

## Damage to Blackchapel Lane in North End

### Blackchapel Lane

Blackchapel lane in North End is registered as a '**Protected Lane**' and the following notes will acquaint members with the damage that is occurring to **one of the Parish's most historical and picturesque lanes**.

Unfortunately, not all GWPC members will know **Blackchapel Lane** because it is at the most northern end of the parish in the hamlet of North End, which is quite a distance (about 8 or 9 miles) from Great Waltham village. It is an idyllically rural turn-off from the B1008, on the opposite side of the road from the Butchers Arms, at Black Chapel, which is grade 1 listed building of outstanding national historical interest. The lane is probably of at least medieval, and probably pre-Saxon origin; the picture below is from the North End VDS, taken in about 2007.



### What Does Protected Lane Status Mean?

Chelmsford lists local Protected Lanes in the LDF 2001 - 2021- Part 3 Site Allocations and Notations, Topic 7 pages 35-37, and Blackchapel Lane is listed as a protected lane. This means that the historic, ecological, and landscape features of this rural lane are protected from development and modifications that would destroy or harm its character.

Therefore the key elements for protection and preservation are:

- **Historic Integrity:** The original, medieval, road structure including hedges and verges.
- **Vegetation and Biodiversity:** The old hedgerows, mature trees and verge-rich habitats alongside the road.
- **Landscape Features:** Boundary features, in particular the verges, banks and ditches, which could be damaged by road widening or agricultural, activities.
- **Archaeological Evidence:** The physical structure of the lane and verges which could contain archaeological evidence of past human activity.
- **Tranquillity and Character:** The overall rural and tranquil feel of the lane should be maintained and urban-style improvements like harsh kerbing, excessive signage, or widening, should be resisted.

### **How are Protected Lanes Actually Protected?**

Essex County Council enables members of the public to report damage or maintenance issues for ordinary streets or roads on-line. Similarly, many issues such as development planning issues which affect road boundaries or verges may be reported and investigated as individual planning breaches by Chelmsford City Council. Unfortunately, these individual remedies do not always counter minor developments which can accumulatively erode the key elements of protected lanes.

### **Observed Harm to Blackchapel Lane**

A number of developments over time have harmed the protected status of Blackchapel Lane as follows:

1. In 2015 GWPC supported Black Chapel in obtaining planning permission to install reinforcing mesh grid, designed to enable parking by congregation members on the verge without damaging the grass, see AMcD note in Appendix 1. Since then, the reinforcing mesh seems to have been removed, along with the grass verge. Parking is now on a tamped gravel surface at the same level as the road surface, a distinct urban development , see photograph attached.



**This is in contradiction to the original agreement between GWPC, Essex Highways and Blackchapel trustees to maintain the protected lane status of Blackchapel Lane, the relevant GWPC minutes are as follows:**

GWPC minutes 16/3/2015

**Item 31. To consider making an application to the Local Highways Panel for the provision of parking on a highways verge in Blackchapel Lane, North End for use by users of Blackchapel.**

Discussed. Cllr Aldridge will investigate options with Local Highways Panel.

GWPC minutes 20/4/2015

**Item 15. To consider making an application to ECC Highways for the provision of parking to be paid for by Blackchapel on a highways verge in Blackchapel Lane, North End for use by users of Blackchapel.**

After a long discussion and review of the photos provided the Parish Council supports an application on behalf of the users of Blackchapel.

Clerk to request through Cllr Aldridge for an agreement in principle and the specification of works that Essex Highways would require Blackchapel plan to pay for the works themselves.

**Refer also to the Essex Act 1987** (section 6), which is intended to prohibit parking on maintained grass verges.

2. Top Farm is a grade II listed is a timber framed house of seventeenth century origins, enclosed in a modern brick shell. In 2016 planning permission was granted to demolish and rebuild the side wing and carry out approved refurbishment. However, the site, within the curtilage of a listed building, has retained the appearance a building site, with temporary fencing onto the road. See photograph below:



Whilst it is unreasonable to dictate a timeline for private building works, this site has harmed the character of this protected lane for approximately 10 years. Can GWPC take

any action to improve this eyesore in **one of the Parish's most historical and picturesque lanes?**

3. A new field entrance has been made recently and the mature trees, hedges and vegetation on the road boundary have been destroyed. This could possibly be permitted development under the 'Hedgerows Regulations 1997' but would appear to contravene the protected lane status of Blackchapel.



4. Vehicular encroachment onto the grass verge breaking down the edge and causing ruts. This is a perennial problem, made worse this year by the appalling weather. This is probably a matter for Essex Highways, but if so, it will be low priority.

## **Appendix 1**

**Alex McD notes from March 2015**

### **Parking for the Blackchapel Congregation**

Highways have suggested that the Parish Council assist Blackchapel in North End in resolving their parking issues and further suggest that the Parish Council may be able to devise a scheme to provide some safe additional parking at Blackchapel which can be put to the Local Highways Panel.

I have had an initial meeting with Richard Garvey of Blackchapel from which I have determined the issues as follows:-

Blackchapel has regular services on Sundays and occasional services at other times. There are no parking facilities at or immediately close to the church. This means that, when there is a service, there are typically up to ten cars parked outside the church in Blackchapel Lane. Blackchapel Lane is a narrow road and the parking cars overrun the grass verge, rutting it badly during wet winter weather.

Consequently, during the recent very wet winters, the verge edges have become very dangerous for the elderly members of the congregation to negotiate.

In an attempt to resolve this problem, Richard Garvey, on behalf of the trustees, approached Highways in February 2014 with, in the first instance, a request to purchase the land forming the verge. I am not privy to the details of these negotiations but Highways refused the proposal and had concerns regarding possible removal of Highway Rights. Highways further suggested that the Parish Council should evolve and pursue a design and implementation scheme to provide parking at Blackchapel.

I know the site and I am of the firm opinion that a formal car parking scheme, which is what Highways appear to be suggesting, would not be in keeping with the local character. It is not what Blackchapel are requesting and would be firmly resisted by the local residents.

I understand that Blackchapel would like to install a reinforcing grid just to support the weight of the cars without spoiling the grass. This technique is frequently used for overspill car parks, etc. but in this location I would expect that the road boundary would also require hard reinforcement, as would be appropriate for a dropped kerb. However, I do not know whether this type of solution would be acceptable in a public, rather than private, space.

I have looked around the site to see if development of an informal car park area away from the road and verge is a possibility. Two areas exist which might be accessible from the road, one is the garden to Blackchapel cottage and the other is at the northernmost boundary to the churchyard. Neither is really appropriate. The trustees would not be willing to consider removal of the garden area from Blackchapel Cottage and the area at the northern end of the churchyard is too small.

Alex McDevitt

16/3/15