to relevant planning policy or guidance notes.
10. Area 1(C) has been reassessed in the light of the above criticism. It is considered that Fulford Park House and its setting have important historical associations with the village and that the relationship between the house and its previous grounds can still be understood. The relative openness of this area makes a special contribution to the character and appearance of the area and its inclusion would be in accordance with criteria set out in English Heritage Guidance Documents. Furthermore it would appear there is no real justification for separating off the triangular area to the west of the buildings from the parkland. Part of the area allows important views through to the countryside beyond.
11. It is therefore proposed that the boundary of area 1(C) is amended in accordance with the map at Annex C.

### **Other Issues Raised**

Question 2 in the summary leaflet asked, **“In your opinion does Fulford Village have any other qualities not mentioned in the appraisal?”**

12. The following additional issues were raised: specialist input on location of the Battle of Fulford Site (4.3); importance of wildlife and protection of green areas (6.2, 6.4); further identification of significant trees (map p14 to be amended), desire for a village green central to the village ( ); contribution of new local businesses to continuity of community, important walls to be identified (resisted as walls not identified might become vulnerable), additional information on incorporation (1884) to be included; more views to be identified; special features to be specified, other buildings suggested as being of detriment to the area.  
Please see Annex E for the full list of responses
13. Comments relating to the Germany Beck Development were considered outside the scope of the Appraisal.

14. It is proposed that points of clarification or correction will be incorporated into the text. Please see Annex D for a list of proposed changes to the document.

## **Options**

### Option 1

15. Approve the Fulford Village Conservation Area Appraisal with the changes suggested in Annex and Annex of this report.

### Option 2

16. Approve the Fulford Village Conservation Area Appraisal with further changes or fewer changes than proposed above.

### Option 3

17. Do not approve the Fulford Conservation Area Appraisal and boundary review proposals.

## **Analysis**

### Option 1

18. There has been a high level of response to the consultation process with a consensus of view on the boundary changes proposed. All responses were given full consideration and assessed in relation to government policy and English Heritage Guidance. The amendments set out in Annex C and Annex D reflect the outcome of deliberations. With these amendments incorporated into the document it is considered that the appraisal would be a robust document, providing a sound basis for developing management proposals and also for making development decisions.

### Option 2

19. Proposals for minor changes could be incorporated into the document if they are supported by relevant arguments. Any proposals for further boundary changes should involve an additional period of consultation if they include areas not considered before. It is considered that the exercise so far has resulted in full consideration of the boundary.

### Option 3

20. Production of the appraisal, including the requirement for boundary review, is in accordance with national guidance on heritage protection. Approval of the document would assist the Authority in fulfilling its statutory obligations under Section 69 of the (Listed Building and Conservation areas) Act 1990. We are unaware of any valid reasons to resist the appraisal.

## **Corporate Priorities**

21. The Fulford Village Conservation Area Appraisal will assist in improving the actual and perceived condition and appearance of the City's streets and publicly accessible spaces by providing an informed basis for decision making.

## **Implications**

### **Financial**

22. Production of the document will be met by existing budgets

### **Human Resources (HR)**

23. No implications

### **Equalities**

24. Different formats of the finished appraisal will be made available on request.

### **Legal**

25. Extension of the designated boundary will impose obligations on the LPA under the Planning (Listed Buildings and Conservation areas) Act 1990. Some permitted development rights would be removed from sites within the boundary.

### **Crime and Disorder**

26. No implications

### **Information Technology (IT)**

27. No implications

### **Property**

28. No implications

### **Other**

29. No other implications

## **Risk Management**

30. There are no known risks associated with the report.

## **Recommendations**

31. Members are asked to approve, for planning purposes, the Fulford Village Conservation Area Appraisal as proposed in Annex F and as amended by Annex C and Annex D.

Reason:

The document is a thorough analysis of the character and appearance of the conservation area and it has been prepared in accordance with current guidance from English Heritage. As a document it is clearly written and accessible to a wide range of users.

The adoption of the document will assist with the formulation and determination of development proposals within the conservation area and adjacent to it.

The consultation method and range accords with previous practice. There has been a high level of response to the consultation. Information and views of consultees have been carefully considered in the amendments proposed

### Contact Details

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**Report Approved**

**Date** 18 September 2008

Design Conservation and  
Sustainable Development

**Specialist Implications Officer(s)**

There are no specialist implications

**Wards Affected:** Fulford and Fishergate

**All**

**For further information please contact the author of the report**

**Background Papers:**

PPG 15 Planning Policy Guidance: Planning and the Historic Environment 1995  
Guidance on Conservation Area Appraisals English Heritage 2006

**Annexes**

- Annex A List of Consultees
- Annex B Map showing area of Public Consultation
- Annex C Map showing proposed extensions to the conservation area boundary
- Annex D Proposed amendments to the appraisal text
- Annex E Schedule of consultation responses
- Annex F Draft Fulford Village Conservation Area Appraisal