

**ADOPTION OF APPRAISAL AND MANAGEMENT PLAN DOCUMENTS AND CONSERVATION AREA BOUNDARY AMENDMENTS FOR CHERITON FITZPAINE; MORCHARD BISHOP; NEWTON ST CYRES; SILVERTON AND THORVERTON CONSERVATION AREAS**

**Cabinet Member:** Councillor Richard Chesterton  
**Responsible Officer:** Head of Planning & Regeneration

**Reason for Report:** To amend the boundaries of five conservation areas in Mid Devon and to adopt appraisal and management plan documents for each.

**RECOMMENDATION:** That Cabinet amend the conservation area boundaries and adopt the appraisal and management plan documents for Cheriton Fitzpaine, Morchard Bishop, Newton St Cyres, Silverton and Thorverton conservation areas.

**Relationship to Corporate Plan:** Caring for our environment – “promoting and protecting our outstanding environment and beautiful countryside”.

**Financial Implications:** There are no financial implications.

**Legal Implications:** None

**Risk Assessment:** Consultation with the communities directly affected by the amendment of boundaries and adoption of appraisal and management plan documents was undertaken and is good practice, leading to appraisals and management plans having significant weight as a material planning consideration.

## **1.0 CONSERVATION AREAS**

1.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 section 69 requires local planning authorities to ‘determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance and shall designate those areas as Conservation Areas’. This can include reviewing such areas to see if designated areas or parts of designated areas should be taken out of conservation area status or if further areas should be added to any existing conservation area.

1.2 The purpose of conservation areas is to provide a wider protection for the historic environment than that relating to listed buildings. These are areas which may have few or no listed buildings but still have a special character or appearance worthy of protection.

## **2.0 IMPLICATIONS OF DESIGNATION**

2.1 Implications of conservation area status are:

- Works (lopping, topping, pruning or complete removal) of trees over 75mm in diameter at 1.5 metres height, require a 6 week notice for consultation with the Council
- There is a presumption against demolition of buildings within conservation areas, unless it can be proven that the removal / replacement scheme will 'preserve or enhance' the area.
- Design standards for new development (including extensions to existing buildings, works to highways etc.) are higher in conservation areas, in order to preserve the special interest of the area
- Satellite dishes mounted on the elevation fronting the highway of a dwelling (including the chimney stack and roof slope) require planning permission
- Permitted development rights in conservation areas are less generous, however the precise implications of these vary and depend on the proposal and its relationship to other buildings
- Conservation areas may attract prioritised resources (time/staff or funding) from the local planning authority and may also receive additional resources from Devon County Council, Historic England and the Heritage Lottery Fund via enhancement schemes and targeted projects

2.2 The replacement of windows and doors is not restricted in conservation areas for domestic households unless the building is listed, there is an Article 4 direction in place or the building already does not have 'permitted development rights' i.e. it is a flat, commercial premises, etc. School buildings already have restricted permitted development rights and therefore the implications for them are less than those for a domestic dwelling.

### 3.0 **CONSERVATION AREA APPRAISALS AND MANAGEMENT PLANS IN MID DEVON**

3.1 Mid Devon has a total of 51 conservation areas including tiny hamlets, the historic cores of villages and towns and the length of the Grand Western Canal.

3.2 Conservation areas are designated by Local Planning Authorities. Once designated there is a duty on the authority to preserve or enhance those areas.

3.3 Local Planning Authorities also have a duty to appraise conservation areas to set out what makes the individual conservation area special. An appraisal looks at the pattern of settlement, the building styles and materials, important open spaces and views, trees, together with other important features such as cobbled paths, walls, signs and memorials. Appraisals can provide guidance to residents, land owners and developers in drawing up proposals for development or resisting inappropriate development.

3.4 Appraisals are carried out when staff resources allow. There are 11 adopted appraisals (Bampton, Blundells, Bradninch, Crediton, Cullompton, Halberton, Sampford Peverell, Tiverton, Upton Hellions, Uffculme, Willand and Yeoford).

The newest conservation area Blundells in Tiverton designated in 2014 had an appraisal drawn up as part of the designation process.

- 3.5 In the case of Crediton the appraisal was a prerequisite of applying English Heritage for the Heritage Economic Regeneration Scheme.
- 3.6 Seven conservation areas have related Conservation Area Management Plans that identify opportunities for addressing issues identified in the appraisal.(Bampton Blundells, Cullompton, Halberton, Sampford Peverell Uffculme and Willand). Earlier appraisals included a short section on preservation and enhancement opportunities that provided some guidance.
- 3.7 A management plan can encourage improvement of individual sites, buildings and monuments to enhance the conservation area. Such improvements may be taken on by owners of land and buildings or by Parish and Town Councils. A management plan can also provide an overarching regeneration framework in the larger settlements underpinning funding bids on both a large and a small scale as exemplified in Cullompton.
- 3.8 In 2005/6 the production of up to date Conservation Area Appraisals and Conservation Area Management Plans became Best Value targets. Many authorities took the opportunity to produce these either in house or by using consultants. Mid Devon completed 6 in house between December 2005 and March 2009 prioritising the towns of Cullompton and Tiverton together with the villages of Bampton, Halberton, Sampford Peverell and Willand. Work on 4 others Morchard Bishop, Silverton, Thorverton, and Uffculme was also carried out partly in connection with staff taking planning qualifications. These studies provided the basis for the current group of 5 appraisals.

#### **4.0 SURVEY AND CONSULTATION**

- 4.1 Survey work for Silverton, Morchard Bishop, Cheriton Fitzpaine, Newton St Cyres and Thorverton was completed in the spring and early summer of 2014 and consisted of both site visits and desk based study. These site visits involved the reviewing of the original conservation areas, collecting photographic evidence and surveying the built environment and associated spaces within and outside of the boundaries. Desk based study included accumulating the history of each village as well as information on Listed and unlisted buildings and structures in and around the conservation areas. Changes to boundaries have been carefully considered, following English Heritage guidance on conservation areas as well as assessing the appropriateness and collective attributes of all buildings and features in and around the conservation area. Following these surveys, draft appraisal and management plans were produced for each of the villages, which were consulted on with the public.
- 4.2 The assessments identified the areas within the five villages being of architectural and historic interest in the Mid Devon countryside. Proposed changes to the boundaries of the conservation areas were shown within the appraisal documents. Public consultations on these five conservation areas

were held between the 2<sup>nd</sup> February and 16<sup>th</sup> March, with a staffed exhibition held in each of the villages within this consultation period, where copies of the documents were available to view. Letters were sent to all householders within and adjacent to the conservation areas (both current and proposed) with the dates of the consultation and where the documents were available to view. Copies of the documents were sent to all the Parish Councils together with details of the consultation.

#### 4.0 CONSULTATION RESPONSES

- 5.1 The majority of changes proposed relate to boundary alteration. Several initially proposed boundary alterations are now proposed to be further amended to reflect consultation responses.
- 5.2 The proposed amended boundary for Cheriton Fitzpaine conservation area excludes a group of fields to the northern boundary that have no visual link to the historic core and no intrinsic historic or archaeological interest. It is proposed to extend the boundary to the south to include the Gradell\* Manor House barn and the Manor House. Other minor amendments ensure the conservation area boundary coincides with property boundaries.
- 5.3 The proposed amended boundary for Morchard Bishop conservation area include the addition of the outlying group at Frost and the inclusion of an area of rear gardens to a group of properties to the northwest edge of the village. Other minor amendments ensure the conservation area boundary coincides with property boundaries.
- 5.4 Newton St Cyres proposed boundary changes initially included an area called the Arboretum but representations resulted in this proposed extension of the area being deleted in the final proposals. Other proposed boundary amendments are the inclusion of the historic group of buildings around East Holme and an extension to the north and west to include Newton House.
- 5.5 The proposed changes consulted on in Silverton drew a large number of responses particularly in respect of land at Prispfen House and fields south of the church and towards Channons. As a result part of the land west of Prispfen House is now proposed to be retained in the conservation area as are some of the fields south of the church. A number of individual modern properties in the core of the conservation area and some along the margins are proposed to be deleted from the conservation area and one property at 1 Butterleigh Road is proposed to be include in the conservation area.
- 5.6 The retained boundary changes proposed for Thorverton in the consultation document are the deletion of some modern buildings south of Bullen Street as well as an area of land forming part of the Millennium Green, together with the addition of The Lodge on School Lane. Two other undeveloped areas within the 1973 conservation area boundary were proposed for deletion. The consultation responses on whether to delete these areas were divided and it

was concluded on balance that retention in the conservation area would be appropriate.

- 5.7 More detailed summaries of the responses received from the consultations were created for Cheriton Fitzpaine (Appendix 1); Morchard Bishop (Appendix 2); Newton St Cyres (Appendix 3); Silverton (Appendix 4) and Thorverton (Appendix 5) attached to this report.
- 5.8 Public opinion on proposed boundary changes was taken into account in drawing up the final proposed revisions of the conservation area boundaries and appraisal and management plan documents.
- 5.9 The Planning Policy Advisory Group considered a report summarising the public consultation responses and approved the resultant drafts of the five conservation area appraisals and management plans.

## **6.0 PROPOSAL**

- 6.1 It is proposed that the conservation area appraisals and management plans including the alterations to the boundaries as shown on Plan 2 in each Appraisal and Management Plan document (Cheriton Fitzpaine (Appendix 6); Morchard Bishop (Appendix 7); Newton St Cyres (Appendix 8); Silverton (Appendix 9) and Thorverton (Appendix 10) are adopted.

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