

## **CABINET**

**8<sup>th</sup> April 2021**

### **REPORT OF THE HEAD OF PLANNING, ECONOMY AND REGENERATION**

#### **CULLOMPTON CONSERVATION AREA ASSESSMENT AND MANAGEMENT PLAN**

**Cabinet Member** Cllr Richard Chesterton, Cabinet Member for Planning and Economic Regeneration

**Responsible Officer** Mrs Jenny Clifford, Head of Planning, Economy & Regeneration

**Reason for the Report: To approve the Draft Cullompton Conservation Area Assessment and Management Plan (CAMP) to be published for public consultation.**

#### **RECOMMENDATIONS:**

That Cabinet approves:

- 1. The draft Cullompton Conservation Area Assessment and Management Plan (Appendix 1 to this report), including proposed alterations to the extent of the Cullompton Conservation Area made through Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), for public consultation.**
- 2. That delegated authority be given to the Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Regeneration to finalise the material and arrangements for consultation, including making any further updates to reflect matters discussed by the Planning Policy Advisory Group.**

**Financial Implications:** Cullompton has been awarded a High Street Heritage Action Zone (HAZ) by Historic England. This will bring money in the form of a grant from Historic England to be invested in a core area at the centre of the Conservation Area. This money will be invested in the form of grants and public realm work. The draft Cullompton CAMP is a key document in the partnership with Historic England. It has been produced in house as part of the in kind match funding by Mid Devon District Council towards the High Street Heritage Action Zone (HAZ) agreement with Historic England.

This report does not identify the funding sources or arrangements that will be needed to deliver the regeneration opportunities or for the redevelopment sites that are identified within the draft Cullompton CAMP. Funding is likely to involve a range of public and private sector investment, and will include money from Historic England as part of the High Street HAZ agreement.

**Budget and Policy Framework:** The preparation of the Draft CAMP been undertaken as part of match funding from Mid Devon District Council for the Cullompton High Street HAZ.

The Policy Framework is extensive and is listed in section 2.4 of the CAMP. In summary it includes Statute, The National Planning Policy Framework, the adopted Mid Devon Local Plan and other documents that have been adopted or approved by the Council as well as locally determined policies and strategies, and national guidance that form an integral part of the decision making process.

The area defined as being within a conservation area boundary has statutory protection under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) where the Local Planning Authority is required, with respect to any buildings or other land in a conservation area, to give special attention to the desirability of preserving or enhancing the character or appearance of that area.

**Legal Implications:** The preparation and adoption of the CAMP, which includes alterations to the extent of the Cullompton Conservation Area, will need to comply with the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and the Council's Statement of Community Involvement. Advice is also given in the Historic England publication - *Conservation Area Appraisal, Designation and Management Second edition, Historic England Advice Note 1, 2019*.

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) Section 69(2) places a duty on the Local Planning Authority (LPA) to, from time to time, review their conservation area and determine whether any parts or further parts of their area should be designated as conservation areas.

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) Section 71 places a duty on the LPA to, from time to time, to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas. Proposals will need to be submitted to a public meeting in the area to which they relate and the LPA shall have regard to any views expressed by persons attending the meeting.

Under section 70(8) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in addition to notifying both the Secretary of State and Historic England, a local planning authority is required to publicise designation of a conservation area by a notice placed in the London Gazette and a local newspaper. The local authority must follow the same publicity procedures to vary or cancel a designation as required to designate.

The CAMP will not form part of the Development Plan for Mid Devon. It is not being prepared as a Supplementary Planning Document (SPD) since it will contain a suite of 'management plan principles' and is not intended to provide more detailed advice or guidance on land use policies than in the adopted Mid Devon Local Plan. However, once adopted, the CAMP will be capable of being a material consideration

in the determination of planning, listed building consent and advertisement consent applications relating to Cullompton Conservation Area.

**Risk Assessment:** Failure to review the conservation area and to formulate proposals for preservation and enhancement is part of the statutory duties placed on LPAs. The production of the CAMP is also to support regeneration of the Cullompton Town Centre as part of the High Street HAZ, and it is a key document in this respect. Failure to produce it may harm the High Street HAZ going forward. Overall there could be deterioration in commercial activity, a less vibrant centre, less coordinated development and uncertainty over essential infrastructure. Since the initiation of this project COVID-19 has introduced a significant risk to economic prosperity.

The CAMP is considered to be a key document by Historic England with regards to the High Street HAZ project. Its production is part of the agreement with Historic England and an in kind contribution by this Council to the HAZ programme. It is considered an important part of the overall programme, the commitment made by this Council and is part of our partnership approach with Historic England over the Cullompton's heritage via the HAZ scheme.

**Equality Impact Assessment:** No equality issues are identified for this report.

**Impact on Climate Change:** The CAMP is, by its nature, neutral on climate change. The CAMP should be considered part of a suite of documents produced by the Council such as the Cullompton Town Centre Masterplan SPD that is currently being prepared, where climate change is a core principle, and advice and guidance from Historic England on Climate Change and Heritage.

**Relationship to Corporate Plan:** The CAMP will include a suite of 28 principles to help guide management in the Cullompton Conservation Area. The 28 principles can help the following priority areas and actions identified in in the Council's Corporate Plan 2020-24:

- Homes: Promote the regeneration of our town centres by working with landlords and property developers to improve and increase the supply of quality housing;
- Economy: Identify strategic and tactical interventions to create economic and community confidence and pride in the places we live. This includes a continued focus on Town Centre Regeneration; and
- Community: Promote new, more integrated approaches to better health and living especially in the context of planned new developments.

## **1.0 Introduction: Background**

1.1 There is a statutory requirement for the Council as Local Planning Authority to review its conservation areas from time to time. Historic England advice is every 5 years. The Cullompton Conservation Area was last reviewed in 2009.

- 1.2 The Council has bid for schemes to bring investment to Cullompton and has been successful in securing a High Street Heritage Action Zone (HAZ) for Cullompton with Historic England.
- 1.3 A review of the Cullompton Conservation area assessment and management plan (referred to hereafter as the Cullompton 'CAMP') has been agreed as part of the in kind match funding for the High Street HAZ. Officers have been responsible for preparing a draft Cullompton CAMP.
- 1.4 The Cullompton CAMP will form a key document in a suite of documents for the regeneration of the town, along with the Master Plan, the Neighbourhood plan and the Local Plan, to help enhance the town's economic prospects and provide a clear strategy to ensure the town meets its full potential as an attractive and thriving town post COVID-19 and into the 21<sup>st</sup> century. It will provide the umbrella framework within which the Cullompton High Street HAZ works will be delivered.
- 1.5 The Cullompton CAMP defines and records the special architectural and historic interest of the Conservation Area and identifies opportunities for enhancement. This appraisal conforms to Historic England's guidance as set out in *Conservation Area Appraisal, Designation and Management Second edition, Historic England Advice Note 1, 2019*
- 1.6 Whilst there is only one statutory requirement with regard to public consultation on the Cullompton CAMP, which is one public meeting in the area, it is good practice to undertake more, and detailed consultation adds weight to the document when it may be used for decision-making. There will be one stage of consultation in accordance with the Council's Statement of Community Involvement. The Secretary of State and Historic England will be notified of the consultation on the proposed amendments to the extent of the conservation area

## **2.0 Content of the Draft Cullompton CAMP**

- 2.1 The Cullompton CAMP, once adopted will not in itself form part of the Development Plan for planning purposes, but will be capable of being a material consideration in the determination of planning and other applications. The draft Cullompton CAMP is attached as **Appendix 1** to this report.
- 2.2 There are two parts to the Cullompton CAMP and two appendices.
  - Part 1: Character Appraisal - to define the special interest of the conservation area and identify the issues which threaten the special qualities of the conservation area;
  - Part 2: Management Proposals – to provide guidelines to prevent harm and achieve enhancement
  - Appendix 1            Glossary of Architectural Terms

- Appendix 2 Bibliography

*Part 1 – Character Appraisal*

2.3 Part 1 Character Appraisal considers:

- The location and landscape setting of Cullompton, and includes the historic development of the settlement
- The historic urban character
- Key historic influences
- The setting of the conservation area
- General character and plan form
- Landmarks, special features, views and materials

2.4 The Character Appraisal breaks the Conservation Area into 6 character areas:

Character Area 1- Parish Church of St Andrew and Environs

Character Area 2 – Character Area Boundaries

Character Area 3 – Exeter Hill

Character Area 4 – Fore Street

Character Area 5 – High Street / Higher Bullring

Character Area 6 – Higher Street and Station Road

These character areas are shown on the maps in the map section. The Character Appraisal provides the following information for each character area: a description; its special architectural and historic interests; scale, height and building line; significant buildings and groups; key unlisted buildings; trees and green spaces; local features; typical details; key colour characteristics; views; materials; and, key negatives.

2.5 10 key negatives have been identified and are brought together as key issues. They are:

- Volume and Nature of Traffic
- Traffic Management
- Public Realm
- Uncoordinated and poor quality floor scape
- Public Alleys to Cullompton Community Association Fields and Shortlands Road
- New Cut, off Fore Street
- Area to South of seating area to south of Trotts Almhouses, at North end of High Street.
- Street Furniture, Trees and on Road Parking
- Raised Concrete Kerb along much of Fore Street
- Loss of original architectural details and building materials
- Poor quality of new developments, building alterations and extensions
- Lack of Routine Building Maintenance and Repair
- Unsightly Satellite Dishes

- Sub-division of properties
- Overhead power lines and telephone lines
- Negative sites and buildings
- Land adjacent to No 12, Gravel WalkC
- Cobbles at Pye Corner
- Hebron Evangelical Church, off Queen Square
- Hayridge Centre Car Park
- Land at No 19 High Street
- Clarks Court Off High Street
- Public Toilets and land adjacent to Station Road
- Police Station, Station Road
- Roundabout at Entrance to Supermarket on Station Road
- No 60 Higher Street

### *Part 2 – Management Proposals*

2.6 Part 2, “Management Proposals” includes a set of 28 proposed management principles to provide a series of issues and recommendations for improvement and change in response to the each of the key negatives identified through the Character Appraisal. These are principles, not policies, and are intended to guide and inform the management of the Conservation Area where proposals are made, and to bring together public agencies, private land owners and the public to work together in these enhancements to the conservation area.

### **3.0 Proposed alterations to the extent of the Cullompton Conservation Area**

3.1 The boundary for the Cullompton Conservation Area has previously been reviewed at the time of the Conservation Area Appraisal in 2003, and again in 2009. Historic England advises that resources permitting, a review of conservation areas every five years is ideal, but the review period will vary according to the development pressures in the local area. The adopted Local Plan makes clear that in the medium to long term, the market town of Cullompton will become the strategic focus of new development, reflecting its accessibility, economic potential and environmental capacity. Development will be targeted to:

- Provide sustainable urban extensions containing a mix of fit for purpose homes, businesses, local shopping and other services and sustainable transport links
- Provide enhancements to the town centre through additional investment, traffic and transport improvements and environmental enhancements to provide a significant boost to its vitality and viability, provide for a better range of retail and other uses and a significantly improved visitor environment
- Develop any remaining underused brownfield sites within the town

- Protect and enhance the key environmental assets including heritage, biodiversity and air quality

3.2 It is in the context of the Local Plan and preparation of the draft Cullompton CAMP that an appraisal of the Cullompton Conservation Area has been undertaken. This appraisal has found that a number of alterations are needed to the extent of the Cullompton Conservation Area, which are now proposed to be made through Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). The proposed alterations to the extent of the Cullompton Conservation Area are listed in Section 10 of the draft Cullompton CAMP. Each proposed alteration includes a written explanation and is shown on Map 1 in the draft Cullompton CAMP. The list of proposed alterations to the extent of the Cullompton Conservation Area is reproduced from Section 10 of the draft CAMP below:

### **Proposed changes to the extent of the Cullompton Conservation Area:**

#### **Additions:**

1. Part of Leat to the north of the conservation area where it is visible from Station Road. Leat is a continuous important historic feature. Its age is uncertain but dates from at last 1633
2. The Cullompton Leat between Higher Mill and Middle Mill Lane. Its age is uncertain although it is shown on a map of 1633. Of historic interest.
3. The Cullompton Leat south to and including Lower Mill. Lower Mill is first shown on a map of 1633. Originally a corn mill it was converted to a woollen factory in the 19th century, although by the 1880s in was being used for grinding animal feed. The mill last worked in 1968. It has now been converted. The mill is an important unlisted mill building, and areas which are residual open space.
4. Tannery Building to east of Exeter Hill and wall: Important historic building at gateway to conservation area, and significant to the understanding of Cullompton and its industrial heritage.
5. Land rear of Nos 62 to 28 Fore Street. Conservation area currently drawn to rear of buildings and often cutting buildings. This area brings in the residual areas of discernable burgage plots and the rear ranges of buildings.
6. Open land to the west of Walronds and to the rear of numbers 12 and 18 Fore Street. This brings into the conservation area open land which is surviving and undeveloped burgage plots. Important historic remnants significant to the conservation area.
7. Fields to West of 54 and 60 Higher Street: Open land to the east of the Scheduled Ancient Monument of the Roman Fort and Camp on St Andrews Hill. Open area important and of significance both to the Roman site and to the conservation area.

#### **Deletions:**

1. 51 to 61 Station Road: At the last review the site adjoining was removed. Whilst there is some significance to these houses which are shown on

the First Edition OS as Station Cottages, their context and alteration made to them over time mean that the area no longer merits being in a conservation area.

2. Clarks Court off Forge Way: Early 21<sup>st</sup> Century building. Not of sufficient interest for area to remain in conservation area.
3. Land to south of Priory Cottage off Lower Mill Lane: Bungalow under construction not of sufficient merit to remain in conservation area.
4. Part of building to the rear of No 5 Way's Lane. To exclude the part of the supermarket building included in the conservation area. The building is not of sufficient interest for area to remain in conservation area.
5. House to east of 1b Tiverton Road. New house on plot bisected by conservation area. New house not of sufficient interest for area to remain in conservation area.
6. Part of building to east end of Old Scout Hut, Tiverton Road. Building not of sufficient interest to be in conservation area
7. Small part of garden to No 3 Stoneleigh Gardens. Correction in boundary. Land not of sufficient interest to be in conservation area

- 3.3 The proposed alterations to the extent of the Cullompton Conservation Area are considered appropriate in the context of the requirement within paragraph 186 of the National Planning Policy Framework (NPPF) which states:

*“When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.”*

- 3.4 Conservation area designation introduces some additional controls over the way owners can alter or develop their properties. However, owners of residential properties generally consider these controls to be beneficial because they also sustain, and/or enhance, the value of property within it. This has been confirmed by research by the London School of Economics; see G Ahlfeldt, N Holman and N Wendland, An Assessment of the effects of Conservation Areas on Value, London School of Economics, 2012.

- 3.5 These controls include:

- the requirement in legislation and national planning policies to preserve and/or enhance, as discussed further in the NPPF and the PPG
- local planning policies which pay special attention to the desirability of preserving or enhancing the character or appearance of the area
- control over demolition of unlisted buildings
- control over works to trees

- limitations on the types of advertisements which can be displayed with deemed consent
- restriction on the types of development which can be carried out without the need for planning permission (permitted development rights)
- support for the use of article 4 directions to remove permitted development rights where avoidable damage is occurring
- clarification of archaeological interest, thereby assisting its protection

#### **4.0 Planning Policy Advisory Group**

4.1 The Planning Policy Advisory Group (PPAG) considered the draft Cullompton CAMP at its meeting on the 18<sup>th</sup> March 2021. The draft CAMP has been updated in relation to queries raised about 'Important Unlisted Buildings'. The PPAG has noted there will be an opportunity to finalise the draft CAMP once it has been consulted on and responses taken into consideration. Subject to the revisions being made the PPAG was satisfied that the report can be considered at the Cabinet meeting.

#### **5.0 Next Steps**

##### *Public consultation*

- 5.1 The draft Cullompton CAMP including proposed alterations to the extent of the Cullompton Conservation Area will be published for public consultation for a period of 6 weeks in accordance with the Council's adopted Statement of Community Involvement.
- 5.2 It is intended that the public consultation on the draft Cullompton CAMP and proposed alterations to the extent of the Cullompton Conservation Area will take place starting in May 2021 at the same time as public consultation on a draft Cullompton Town Centre Masterplan, and a draft Mid Devon Shop Front Design Guide.
- 5.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a specific requirement for the Council to notify the Secretary of State and Historic England of the consultation on the proposed amendments to the extent of the conservation area. The Act also requires that proposals will need to be submitted to a public meeting in the area to which they relate and the Council shall have regard to any views expressed by persons attending the meeting. Due to current restrictions placed on travel and public gatherings because of the Covid-19 pandemic it is intended that a public meeting will take place on-line during the consultation period. There will be an opportunity for members of the public to express an interest to the Council in advance so that they are able to participate in the meeting. It is also intended to write to property owner/occupiers where properties are to be

either brought into or removed from the Conservation Area as a result of the proposed boundary changes.

- 5.5 Once the consultation has ended and officers have considered all of the comments received, the final version of the Cullompton CAMP and the proposed alterations to the extent of the Cullompton Conservation Area, including any amendments necessary to these, will be reported back to the Cabinet for formal adoption.
- 5.6 When the document has been formally adopted a notice will need to be placed in the London Gazette and a local newspaper informing of the decision.

#### *Timetable*

- 5.7 A provisional timetable for the next stages in the production of the Cullompton CAMP masterplan are set out as follows:

Action	Date
Public Consultation	May / June 2021
Adoption	July / August 2021

## **6.0 Conclusion**

- 6.1 The Cullompton CAMP will provide a framework that can be used to help guide development in a coordinated and comprehensive manner. Once adopted, it will be capable of being a material planning consideration to help guide the decisions made on planning applications. The production of an adopted CAMP for Cullompton is fundamental to the regeneration of Cullompton and moving the High Street HAZ forward.

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#### **Background Papers:**

The Adopted Mid Devon Local Plan (2013-2033):  
<https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan-and-policies-maps/>

The Cullompton Conservation Area Appraisal and Management Plan 2009:

[https://www.middevon.gov.uk/media/114976/cullompton\\_conservation\\_appraisal\\_revised\\_2009.pdf](https://www.middevon.gov.uk/media/114976/cullompton_conservation_appraisal_revised_2009.pdf)

<https://www.middevon.gov.uk/media/114977/cullompton-conservation-area-appraisal-2009-plans-1-8.pdf>

<https://www.middevon.gov.uk/media/114972/cullompton-conservation-area-management-plan-combined.pdf>

<https://www.middevon.gov.uk/media/114973/cullompton-conservation-area-management-plan-plans-1-4.pdf>

Referendum version of the Cullompton Neighbourhood Plan

<https://www.middevon.gov.uk/media/350767/cnp-final-referendum-version-26-aug-2020.pdf>

Planning (Listed Buildings and Conservation Areas) Act 1990

<https://www.legislation.gov.uk/ukpga/1990/9/content>

National Planning Practice Guidance for the historic environment

<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment#decision-taking-historic-environment>

**Circulation of the Report:** Cabinet, Ward Members