

# Forty Hill Conservation Area Management Proposals

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# **FORTY HILL CONSERVATION AREA MANAGEMENT PROPOSALS**

## **THE MANAGEMENT OF CONSERVATION AREAS IN ENFIELD**

### **The Purpose of Conservation Area Management Proposals**

The management proposals set out a framework for managing change in, and the conservation and enhancement of, Enfield's conservation areas, to ensure that they retain the special qualities that led to their designation. It helps to fulfil the Council's duty under section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to prepare proposals for the preservation and enhancement of conservation areas. These proposals are particularly relevant where there is pressure for development and where cumulative minor changes may be affecting the character or appearance of the conservation area.

### **English Heritage Guidance on Management Proposals**

English Heritage's guidance on the management of conservation areas is contained in *Understanding Place: Designation, Appraisal and Management of Conservation Areas* (2011)<sup>1</sup>. Although this predates the publication of the National Planning Policy Framework (2012), it is the most up-to-date guidance available. There is no reason to think that its advice on conservation area management (which is largely carried over from earlier guidance published in 2006<sup>2</sup>) is likely to change substantially.

### **Enfield's Planning Policies**

The key national and local planning and development management policies affecting conservation areas are set out in section 1.4 of the conservation area character appraisals. The conservation area appraisals and management proposals have been approved by Enfield Council. The appraisals form part of the "evidence base" for the conservation policies in Enfield's Local Plan. They support the planning policy framework of the Core Strategy and the Development Management Document. The management proposals will be incorporated in the Enfield Design Guide Supplementary Planning Document (SPD) in due course and as such they will be given considerable weight in the determination of planning applications affecting the conservation areas.

### **Planning policy delivery**

Since the conservation area character appraisals were published in 2006, the Council's Core Strategy has been adopted (2010), which includes over-arching policies for the protection of the Borough's historic built environment (Core

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<sup>1</sup> Available from English Heritage's website, [www.helm.org.uk](http://www.helm.org.uk)

<sup>2</sup> English Heritage *Guidance on the management of conservation areas* (2006).

Policy 31). A submission draft Development Management Document, containing detailed policies for the determination of planning applications, is awaiting final adoption in November 2014.

Annual monitoring of conservation areas has been undertaken by the Enfield Conservation Advisory Group and local societies and reported to the Council. The outcomes of this monitoring have been incorporated in the revised character appraisals and management proposals as appropriate.

## **Grants**

Subject to available resources, the Council will work with partners to provide carefully targeted grant-aid to historic buildings and conservation areas, including, where appropriate, English Heritage and Heritage Lottery Fund grants.

## **Design and other Guidance**

The Council's forthcoming Enfield Design Guide will provide advice on alterations to residential properties, including extensions, roof alterations, architectural detailing and appropriate materials. The Design Guide will also include area-specific design advice and it will incorporate these conservation area management proposals. The Council will help owners and their agents to achieve acceptable proposals within conservation areas through the pre-application advice service<sup>3</sup>. In some cases, applicants for major developments will be required to support their applications with a master plan.

## **Planning Decisions**

Planning applications affecting conservation areas will be determined with regard to the National Planning Policy Framework (NPPF), Enfield's Local Plan, the approved conservation area management proposals and the emerging Enfield Design Guide, and having regard to advice from the Council's Conservation Advisory Group

In line with the NPPF and Enfield's Policy Draft DMD 44 and supporting Appendix 6 applicants for development affecting a heritage asset or its setting should provide a Heritage Statement, describing the significance of any heritage assets affected by development proposals, and the contribution made by their setting, as part of any application affecting a property within a conservation area. The Council will not validate applications where the extent of the impact of the proposal on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents. The Heritage Statement should contain the information required to assess the impact of the proposals. Detailed requirements are set out in the Appendix on Heritage Statements. (Draft DMD 6.5.7)

## **Enforcement**

The Council will continue to ensure that the planning system is not abused. Planning enforcement by the Council's Planning Enforcement Team will prioritise unauthorised works to listed buildings, protected trees and within conservation areas. The Council will always seek to persuade owners to restore and put right any offending works, but will, where necessary, take enforcement action to achieve those aims. Where there is a demonstrable public interest in so doing, offenders may be subject to criminal prosecution.

Unauthorised works requiring planning permission undertaken four years or more before discovery by the authorities are deemed approved (there is no such limitation on unauthorised works requiring listed building consent).

Dated photographic records of buildings within conservation areas will be used, where available, to provide evidence for enforcement action.

Where appropriate the Council will also use its powers under S215 of the Town & Country Planning Act 1990 to address properties that adversely affect the amenity of a neighbourhood.

## **Section 106 Agreements**

The Council will continue to use Section 106 Agreements to assist in conserving and enhancing its conservation areas. These are agreements between the Council and a developer, whereby the developer undertakes works or makes a contribution (financial or in kind), to the Council to offset or mitigate any adverse impact of the development on the surrounding social or physical infrastructure. Where a development has an impact on a conservation area, the Council will require the developer to enter into a s.106 Agreement where, on balance, adverse impacts cannot be completely mitigated through the development itself. Receipts from such agreements may be used, as appropriate, to help deliver the management proposals set down in this document

In the future, once adopted (anticipated 2014) where appropriate the Council will also make use of the Community Infrastructure Levy (CIL), to help fund the provision of infrastructure necessary as a result of development. CIL can contribute to the provision of community infrastructure, including cultural facilities, which could be developed within an historic building or other heritage asset.

## **Highways and the Public Realm**

The Council will respect the special character of conservation areas when undertaking environment improvements to highways and the public realm,

including new facilities such as cycle paths, having regard to conservation area character appraisals and these management proposals. Excessive street furniture and standard traffic management features such as railings, coloured surfaces and carriageway markings can be particularly harmful in conservation areas. Wherever possible, the Council will remove unnecessary street clutter in conservation areas. Street patterns that contribute to the special character of conservation areas and historic street and footway surfacing will be retained where possible.

The Council will, wherever possible, use its planning powers and agreements with developers (such as s106, s207 and s.38 Agreements) to secure additional funding to ensure a high standard of works to the public realm within conservation areas. The Council has approved Streetscape Policy and Guidance<sup>4</sup> for the management and maintenance of the public realm, including that within conservation areas.

Street lighting throughout the Borough has been renewed since 2006 under a PFI contract. Where street lighting in a conservation area has been replaced to a non-standard specification, reflecting the special character or appearance of the area, this standard will be maintained in any future replacement scheme.

## **Open Spaces**

In line with the Core Strategy, the Council will protect and enhance existing open spaces in the Borough. Open spaces play a key role in the character of many conservation areas and where they are heritage assets (such as many open spaces in conservation areas), they will be preserved and enhanced.

## **Trees in Conservation Areas**

The Council will continue to recognise the importance of and protect trees in conservation areas, whether in streets and parks, or on private land.

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires owners to give six weeks notification of any intended works to trees on private land within conservation areas. This is to allow councils to make an assessment of whether the tree in question has sufficient amenity value to be worthy of protection through the serving of a Tree Preservation Order. The Council will ensure that all such trees reported will be carefully assessed and any that are deemed worthy will be so protected.

The Council will ensure that any future necessary replanting will be with species that accord with the prevailing character of the street or area. The Council will continue to manage the growth potential of certain pollarded species.

In conservation areas, trees will be replaced on a like-for-like basis wherever possible, particularly where the replacement is one of a group or avenue of identical species. If possible, modern improved varieties of the species will be

chosen where that will reduce the risk to adjacent properties. However, where replanting with the same species is impractical for sound arboricultural reasons, appropriate alternative species will be chosen.

The Council has adopted a Corporate Tree Management Strategy, which provide the basis for works to trees in streets, public parks and elsewhere in the public realm, including those within conservation areas.<sup>5</sup>

### **Monitoring Change**

The Council will monitor change in the Borough's conservation areas, with reference to the conservation area character appraisals and management proposals and in partnership with the Conservation Advisory Group

### **Monitoring the Effectiveness of this Document**

The Council will aim to ensure that the management proposals are kept up-to-date and relevant through five-yearly reviews of the conservation area character appraisals and management proposals.

### **Summary of special interest**

The key factors that give the Forty Hill Conservation Area its special interest are summarised in **Section 3 (p.64) of the Character Appraisal**. These are the things that make up the character and appearance of the area which it is desirable to "preserve or enhance" through management action.

### **Conservation Area boundaries**

Following the recent review (October 2013), the current boundaries are confirmed.

### **Summary of issues**

The particular issues affecting the Conservation Area at present, which need to be addressed, are summarised in **Section 4 (p.66) of the Character Appraisal**, as follows:

The area is generally well-kept, and its historic appearance is relatively intact. Each character area has a very different nature and each is therefore subject to different pressures. However, there are various issues that are common to a number of the areas and some specific concerns:

- *Inappropriate alterations to buildings*
- *Poor quality treatment of property boundaries*
- *Poor quality streetworks*

- *Derelict or untidy buildings or land*
- *Loss of the traditional settlement pattern*
- *Deferral of the conservation and restoration of elements of Forty Hill park (notably the farm buildings, water gardens and ferme ornée)*
- *The impact of municipal-style playing fields and the football training grounds west of Myddelton House*
- *The conversion of single dwellings into multiple-occupancy dwellings*

### **Priorities for action**

**Based on the detailed assessment provided by the Forty Hill Conservation Area Character Appraisal and the problems and pressures identified by it, the following management actions are proposed over the next 5 years in the Conservation Area in order to preserve and/or enhance its special interest:**

#### **Buildings at Risk**

English Heritage's 2012 Register of Heritage at Risk in London currently contains no entries within the Forty Hill Conservation Area. However, the *ferme ornée* and the ruins of summer house within it are now considered to be at risk. The landscape features of the *ferme ornée* are threatened by unmanaged plant and tree growth, and their wider setting damaged by new tree planting. The former summer-house is at risk because its surviving walls are decaying and in need of stabilisation and protection.

#### **Building repair and maintenance**

Farm buildings to the west of Forty Hill are in urgent need of repair. The ruins of the summer-house within the *ferme ornée* urgently require stabilisation.

#### **Development pressures/opportunities**

- The principal development pressures are not from new buildings but from the suburbanisation of the historic landscapes and open land as a result of traffic, cycling and other infrastructure and signage, and from the structures and landscaping associated with sports facilities. Planning controls should be used to minimise the use of these urban features, and ensure that new developments of this type are designed so as to minimise their visual impact and make use of surfacing and finishes appropriate to the historic and rural character of the area.
- The block of flats at *22-68 Forty Hill* makes a negative contribution to the character and appearance of the conservation area and the site provides an opportunity for a substantial new development, which could enhance this

location. However it is vital that the design of any new development is sympathetic to its setting in scale, massing, proportions and details. The replacement of the existing building with new blocks of similar or greater mass is unlikely to be appropriate and should be resisted.

- At the northern and southern extremities of the Conservation Area, the traditional settlement pattern of small-scale, linear settlements, separated by open land, has begun to break down. To the south, blocks of flats have replaced detached houses, giving the area a more urban character than it had previously. Additionally, some infill and backfill developments have reduced the space between properties. To the north, bungalows, nurseries and schools have encroached upon open land. The planning system should be employed to ensure that as far as possible, the traditional grain, pattern and scale of development are maintained.
- Several large dwellings in the area have been converted into flats. The architectural character of some of these buildings has been damaged, either directly, by poorly designed conversions, or indirectly, through the loss of front gardens to accommodate increased parking. These issues should be addressed through the planning system and design guidance.

### **Architectural detail**

A minority of buildings has been disfigured by the loss of original architectural details. Mainly, this has involved the inappropriate replacement of windows, although there are some examples of the replacement of roof coverings and the painting, rendering, or cladding of façades. Development affecting listed and locally listed buildings and buildings identified as making a positive contribution to the character of the area, and buildings affecting their setting, should normally use appropriate traditional historic materials and detailing. Mass produced modern materials such as uPVC and concrete roof tiles will not normally be appropriate within the conservation area.

### **Highways/transport**

The route and detailed design of new routes such as the "Greenway" cycle path should have particular regard for the conservation of heritage assets including listed buildings, their settings, and registered parks and gardens; and for the protection of landscapes and views of heritage merit. Surfacing materials and colours should be in keeping with the character and appearance of the conservation area, and new signage and street furniture kept to a minimum.

### **Street furniture, signage and advertising**

Some parts of the area, particularly around Maiden's Bridge, Forty Green, and Bullsmoor Lane, suffer from insensitive, and overly urban, street works, such as an over-abundance of bollards or large, uninviting areas of open tarmac. These should be avoided in future and if possible, removed in the course of cyclical maintenance.

### **Boundary treatments**

Existing boundaries, particularly hedges, picket fences, high walls and - in the case of Forty Hill - railings, form an important element of the street scene and enhance the appearance of the area. In a few residential properties, traditional boundaries have been replaced with unattractive modern walls of poor quality brickwork, with unconvincing, reproduction railings. A more widespread problem is the use of utilitarian chain link fence or steel railings around agricultural land and playing fields, which gives parts of the area an unpleasant, municipal air. The planning system should be used to ensure that new and replacement boundary treatments are in keeping, and that historic boundary hedges and fences are retained.

### **Parking**

The site of the former Forty Hill Parish hall has been used as a temporary car park for a number of years. This use is unsightly and damaging to the setting of the locally listed school building. An appropriate permanent solution for this site is needed. There are several other areas of unkempt land that detract from the appearance of the conservation area as a whole, especially around Maidens Bridge, which should be tidied up.

### **Open spaces**

Playing fields are a key element of this area, particularly in the north. While these make a valuable contribution in terms of preserving open space, poor quality boundaries, prominent infrastructure, utilitarian ancillary buildings and large areas of featureless, close-cropped grass give them a municipal and suburban appearance which is detrimental to the area's special character. The playing fields east of Bulls Cross have been in this use for many years, and the main objective here should be to maintain them to a good standard and where possible to remove or replace the inappropriate features noted above. However, the open space to the west of the lane, and forming the settings of numerous historic buildings in the area is an heritage asset in its own right, and should be protected as such.

In particular, the exemplary success of the conservation of *Forty Hall* and the impending restoration of the eastern parts of the park, is diminished by inadequate or inappropriate maintenance of the remainder of historic landscape. It continues to experience pressure for development (particularly infrastructure), which has the effect of urbanising the historic landscape. Although a comprehensive master-plan for the park restoration was agreed, some elements have been deferred from the current programme and the following issues affecting the landscape and farm buildings are outstanding:

- *The agricultural buildings*: the repair of the remaining historic agricultural buildings has been deferred from the current park restoration project, but it remains a high priority.
- *The water gardens*: this area is outside the 2013-14 landscape project, other than the restoration of a weir and provision of a footbridge at the bottom

of the Lime Avenue. Active management proposals for the water gardens should be developed on the basis of detailed survey and investigation.

- *The landscape park:* a framework for the future management of the parkland should ensure that secondary tree and shrub growth and new planting are controlled so as to recover and reveal (where necessary) and maintain the historic character of the designed landscape and its potential as a habitat in the absence of grazing.
- *The agricultural land:* conservation of the *ferme ornée* and adjacent areas was taken out of the 2013-2014 landscape restoration project because of financial constraints. As a result the heritage significance of this area is at risk from unchecked tree and other growth. The remains of the summer house are in need of stabilisation to prevent further decay. The *ferme ornée* is not yet fully understood and demands close study, the conservation of what survives and a management strategy designed to reinforce its special interest. Greater public access along the raised walks, which formed a coherent experience with circulation through the park and gardens, especially those north of the farm itself, remains highly desirable.
- *The car park:* when the opportunity arises to resurface the car park, consideration should be given to the use of a more sympathetic finish than the present black-top asphalt.

#### **Article 4(2) Direction**

In order to protect the special architectural character of houses within the conservation area an Article 4(2) Direction has been made to cover the properties shown on the map below. This requires that planning permission must be sought to change windows, doors, roof coverings, to paint or render brick facades and to erect, alter or demolish a boundary fence or wall on frontages of dwelling houses that face a highway, footpath or public open space.

#### **Monitoring change**

During the lifetime of the appraisal, the Council will work in partnership the Conservation Advisory Group to monitor and record the management of the Conservation Area (within available resources), to:

- Survey, review and monitor works and development, with regard to the heritage significance of the area as set out in the appraisal (a programme for undertaking these tasks will be agreed annually with the Council's Heritage Officer.)
- Review and monitor the design quality of proposals for which planning permission is sought
- Review appeal decisions
- Review the maintenance and safeguarding of highways, trees and greenery