

# **Woodbury Conservation Area Management Plan**

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## 1.0 Introduction

- 1.1 A Conservation Area Character Appraisal provides the basis for developing management proposals for a conservation area. There is a requirement under Section 71 of the Planning (Listed Building and Conservation Areas) Act 1990 of all local authorities to review their conservation areas and publish proposals for their preservation and enhancement. This has now formalised with a heritage Best Value Performance Indicator (BV 219).<sup>1</sup>
- 1.2 The Management Plan outlines the policies and guidance to be applied to conservation areas both generic and local. Guidance produced in terms of local policy and guidance, in the form of development briefs for example, will be linked to the Local Development Framework in order to carry weight in planning decisions.
- 1.3 Proposals will take the form of mid to long term strategies and include the setting of objectives arising from the Conservation Area Appraisal. All aspects of control within conservation areas will be addressed, from monitoring change to formulating strategies for decision making, buildings at risk, Article 4 directions, trees, biodiversity and the public realm.
- 1.4 The management plan will need to be realistic, bearing in mind the resources likely to be available and will need to be updated on a 5 year cycle, in-line with the review of the Conservation Area Appraisal. The plan will define priorities for the conservation area while recognising limitations of planning controls and resources.

<sup>1</sup> BV 219 *Preserving the special character of conservation areas* issued by ODPM on 28<sup>th</sup> February 2005.

## 2.0 Enhancement Within the Public Realm.

- 2.1 The character and appearance of public spaces, rights of way and commercial centres in conservation areas are paramount in defining a sense of place and local distinctiveness. Where character is eroded through either neglect or unsympathetic alteration solutions should be sought to enhance the public realm of the conservation area. This may involve the reinstatement of traditional shop fronts in historic town and village centres, the replacement of inappropriate pavement surfaces or the enhancement of public spaces.
- 2.2 A degree of creativity is needed with regard to resources, both financially and administratively (please refer to appendix B). Partnerships will need to be formed to initiate projects and to ensure match funding when this is appropriate. While enhancement projects are now often seen as a means of regenerating an area many conservation areas are not considered eligible for such funding. English Heritage 'Partnership Schemes in Conservation Areas' for example need to have exceptional measurable results and comply with regional and local government historic environment strategies.
- 2.3 The Woodbury Conservation Area Appraisal outlines several aspects of the built environment that contribute to the loss of its overriding character and appearance:
- The Conservation Area Appraisal highlights the impact of overhead power and telephone lines in the village. These are visually the most damaging aspect of the conservation area and in some areas the spaces between very attractive buildings are dominated by a dense network of wires. There is little immediate action that could be taken against this but some encouragement for their relocation underground should be communicated to the main utility companies.



*Overhead power lines in the village are overly obtrusive and impact upon the character of the conservation area.*

- The appraisal highlights the negative aspects of the village centre in terms of its definition and cohesion. The Arch provides a wide open thoroughfare through the village centre and is currently a poorly defined space with parking in the centre. The presence of cars parked on both sides of each carriageway disrupts what was once probably a very traditional village square. The 1890 OS map indicates that this was an open space and with some careful consideration of the parking provision and landscaping a joint enhancement scheme with Devon County Council could significantly improve the gateway to Woodbury. This of course would be subject to funding and would need to be prioritised alongside other highway enhancement projects throughout Devon. During the present time budgets are severely restrictive and while the government requires Local Authorities to publish their proposals for enhancement within conservation areas their guidance for the management of conservation areas through English Heritage also recognises the impact that this would have on local resources. This is further amplified in appendix B.
- The most prominent aspect of the built environment in Woodbury that

continues to suffer from neglect is the roadside boundary walls, mostly constructed from either local limestone or more distinctively, cobbles layered in horizontal courses and bound in lime mortar. These are intrinsic to the character and appearance of the conservation area and should not be left unmaintained or lost completely. Most if not all of these are in private ownership and while the repair of prominent sections can certainly be encouraged the lack of financial resources and match funding from heritage bodies is unlikely in the current climate.



*The entrance into Woodbury from the southwest is a poorly defined space and the re-ordering of The Arch would be an enhancement project that would give significant visual benefits to the conservation area.*

### **3.0 Design in Woodbury Conservation Area.**

3.1 Design is expressed through many means and as the evolution of Woodbury has resulted in a rich diversity of traditional design a broad brush approach cannot always be applied. The development control process always considers proposals for development on individual merits and the character and attributes of each site. However, there are aspects of the conservation area's identity that can be highlighted as a steer towards good design.

- 3.2 In terms of urban grain or the layout of buildings within the conservation area there is general pattern of historic development associated with ancient burgage plots. Development is traditionally set hard against the highway or set back behind boundary walls enclosing front gardens. New development should be consistent with the footprint depth of neighbouring properties in addition to following the trend of building height and numbers of floors. Development that follows suburban layouts or does not appear coherent with the urban grain of the conservation area should be strongly resisted.
- 3.3 Where the design of new development takes a vernacular or pastiche steer then the proportions of window apertures and modes of opening should follow that of historic buildings in the conservation area. Timber is by far the most appropriate material for new and replacement windows and these should be constructed as faithfully as possible to the traditional side-hung casements and sliding sash windows found throughout Woodbury. Top or bottom hung modern units should be avoided and where compliance with thermal insulation is required in unlisted buildings care must be taken to achieve the same glazing bar profiles as traditionally constructed windows. The division of the sashes will depend upon the age of the building and the proportions of individual panes is crucial. For instance the late eighteenth century properties tend to have six or eight light sashes while later Victorian and Edwardian sashes were made with single sheets of glass without glazing bars.
- 3.4 With regard to building materials there is a prominence of rendered cob and rubble walls with slate roofs. Where elevations are not rendered they tend to be faced with well-pointed brickwork, usually of a Flemish or stretcher bond. These are more commonly found in the significant number of Victorian and early twentieth century properties. These are a vibrant red/orange handmade brick and where a match for this is required care should be taken to source an acceptable match. Good quality natural roof cladding adds considerably to the character of Woodbury's roofscape. Artificial slates and concrete tiles should be avoided. Boundary walls consist of a mixture rubble limestone and more

distinctively cobble or popple walls. Such diversity adds to the richness of the conservation area and should be continued in the construction of new boundaries. Most types of fencing are suburban in appearance and should be resisted.



*Examples of boundary treatments in Woodbury. New development should use appropriate indigenous materials and good craftsmanship and binding mortars are critical in achieving the desired finish.*

- 3.5 Contemporary design in the historic environment can add vibrancy and variety while respecting the form and character of surrounding traditional architecture. It is often considered that a first class contemporary approach incorporating good quality materials and finishes that will stand the test of time is a more

honest contribution to the growth and evolution of a historic settlement. There are circumstances where a markedly contemporary design approach could be successful in Woodbury although since the character of the village is defined by the vernacular and not overly fashioned a softer rather than an overtly contemporary language would probably be more appropriate. New design should be site specific and use materials that reflect the character of the area and that weather well.

- 3.6 Sustainable design within the conservation area will be actively encouraged. This will form a significant part of future government policy in the historic environment and this is a key agenda of the Council. This may vary from the retention and conversion of existing buildings rather than demolition to promoting the use of locally sourced building materials. High levels of thermal insulation can be applied to traditional forms of design and measures such as grey water recycling and taking greater advantage of solar gain can help reduce the impact of buildings on the environment. Domestic energy generation through solar panels and wind turbines may be acceptable in non-obtrusive locations within the conservation area. English Heritage has published recent guidance on microgeneration in the historic environment which can be viewed via [www.english-heritage.org.uk](http://www.english-heritage.org.uk). Solar panels for example can be mounted on frames in rear gardens and enclosed with hurdles or planting. New development may need to be designed to stringent sustainability codes and care must be taken to reach the required level of insulation while not compromising the aesthetic of the building. Indeed sustainable measures can drive the design concept of a new building or extension with larger areas of glazing providing solar gain and louvers or vents providing passive ventilation.
- 3.9 While it would be expected that replacement windows in listed buildings would be an exact facsimile of the historic unit Part L of the Building Regulations requires replacement windows in unlisted buildings in conservation areas to

demonstrate compliance with the current prescribed level of thermal insulation. This usually requires either primary or secondary double glazing. Further guidance is contained in an East Devon District Council publication: 'Building Control/ Conservation Policy Guide'. The design of such windows will need to follow the pattern and construction of the original window as much as possible and although low maintenance materials may be considered in certain cases the presumption for replacement windows would be painted timber. Advances in building technology have developed slimline double-glazed units (11mm thick as opposed to standard 24mm thick units) which can sometimes be installed within traditionally constructed windows in unlisted buildings.

#### **4.0 Article 4(2) Directions.**

- 4.1 When the local authority has made a clear assessment of the special character of a conservation area through the Conservation Area Appraisal the local authority is able to serve a Direction under Article 4(2) removing certain permitted development rights outside the categories outlined in the Town and Country Planning (General Permitted Development Order) 1995 (GPO). Article 4(2) directions enable the local authority to withdraw permitted development rights for a prescribed range of development affecting the external appearance of dwelling houses such as windows, doors, roof claddings and front elevations.
- 4.2 With regard to the character and appearance of Woodbury the character appraisal does not identify any aspect of the external appearance of properties that causes significant detriment to its character. On the whole unsympathetic window replacement particularly with regard to PVCu units is limited when compared to other conservation areas in the district. Other cladding, rendering and re-roofing works have generally had regard to the local character. There is therefore no overwhelming need to serve an Article 4(2) direction within the

conservation area although the public consultation exercise will gauge whether or not this is worth pursuing. This is a measure which may need to be considered at a later date when the conservation area is reviewed again in five years time.

## 5.0 Buildings at Risk at the Repair of Historic Buildings

- 5.1 Planning Policy Statement 5, policy HE5 recommends that local planning authorities monitor the state of repair of listed buildings and other historic buildings within conservation areas. Poorly maintained or dangerous buildings are often detrimental to the character and appearance of a conservation area. The condition of listed buildings are monitored through the Buildings at Risk survey. The local authority holds a register of buildings considered to be at risk from further deterioration, damage and occasionally collapse. This register is presently out of date and therefore not published on the website or publically available. Grade I and II\* listed buildings are also included on the national register published by English Heritage and such buildings may be eligible for English Heritage grant funding.
- 5.2 The strategy for dealing with buildings at risk within the conservation area is based upon protocol advice given in the English Heritage publication; *'Stopping the Rot'*. This outlines the procedure for serving Urgent Works and Repairs Notices to ensure that a building is made weather tight or repaired appropriately. Should these measures be deemed ineffective the local authority is able to consider serving a Compulsory Purchase Order although this is a last resort. Although this procedure relates mainly to listed buildings the Secretary of State following consultation with English Heritage can serve Urgent Works and Repairs Notices on unlisted buildings in conservation areas that contribute positively to their character. There currently many listed buildings at risk within East Devon and therefore the most urgent cases need to be prioritised as resources to deal with all buildings at risk are very limited.

5.3 Buildings on the national register are monitored annually. Entries on the local register will be subject to investigation although solutions may not always be found. This is most common in cases of listed chest tombs in serious decay when the family cannot be contacted. It is anticipated that current entries on the list are monitored every 5 years and additional buildings that have fallen into disrepair are added to the register as and when these are identified.

5.4 The following buildings are currently entered on either the national or/and local buildings at risk register. This list however is always being updated as buildings are repaired and other fall into disrepair and are added to the list;

- PAIR OF TOMB CHESTS 3 METRES EAST OF CHURCH OF ST SWITHUN
- GULLIFORD MEETING BURIAL GROUND, PERIMETER WALL AND 3 TOMB CHESTS TO JARVIS, LEE AND STOGDON.
- SANDERS TOMB CHEST 12.5 METRES SOUTH OF CHURCH OF ST SWITHUN
- WIPPELL TOMB CHEST 6 METRES SOUTH OF CHURCH OF ST SWITHUN
- THE CHURCH (OR VESTRY) ROOM



*Examples of listed buildings and structures within the conservation area that are considered to be at risk of further decay.*

## 6.0 Management and Protection of Trees and Green Spaces.

6.1 Green spaces whether these are village greens, playing fields, parks or public gardens are intrinsic to the character and appearance of any conservation area. They form the framework and breathing spaces between buildings, local townscape. Many such spaces are offered additional statutory protection through local planning policies but nonetheless pressures for change and development can exist and their importance needs full recognition. Green spaces are identified in the Conservation Area Appraisal together with an appraisal of their significance and contribution to the character of the conservation area. Relevant local plan policies include policy RE1 (Recreation Land) which covers the village green.



6.2 Trees are often very much part of the visual structure of a town or village. In many cases their scale dominates surrounding buildings and spaces. Their retention and appropriate management therefore needs to be kept a high priority. The designation of conservation areas offers such protection to trees and woodland with a requirement for notice to be given to the local authority for felling, topping and lopping. This provides opportunity for the designation of

Tree Preservation Orders (TPO's) on individual specimens or larger groups of trees. It is important that development which proposes to remove trees due to their condition or safety are replaced to help maintain the screening or amenity of the site. Woodbury presently has two areas of Tree Preservation Orders, one covering a substantial part of the Oakhayes estate and a second smaller area to the south of Church View House in Oakhayes Road. The management of trees in these areas will follow regional and national guidance and policies.

## 7.0 Summary

- 7.1 The management of any conservation area requires a multi-faceted approach. The erosion of character is almost always incremental and the removal of small building details or the addition of inappropriate extensions will have a marked effect over a longer period of time. It is therefore important to manage, monitor and enforce seemingly insignificant changes within the conservation area.
- 7.2 While mechanisms are in place for monitoring and managing change the greatest pressure will be upon resources available to provide comprehensive policing and financial means to contribute to the enhancement of the public realm.
- 7.3 The strengths of Woodbury's conservation area are reinforced by a strong architectural identity and important open spaces disperses throughout the dense village centre. The conservation area appraisal and management plan together with future guidance documents must given due weight in planning decisions and the appeal process.

## Appendices.

### A Conservation Area Policy and Guidance

- A.1 Planning Policy for Conservation Areas is contained within The Planning (Listed Buildings and Conservation Areas) Act 1990. Sections 69-74 of the principal Act contains policies on conservation area designation and the levels of control upon various types of development. With regard to management plans, section 71 of the Act places a duty on local planning authorities to formulate and publish proposals for the preservation and enhancement of conservation areas.
- A.2 Planning Policy Guidance Notes 15 and 16 have now been superseded by Planning Policy Statement 5 published in March 2010. This document is supported by a Practice Guidance published at the same time by English Heritage. Policy HE3 is most relevant with regard to conservation areas and requires local planning authorities to consider the qualities and local distinctiveness of heritage assets and how these can be best preserved and enhanced. This will also include a measuring exercise of the threats to conservation areas and a recent national survey of conservation areas at risk is soon to be published.
- A.3 Policy EN11 and EN12 of the East Devon Local Plan 1995-2011 supported by paragraphs 4.79-4.84 outlines local policy in regard to proposals for the demolition of buildings and proposals for development and advertisements in conservation areas. The Devon Structure Plan is due to be replaced by the Regional Spatial Strategy for the South West 2006-2026.
- A.4 The Devon Structure Plan adopted by Devon County Council in 2004 contains similar policies for the designation, management and development control within conservation areas.

- A.5 In addition to generic and local policies for conservation areas more specific guidance will be offered by development briefs prepared for individual sites in East Devon. Development briefs will also be supported by the East Devon Design Guide and Supplementary Planning Documents (SPD's) which will form part of the Local Development Framework (LDF). These documents will take Development Plan policies and guidance and apply them in a specific and transparent manner to development within East Devon.
- A.6 Development briefs for individual sites within conservation areas are invaluable tools in defining design and development constraints and opportunities. In respect to the historic environment they will provide a character appraisal of the site and set out appropriate levels of massing and density, positioning and an appropriate palette of materials and finishes. Where there are opportunities for the enhancement of the conservation area through the restoration of historic assets on the site, or improvements to infrastructure and the public realm, legal Section 106 agreements may be recommended.
- A.7 Conservation Area Appraisals together with Area Action Plans (AAP's) will be used to provide the planning framework for areas within the district where significant change and conservation is required. These may include areas where regeneration, partially through the conservation and restoration of heritage assets is needed. In many cases where there is pressure for change AAP's will set out the policies and proposals for action based upon the outcome of the conservation area appraisal. This may involve the identification of sub-areas where Article 4(2) directions can be applied to control specific controls over development.

## **B Resources.**

- B.1 With regard to regeneration and enhancement funding for projects within conservation areas the key is to consider as widely as possible the range of

outcomes that can be secured for the area, and to consider whether they can be matched with public sources of funding. English Heritage and the Heritage Lottery Fund are the two main sources of direct funding for the repair and conservation of historic buildings and sites. Compared with the HLF, funding from English Heritage is much more restricted in scale and is targeted primarily at the most important elements of the historic environment. There are other smaller but significant sources such as the Architectural Heritage Fund.

- B.3 At a local level partnerships with building trusts, Devon County Council, local amenity societies and voluntary groups can be sources for funding and identifying aspects of conservation areas in need of preservation and in some cases, enhancement.
- B.4 Resources in terms of administration of enhancement projects and seeking funding is presently very limited and it is therefore unlikely that any significant projects would be embarked upon in the foreseeable future.

## **C Decision Making and Procedures.**

- C.1 Procedures to ensure consistent decision making need to be included within policies and guidance for conservation areas. In terms of development management policies for conservation areas will provide a generic framework for controlling erosion of the character and appearance of conservation areas.
- C.2 Monitoring planning appeal decisions by the Planning Inspectorate is a good mechanism in the decision making process. While some decisions are quite site specific there are general trends that emerge from time to time relating to certain types of development within conservation areas (for example replacement windows in flats above shops in conservation areas).

- C.3 Benchmarking the quality of design within the district is a valuable way to maintain good decision making and to improve the quality of the built environment in more general terms. The promotion of good design and the recognition of award winning developments will be a mechanism for helping Members and planning officers to understand more fully the attributes of good design. The Design Review Panel has been set up to scrutinise design within the district on a quarterly basis and conclusions are reported to Members and officers. The Design Review Panel aims to measure the level of success of recent planning decisions and looks at the control of detail particularly through planning conditions. Within conservation areas development proposals must demonstrate that the character and appearance of the area is either preserved or enhanced. It is therefore important to help define through policy, guidance and monitoring how these standards and levels of decision making are measured and maintained.
- C.4 Guidance on design within conservation areas will be produced through the East Devon Design Guide. This will focus on generic design principles for aspects of development such as replacement shop fronts, signage and 'brownfield' residential developments. As the character and appearance of conservation areas varies quite dramatically throughout East Devon, particularly with regard urban design and construction materials more specific principals will be outlined in the Conservation Area Appraisal and later in this document.
- C.5 With regard to conservation area reviews greater emphasis needs to be given to community involvement. The local authority will devise a strategy for public consultation when conservation area appraisals, boundaries and management plans are reviewed. In addition to those directly affected by the changes proposed by the review groups such as parish councils, amenity groups and residents' associations will need to be involved in discussing the main issues. The degree of consultation will vary according to the size, complexity and proposed revisions within each conservation area. However, the following

strategy will be adopted for the basic consultation process:

- Town/Parish councils, resident and amenity groups consulted directly following Committee approval of proposals for consultation.
- Residents and businesses within the conservation area and proposed extensions consulted directly.
- Copies of the Conservation Area Appraisal and Management Plan will be made available on the EDDC website and at local libraries or village halls.
- Press releases outlining the proposed documents and any changes.
- Re-consultation with key groups once any significant amendments or further major proposals have been made.
- Following approval by Committee the Appraisal and Management Plan together with any boundary amendments will be published.

## **D Monitoring Change in Conservation Areas.**

D.1 Conservation area appraisals are not seen as static documents but help monitor change in conservation areas. The ongoing review of conservation area appraisals is subject of a two-part heritage Best Value Performance Indicator (BV219). This requires a review of conservation area appraisals, conservation area boundaries and management plans every 5 years. In many cases there will be few changes within this period but it will provide a primary mechanism for monitoring the incremental changes often apparent within larger conservation areas in particular.

D.2 As part of the Local Development Framework process local authorities are required to prepare an annual monitoring report assessing the progress of implementation of policies including those for conservation areas. This process will also monitor the effectiveness of Supplementary Planning Documents.

D.3 The local authority holds an ever increasing photographic record of all conservation areas including recent and historic aerial photographs . Maintaining and constantly updating this database is a primary resource in monitoring change and can provide evidence for enforcement.

## **E Enforcement Strategies.**

E.1 One of the primary concerns for the local authority with respect to the historic environment is the extent and occurrence of unauthorised works to listed buildings and un-listed buildings in conservation areas. In many cases it is a criminal offence to carry out works of alteration to a listed building or the demolition of either a listed building or an un-listed building within a conservation area.

E.2 Enforcement strategies within conservation areas will be informed to an extent by monitoring change through regular reviews. Unauthorised works become evident on regular basis through site inspections or by complaints made to the local authority. Enforcement cases within conservation areas are managed by the enforcement team with advice and support given by conservation officers.

E.3 It is important that enforcement strategies offer an appropriate level of consistency although each case will be dealt with on an individual basis. For example enforcement action taken against the installation of unauthorised replacement windows cannot be independent of a similar breach at a neighbouring property. It may therefore be appropriate to approach certain enforcement issues en masse rather than taking piecemeal action. This approach would also send out a strong message locally.

E.4 The nature of enforcement action within conservation areas and the time scales imposed for compliance with enforcement notices will be informed by guidance provided in Planning Policy Guidance note 15. As the type of action may vary

from non-compliance with a planning condition to prosecution for irreversible alterations to a listed building the strategy will need to be adapted to individual cases. With regard to time scales for compliance there needs to be a balance made between an appropriate degree of leniency and ensuring that the period of visual detriment is kept to a minimum. In many cases unauthorised works can encourage similar breaches on nearby properties. The cumulative impact of such works can be quite detrimental to the character and appearance of a conservation area and will put additional pressure upon resources needed to take appropriate enforcement action. Where unauthorised works such as unlawful fences or satellite dishes can be easily removed a compliance period of 28 days may be deemed appropriate. However, where the works involve more significant alterations such as replacing unauthorised windows the compliance period given would be a maximum of 5 years in line with Council policy.

- E.5 The key to limiting the extent of unauthorised works in conservation areas is by making information readily available, education and community involvement. Many amenity groups, parish and town councils are instrumental in monitoring change in conservation areas and this is often the most effective means for policing unauthorised works. The consultation process for conservation area appraisals and management plans will also raise awareness of conservation area controls. Additional guidance has also been produced by the local authority with regard to conservation area designation and the implications of the Building Regulations upon historic buildings in conservation areas. It is anticipated that its distribution will raise awareness and help limit the need for enforcement action.