

Article 4 Directions for Stone Walls in Weston Conservation Area Consultation Responses

Following decision (21/22 DP232 dated 21 October 2021) from Councillor Canniford, Executive Member for Placemaking and Economy, consultation on establishing Article 4 Directions removing permitted development rights to demolish stone walls 1 metre or under in height in the Great Weston Conservation Area took place from 26th October 2021 at 09:00 to 7th December 2021 at 17:00.

Public notices informing of the consultation were displayed on noticeboards in the following places:

- Central - Whitecross Rd, Weston-super-Mare, BS23 1EJ
- Central - Ellenborough Park East, BS23 1XL
- Worle - Worle High Street, BS22 6HQ
- Central - 100 High St, Weston-super-Mare, BS23 1HS
- Bleadon - Bleadon Hill, Totterdown Lane, BS24 9NG
- Worlebury - Hill Road, BS22 9SX
- Grove Park - Youth Council/YMCA, BS23 2PN
- Oldmixon - Canberra Road, BS23 4PS

In total there were 51 respondents, responding through the eConsult portal and via email. The breakdown of the comments is as follows:

In favour	39
Against	5
Neutral	5
Irrelevant	2

Not all respondents gave reasons. Those that did are summarised below and all responses can be read in full in the appendix document.

The responses **in favour** of the Article 4 Direction cited the following reasons:

- The walls are a major feature of the Victorian town
- Aesthetic benefits of retaining the walls
- Ecological/environmental benefits of retaining soft landscaping (often tarmacked over when walls are knocked down)
- Losing walls devalues the property/streets
- Ground floor flat occupants do not want to live 'in the middle of a car park'
- Research was thorough and well documented
- Keen to preserve architecture
- Haphazard street boundaries can degrade the overall appearance of an area and undermine civic pride
- Knocking down walls to provide off-street parking actually limits on-street parking by creating 'driveways' onto the highway

Historic England, a statutory consultee, responded in favour of the proposed Article 4 Directions with the following supporting statement:

The Article 4 Directions will help protect and better control the management of stone walls important to the character and appearance of the Great Weston Conservation Area. This initiative will complement and support other projects taking place as part of the Great Weston HAZ and the more recently introduced High Street Heritage Action Zone (HSHAZ) which collectively have the potential to significantly and positively raise the profile of Weston's historic town centre through its preservation and enhancement.

Some responses, whilst positive overall towards the proposal, cited a concern regarding parking provision for residents. There was also concern that whilst the idea is good, there might not be the resources to enforce against unauthorised stone wall removal.

The responses **against** the Article 4 Direction were as follows, with comments from NSC officers in italics:

- 2 respondents were of the belief that the legislation already prevents walls from being knocked down therefore rendering the Article 4 Direction unnecessary
Based on research and discussions with the planning team in advance of the consultation, it seems that this belief is misguided. Stone walls of 1 metre or less are allowed to be removed under permitted development rights
- A concern for the requirement for off-street parking for electric cars
It must be remembered that this Direction would just make it necessary to seek planning permission to knock down a stone wall of 1 metre height or less, so if there was strong enough reasons, permission could be granted.. We also have to consider that it is quite possible that in the future there will be many more communal ways of charging electric cars.
- A concern that it will lead to more on-street parking
Demolition for on-site parking removes cars from on-street parking but as a result eliminates on street parking from in front of the property. Therefore it terms of on- street spaces there will be less. However, depending on the number of cars now using the on-site parking this will decrease/remain the same/increase the availability of vacated on-street parking. (Civic Society response)
- Concern that there will be more work for the planning department
The HAZ team liaised with the NSC planning department before bringing this to scrutiny panel.
- An objection with no explanation

- The other contradictory stance is that on most of the new "villages" boundary enclosures are not allowed, PD rights for their erection have been removed *A conservation area and a new development are inherently different. The fact that boundaries may not be allowed on new developments has no bearing on the importance of retaining historic stone walls in a conservation area.*

The **neutral** responses came from the authorities below, who were invited to give their views on proposals:

- The Coal Authority
- National Highways
- Natural England
- Environment Agency

There was also 1 neutral response from a respondent who was commenting on various language choices.

Conclusion

Overall there was a strongly positive response to the consultation. The responses against the proposal are few and 2 were based on inaccurate information with regards to current permitted development rights.

Appendix 1: Comments from Article 4 Direction for Stone Walls Consultation

Responses in favour:

1. Strongly support for aesthetic and environmental reasons.
2. We agree with the proposal. All stone walls should be treated the same, regardless of height. We need to do all we can to retain those which remain on the Hillside.
3. I think the proposal is a good idea. The stone boundary walls help to maintain the character of Victorian properties. It would be good to extend the area covered to include all areas where stone boundary walls are beginning to be removed thus changing the character of the streets.
4. Agree with Article 4 to bring stone walls 1mt and less under planning requirements. Also suggest that existing walls that have been removed and gardens concreted over should be 'encouraged' to include methods to prevent water from leaving the property overburdening sewer systems and divert rain water back into the ground of the property. Also encourage planting to provide habitat for wildlife.
5. I've just read this:
<https://www.n-somerset.gov.uk/news/consultation-planned-historic-features-weston-town-centre>

General I'm favour of retaining these walls wherever possible as I *do* think that they improve the general feel of Weston-super-Mare. Clearly that will not always be possible, but I think that people should have a good reason for knocking one down and "I want to use my front garden for parking" wouldn't - in my opinion - be a valid reason.

I also think the council should have powers to insist that the walls are kept in a decent condition, although I suspect this consultation won't be able to do anything about that side of things. Perhaps if it was made clear that a wall that was unsafe would result in the council imposing some sort of restoration order that would stop people deliberately "accidentally" reversing a car into their walls, though.

6. I am supportive of the need to protect stone walls under 1m. These walls are noticeable and do add to the character of the neighbourhood. Victorian homes are now very desirable properties and period features are often retained. It makes sense to retain the outer elements too. There are some incredible stone walls in Weston-super-Mare, at least, over 3 metres! The smaller ones complement these grand features, and tie the area together into one cohesive design. I can understand someone's want to remove all or part of a wall, however, any requirement should be weighed up against the area which it would impact. This is where planning policy would come in to protect the landscape which we have chosen to live in.

7. I am delighted that action is planned to restore Weston's boundary walls on the buildings in the town.
I support this action wholeheartedly.
I have lived in Weston since the 1970s.
I would make one proviso - namely that the roads where boundary walls are to be reinstated, or provision to demolish is not granted, then that part of the road should be earmarked for the use of the residents in the house and marked accordingly.
As a resident on the Electoral Roll I vote in favour of Weston Stone Walls - Article 4.
8. I would support the proposal for the Article 4 Direction for the reasons stated, that retention of stone walls is important to maintain the character of the area, and also to prevent loss of permeable surfaces in front gardens.
9. Stone walls found in WSM are characteristic of those found across North Somerset and add distinctive character to the street scene. The greatest value of stone boundary walls can be when there is consistency with adjacent properties. Haphazard street boundaries can degrade the overall appearance of an area and undermine civic pride. I strongly support increased protection for stone walls.
10. Yes, preserve all stone walls, not just in Weston but the whole of North Somerset.
11. The changing of a measurement standard should not be allowed to impact the intention of an accepted standard which is intended to retain the consistent appearance and character, and hence impression, of an established built area. Although not in such an area a local road includes a replaced Stone to Wooden fence section and it does diminish the consistency of the local ambience.
12. The changing of a measurement standard should not be allowed to impact the intention of an accepted standard which is intended to retain the consistent appearance and character, and hence impression, of an established built area. Although not in such an area a local road includes a replaced Stone to Wooden fence section and it does diminish the consistency of the local ambience.
13. Demolition must also mean reduction in height otherwise walls will continue to lose their character.
14. This move is long overdue. Weston stone is a finite resource (it isn't quarried any more) and I have found it distressing to see walls being demolished and the unwanted stone going to landfill. My front garden had a local stone two-course 'wall' fronting the pavement when I moved in 30 years ago. I took off the coping stones and collected local stones whenever and wherever I could find them. I then had a 3 ft 6 inch wall built and replaced the coping stones on top. The result looks excellent. I suggest that anyone obtaining planning

permission to demolish anything made from local stone be required to DONATE it to a NSC depot where it can then be made available to anyone wanting to do something similar to what I did.

15. I agree that the existing stone walls need to be protected from random demolition which can ruin the street scene in the conservation area.
16. This is a difficult judgement in my opinion as too many walls have already been demolished in some areas especially to create off road parking. However in the residential streets outside the commercial town centre I believe surviving walls should definitely be protected and where possible existing walls, fences etc should be brought into line with the directive.
17. They should be retained. In every case where there is an existing wall, planning permission should be required in every case they're being threatened or changed. This should apply to all walls where no planning permit has yet been granted, even in cases where there was a previous assumption that development could go ahead.
18. Just to say my opinion would be that planning permission should be needed to demolish walls that are part of the major feature of the Victorian stone town.
19. I support the proposal.
20. I am fully in favour of this proposal, both in terms of preserving the walls and in reducing the increasing amount of hard standing which reduces biodiversity.
21. I agree.
22. Completely agree with the implementation of the Article 4 Directions to remove permitted development rights to demolish stone walls 1 metre in height or less in the Great Weston Conservation Area. This must be more tightly controlled to prevent further degradation of our streets. A lot of the damage has already been done but I would say the reasons for stone walls being removed can be complicated and not necessarily the same in each street. Effort must focus also on the causes for people wanting to remove walls in the first place, for example parking issues, e.g. introduce resident only parking. Enforce proper parking e.g. fine those parked across dropped curbs or white 'H' bars. If residents can park on the street with ease (in reasonable proximity of their property) they're less likely to want to remove a boundary wall in the first place.
Planning considerations must be stricter about conversion of single unit properties to multiple units or HMOs which see increased hard standing areas and parking required resulting in boundary walls being demolished. This is also the case with former residential buildings being used for commercial purposes or for those that the original property was not intended for i.e. care homes. Not to mention addition of external staircases etc which absolutely blight the aesthetic - boundary walls can't be viewed in isolation.

Equally, additions to stone walls/boundaries must also be protected - Ellenborough Crescent is a classic example of this where additions to the original stone walls to increase the height have been added (virtually every wall of each 'house' is different along the Crescent) to the detriment of the flow and aesthetic of street. Just as importantly incongruous additions like wooden panelling as a way of extending the height should be restricted or pastiche like lions heads or other faux statues etc.

23. I fully support this plan to preserve the stone walls in Weston-super-mare. They are an important part of the heritage of the town and area. There is also an environmental concern - walls are removed to allow parking in front gardens, which in turn means paving over soil that otherwise could be used for soaking up rainfall and/or supporting plants and wildlife. This off street parking also limits on street parking by creating 'driveways' onto the highway. But my main reason is the heritage and aesthetics of the area.
24. I am in favour of this Direction. There must be overview of any 'development' , especially in a conservation area. However, there must also be enforcement otherwise it is useless.
25. I support the proposal, there is little enough of old Weston remaining without losing the old walls to create parking lots.
26. In one of the first explanatory texts about the walls, the word "not" seems to have been omitted, meaning there has been control instead of there has not been control. If I'm right this would negate the purpose of the exercise. Otherwise, I'm in favour of the proposal.
27. I support this move which ensure historical stone walls are retained wherever possible.
28. this is a good idea to retain this feature.....I have the feeling that some present day developers would like to sweep away any features that are in their way.....good design elements that exist must be recognised and be protected as examples of good design and are part of the local or regional character.

29. Hi Planning

I am new to the area having moved in in August so hope I am responding to this Consultation correctly.

I wholeheartedly support your plans to ensure public apply for planning approval when they want to remove Victorian/Georgian stone garden front walls for parking reasons.

During my 16 months property searching and mostly in Hillside and Southward areas - I automatically discounted properties where the wall had been taken down, front garden paved over and left for parking - sometimes of multiple cars. As I was looking for a ground floor flat this was my number 1

criteria for I, nor anybody else I imagine, would want to live in the middle of a car park. Notwithstanding the smell and pollution each time a car was started up or returned, it was just unsightly and completely devalued the whole property for me. It saddened me further that the grass and garden had just been trashed with no thought of its ecological values.

Interestingly if you just google Weston super mare, you will get a summary of the devastation of the beautiful architecture we have inherited saying such as Weston's centre consists largely of poor quality, unplanned and random extensions that are mismatched, with front gardens given over to parking resulting in an overall reduction in value of properties from the aesthetic being completely ruined.

Where I lived in Radstock there were many terraces of Victorian miner's cottages which were in a conservation area which had it's own rules and regulations. I was surprised and disappointed that that isn't the case here.

30. I'm in favour. Would be great to see the Council offer grants for restoration of historic building features.

31. Dear North Somerset Council

I write to commend you on your Weston Walls proposals. I thought the research and documentation was excellent, and I am in favour.

I would also like to make the point that the council's policies (mainly from previous administrations) around over development, infill, and allowing housing without off road space has greatly impacted on walls being removed, gardens paved over and the appearance of streets looking poor.

32. I completely agree with the proposal to remove permitted development rights to demolish stone wall 1metre or less in the Great Weston Conservation Area. Preventing the removal of walls will greatly enhance to overall look of the conservation area, stopping people turning area in front of buildings into large car parks.

33. I agree that it should no longer be possible for people to knock down stone walls in the conservation area without going through planning, even for small walls. Permitted development is toxic and anti social. Thank you.

34. A well researched analysis of the situation which makes a very strong case for retaining all stone walls in the Great Weston Conservation Area. The Westonsuper-Mare Civic Society fully supports this proposed Article 4 Direction and sincerely hopes it is approved. This will then give the planning authority the responsibility to preserve all stone walls unless there are very good reasons otherwise.

35. As someone who grew up in Weston in the 1950/60s when it was an attractive little town, I have been horrified at the neglect of the town centre especially since the population has increased dramatically over the intervening years. I am very keen to preserve the architecture of the conservation area, but at the

same time I sympathise with residents who wish to construct off road parking as we all have to accommodate cars these days and they do not look attractive when parked bumper to bumper along the narrow streets. On balance I support the Article 4 Direction so that planning approval must be sought before demolishing stone walls, but would like the council to consider providing more off road parking space, where possible, to accommodate residents' cars.

36. Brilliant idea but totally pointless if the resources aren't there to enforce against unauthorised works

37. Dear Sir/Madam

I have read the proposal, and agree with the intended changes. HOWEVER, I find it rather hypocritical of the council to offer climate change as a reason behind this proposal, and a desire to reduce vehicular use, when at the same time the council is, in my opinion, recklessly pursuing the development of a Banwell by pass, whose construction and then operation will have a considerable negative impact on climate change.

38. Dear Planning Policy Team

I support the introduction of Article 4 Directions to remove permitted development rights to demolish stone walls in the conservation area of Weston-super-Mare, the effect of which would require planning consent to be obtained for the demolition of walls of a height of one metre and under within the Great Weston Conservation Area, in order to protect the character of the area from further damage.

Responses Against

39. Demolition of buildings and structures listed in the Conservation Areas (application of section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990) Direction 2015 already prohibits the demolition of any gate, fence, wall or other means of enclosure less than 1 metre high where abutting a highway (including a public footpath or bridleway), waterway or open space, unless permission is applied for. This has the same effect of the Article 4 direction you are proposing. It is therefore unnecessary, unless you also seek to protect walls not abutting a highway (including a public footpath or bridleway), waterway or open space, however this does not appear to be the focus of the consultation material provided or the explicit objective of the Article 4. The potential harm that the article 4 direction is intended to address is not clearly identified and therefore fails the test set out in guidance. Please correct or explain further.

40. I am not in support of this change

41. I was advised by Chris Joannou that if wall less than 1 metre in height is connected to a pillar more than 1 metre in height, that wall less than 1m in height cannot be removed as under case law, the whole wall is then deemed to be in excess of 1 metre. I am an agent with more than 15 years experience and this 'snippet' is important - I am afraid to say that 'Joe Public' will not be aware of this and this proposed Article 4 direction may lead to a mass demolition of walls in the Conservation area before the article is potentially adopted. Let the general public know this - put an article out there in the local papers or social media or even local TV news? Otherwise, you really could be opening up a can of worms! More importantly, I completely disagree with this proposal. It completely goes against government plans to stop selling petrol cars from 2030?. If someone in the future has 2 or 3 electric cars, they will need to charge them. Also, I live in a first floor flat in Conservation area with no off street parking so I can't charge a car so I can't buy electric as there is no charging facility at home. Therefore, by keeping walls will stop cars parking off street to charge and there is a potential that charging stations will have to be placed on footpaths to enable people to charge their cars due to lack of off street parking as they can't get their cars on their drives or they don't have a drive to use. The 64 million dollar question is what is the lesser evil in the future? - losing walls and having cars parked off street that actually makes streets clearer of cars or streets pickled with charging stations on footpaths?. I don't have a crystal ball so don't know how this will pan out in 20 or 30 years but my gut feeling is that infrastructure won't be in place (like public transport) . Don't let this proposal have a bigger impact on the future and try to think ahead. Not sure if I have given any answers here but this is not a good proposal.

42. I understand the perceived benefits, however you are taking away peoples rights so they are unlikely to be happy. This will generate more work for the deluged planning department. I note the bemoaning of the loss of stone boundary walls and the impact this has, however parking is a real issue and with double yellows everywhere, where are people going to park? You will be stopping people from being able to park off street within their own curtilage unless approved via planning. Clearly there is a conflict here as parking on-street is discouraged by other planning documents and is not counted in new developments so must be onplot. The other contradictory stance is that on most of the new "villages" boundary enclosures are not allowed, PD rights for their erection have been removed. So you have 2 sets of conflicting standards across Weston, on-street parking frowned upon, or impossible due to yellow lines and parking fees, yet you can't park on plot if you need to remove a wall in order to do so. You also have large areas where no boundary fences or walls are allowed and take enforcement against them being erected, yet have another area where you are not allowed to remove them. Clearly the conflict is staggering. How about encouraging the reinstatement of the lost walls by grants instead of punishing the rest of the people who haven't removed theirs?

It must be noted that the examples given of stone walls having been removed are all from Flats. How does one convert a house to flats you may question. Well you apply for planning permission. So in granting planning permission for the change of use from a house to flats, or hotel to flats, or B&B to flats, the

council had full control over the walls, whether they were retained or removed. More importantly whether something more sympathetic could have been done between the conflicting interests of retaining the wall and the need for parking. Seeing as the examples all show double yellow lines, where would all the people who live in the flats park? There is a clear conflict here between parking, which is frowned upon on street and being able to remove a boundary wall in order to facilitate off street parking.

43. I am generally supportive in principle of efforts to conserve artefacts of culture and heritage. I do consider that the stone walls are attractive features of properties in some parts of Weston super Mare and add to the charm of the some residential areas. Indeed, it was a reason I was drawn to purchasing a property in the Hillside area. However, the matter of stone walls cannot be considered in isolation. Unfortunately, the Council has supported the conversion of many of the most attractive houses and dwellings in the conservation areas into Houses of Multiple Occupancy including care homes. In doing so they have created substantial amounts of pressure on the surrounding streets and roads in terms of on-street parking. Successive council policy has been to facilitate the inconvenience and dissatisfaction of other residents by not ensuring sufficient parking availability for occupants and visitors to these properties. My property in Manor Road has a stone wall. There is space for parking two vehicles on the property, and as such we have lost part of the front garden so that only a small border remains. This was appealing when we bought the property because I did not choose to park on the street. Living here for several years we know that some drivers enter the top of Manor Road (from Bristol Road) as if they were on a rally circuit owing to the sweeping junction. One neighbour has already been involved in a collision because of such behaviour but there have also been several near misses. When we first moved here no one parked on the road. Each of the residents in this block of houses (up to Manor Valley Road junction) had sufficient off-street parking for their vehicle/s. Two new residents have since moved in and now park their additional vehicles on the street. In addition some of the properties on Bristol Road Lower have also decided that they will park their vehicles on the road outside the remaining properties. Frequently the drivers will park in very inconvenient places such as over the threshold of my driveway. The driveway is marked by two stone pillars. Owing to the small aperture and positioning of the two vehicles it takes much care to safely navigate onto the road in the appropriate direction of travel without the additional parked obstacles. Over the time the flow of traffic has increased a lot, with queues of cars at certain times in the day, and there are often altercations between drivers at the junction judging by the frequency of car horns sounding. Some of this is due to on-street parking all the way along Manor Road. Consequently, it is increasingly difficult to manoeuvre the vehicles from our driveway. Whilst reversing the car onto the driveway, some inconsiderate drivers will interrupt the manoeuvre by literally passing behind the reversing car. One solution we have considered is to remove the stone wall so that we will have the space in which to safely perform the necessary manoeuvring of our vehicles. For the Council to charge us to do that when it is its very own policies, and lack of forethought, which have created the situation to which we seek a solution would be unfair in the very least. You

should be tending to that which is causing the nuisance and seeking remedial action. There is an eclectic mix of properties all along Manor Road and some have stone walls. I think that this road could be included as part of the conservation area and that what is proposed could contribute positively as part of a bigger picture to quality of life and well-being for residents. (This I feel has been grossly overlooked by Councillors who are more concerned by attending to the tourist pound rather than to residents and offers little in the way of resident satisfaction - I'm thinking about the shocking state of the roads and pavements.) However, you must tend as a Council to the issue of on-street parking, congestion, noise pollution, and illegal parking (such as parking over and on junctions). Not to mention ensuring that HMO and shared accommodations have sufficient parking for their occupants, residents and visitors within the property boundaries. Some Manor Road residents appear to park on the road rather than their property in order to avoid being inconvenienced, and some are parking on the pavement which has the added frustration of blocking and restricting access to the footpath and inconveniencing pedestrians, some with families. There is also a number of large vehicles and vans that park on Manor Road which because of the lay of the road and where they park, obscure the view of drivers as well as impede travel in both directions. Some of the people who park on Manor Road are not residents and this is because of council planning decisions affecting properties on and around Milton Road. I am concerned that the proposal for pedestrianisation around Baker Street will lead to even more pressure on availability of parking and have a negative impact on road users, homeowners and residents further away. A lot of the properties around these streets and roads also have stone walls. Had my driveway not been blocked by several parked cars today, I may not have written this!

Neutral Responses

44. Weston-super-Mare - Weston stone walls Article 4 Direction

Thank you for consulting The Coal Authority on the above. Having reviewed your document, I confirm that we have no specific comments to make on it.

45. WESTON STONE WALLS ARTICLE 4 DIRECTION

Thank you for referring the above document, which was received 26 October 2021.

The Environment Agency would not be adversely affected by the removal of permitted development rights for the demolition of stone walls of 1m height or less.

46. North Somerset Council Consultations – Weston Stone walls Article 4 Direction

Thank you for consulting National Highways on the proposed Article 4 Direction to remove permitted development rights to demolish stone wall in parts of Weston-Super-Mare.

As you are aware, we are responsible for operating, maintaining and improving the strategic road network (SRN) which in the Weston-Super-Mare area comprises the M5 motorway including Junction 21. Once adopted, the policy would mean that planning consent would be required for demolition of walls of a height of one metre and under within the Great Weston Conservation Area. This is considered to protect the character of the conservation area.

Having reviewed the submitted documents, I can confirm that National Highways have no specific comments in regards to the Article 4 Direction.

I trust the above is clear, but please do not hesitate to contact me if I can be of any further assistance,

47. Thank you for your consultation dated 26 October. Natural England has no comments to make on this proposal.

48. While I was interested to see this proposal I felt that it's really a matter for Weston residents and hadn't intended to comment. However, on reflection there is a potentially significant issue which I wanted to highlight. The point here is that it's essential to refer to a wall which is 'one metre high', not 'one meter' as in some places on NSC's website. The consultation document correctly refers to 'one metre' and it is vitally important that this is the term used throughout. 'Metre' is the accepted standard term in the UK. If you use 'meter' then it could in the future be argued by a property owner that the Article 4 Direction wasn't clear, was misunderstood and isn't valid. To be clear, when first referred to in the final policy document it is recommended that you state 'stone walls 1 metre (39.37 inches) in height or less'.

Irrelevant Comments

49. TEST

50. Hello

Your Winter edition of North Somerset Life 2021 has an article on the loss of stone walls in Weston and the council has a consultation on this.

I live in Cleeve and we have a new housing development in the middle of the village on the A370. The majority of boundaries of existing houses in the village have stone walls which give character to the area.

I am upset that the boundaries of these new 9 houses are made up of a mixture of breeze blocks and fences. They look unattractive and out of character. Why has this been allowed to happen?