

# **SOUTH POOL CONSERVATION AREA MANAGEMENT DOCUMENT**

## **March 2015**

### **Introduction**

1. As noted in the accompanying South Pool Conservation Area Appraisal ('the Appraisal'), South Pool was one of the earliest parishes in the South Hams District to be designated as a Conservation Area. It is therefore appropriate that it now plays a pioneering role as the first to prepare its own Appraisal and Management Document with the intention that these would eventually be adopted by the Local Planning Authority. In doing so it has drawn on the 2005 10-year Parish Plan and on the South Pool Parish Heritage Appraisal made in 2006/7, as well as on the results of a survey of community views on conservation policy carried out in late 2012. It has also incorporated relevant guidance from material published by South Hams District Council and a range of authorities, especially English Heritage in publications such as 'Knowing Your Place (Heritage and Community-led Planning in the Countryside)' and 'Understanding Place (Conservation Area Designation, Appraisal and Management)'.

### **The Purpose of the Management Document**

2. The Appraisal has identified the special features of the Parish's environment and heritage assets that are of intrinsic importance and that local people believe merit conservation. This Management Document complements that Appraisal. It considers how the Conservation Area's character and qualities may be preserved and enhanced, especially by extending the Area to embrace vistas, buildings and sites of historic interest hitherto excluded but much valued by the community. The Document also aims to present a vision of the way the Conservation Area should be managed in the future, as well as identifying issues requiring particular attention. Where appropriate it proposes possible courses of action.

3. A 1932 CPRE county survey noted that South Pool was "perhaps the most typical of the many Devonshire hamlets situated at the head of a tidal creek....There can be few villages in the South Hams more remote than South Pool or more difficult to approach...." This Document reflects that scale and remoteness. It is thus more limited in scope than Plans for larger, less rural communities but nonetheless important in ensuring that planning policies give appropriate protection to the distinctiveness of the Parish's history, architecture and landscape.

### **The Planning Policy Framework**

4. Conservation Areas are designated heritage assets and as such there is a national presumption in favour of their conservation. The concept was introduced under the Civil Amenities Act of 1967 relating to "areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". Guidance on Conservation Areas subsequently stems from the Planning (Listed Buildings and Conservation Areas) Act 1990 and associated Regulations. There is a duty on local authorities under this Act to draw up and publish proposals for the preservation and enhancement of Conservation Areas in their district, and to pay special attention to the character of the Conservation Area when considering development proposals within it.

5. The way these authorities should discharge their responsibilities is set out in Planning Policy Guidance Notes published by central Government entitled 'Planning and the Historic Environment' (PPG15) issued in 1994 and 'Archaeology and Planning' (PPG16), as well as in the Supplementary Planning Guidance Note: 'New Work in Conservation Areas (2001).

6. In the local area, planning policies are included in the South Hams Local Plan (1996), in the Local Development Framework Core Strategy 2006), both adopted.

7. Conservation area designation does not of course preclude development but does require that it is appropriate to its setting and 'preserves or enhances its historic character'. . Furthermore, Article 4 of the 'General Permitted Development Order' gives local authorities the right to bring under planning control certain works that normally would not require planning permission if they have the potential to harm the character of the conservation area.

8. South Pool Parish includes a Site of Special Scientific Interest (SSSI) and lies within the South Devon Area of Outstanding Natural Beauty (AONB). In planning terms this means that there would be few additional works requiring planning permission as a result of Conservation Area designation, but it would be an additional consideration when determining applications.

## **Risks to the South Pool Conservation Area**

### Development issues

9. Broadly speaking, development applications in South Pool endeavour to be sympathetic to the special environment but there has been a trend in recent years to increase the size of properties disproportionately and incorporate new outbuildings that are inappropriate in size and to their setting. This is especially the case along the Creek where development proposals may seek to enhance a property's views outwards but in doing so impact on the views inwards towards the property as seen from the road or more especially from the water on coming up the Creek. Since the views to and from the Creek are so central to South Pool's landscape and the purpose of the Conservation Area designation (including the proposed extension – see below) the Council will always take views into consideration where there development proposals would affect them.

10. Similarly there has been a trend to increase the size of windows, potentially spoiling the historic character of a building (for example Church House) and causing increased light pollution. The style of windows needs also to be in keeping with the history and location of the property. UPVC will always be an unacceptable replacement for wood frames on windows within the Conservation Area and will normally be resisted where planning consent is required.

11. Light pollution is a concern for many residents and there are dangers of it not only from the trend towards larger windows, as mentioned above, but also from the increasing use of roof lights and from exterior lighting. Planning Applications should demonstrate that any such proposals will not be detrimental to the dark sky policy of the Conservation Area. Noise pollution may also affect the character of an area and may be a consideration to be taken into account in the planning process.

12. It is important that proposals for any new building should be of the highest design standards, taking into account the local architecture, and materials should be of the highest quality. Although it is difficult now to obtain locally quarried stone, it is still sometimes possible to obtain recycled material and there are other local stones which are of a similar character and colour. Stones from out of the area, such as Dartmoor, may often be inappropriate. These requirements should also be applied to any new development which lies within a 50m Conservation Area buffer zone and to prominent sites where views into or out of the Conservation Area and its extension may be affected.

#### Use issues

13. The mixture of built and open spaces that has developed over the centuries in the village has a special charm that needs to be preserved. Occasional efforts have been made to develop the privately-owned fields above the Millbrook Inn to the east but they have so far been unsuccessful. Attempts to 'infill' open spaces within the current Conservation Area will continue to be resisted as they would impact profoundly on the character of the very heart of the village. Similar considerations will apply to the proposed extension.

14. Satellite Dishes, TV aerials and other visible electronic equipment on buildings can erode the character of an area so care needs to be taken in their siting. Planning permission is often needed for their installation - always on Listed Buildings. In the Conservation Area they should be positioned as discreetly as possible. The same applies to wind turbines and solar panels, including those sited outside the CA but visible from it.

#### Highways issues

15. Two main problems have been, and continue to be, of concern to the community. First, excessive speeds by vehicles entering the village on the narrow lane which is the main access road from Frogmore/Kingsbridge. The approach is down a steep hill which encourages fast driving (the national speed limit applies). There are no footpaths so pedestrians are particularly vulnerable and also object to having the main street of their village so dominated by cars. . While the proliferation of parked cars in the village may actually have the effect of slowing down speeding traffic, there is no doubt they are an eyesore. Secondly, use by heavy lorries on narrow lanes to which they are quite unsuited is a danger to both people and property (houses, roadside walls and hedgerows).

16. The community's concerns over speeding and heavy lorries featured in the 2005 Parish Plan. A meeting was held in 2012 with representatives of the Devon County Council Highways Department who highlighted the difficulty of reducing lorry traffic, as this has a legal right to be on the public highway and in some cases may need to enter the village to serve the local farming community or other businesses. |The only feasible solution suggested was to place extra signage at Frogmore Bridge. However, this has yet to materialise. .

17. There is a good case to revisit both issues. It may be worth considering the CPRE 'Quiet Lanes' concept which enables local authorities' under the Transport Act 2000 to designate roads for which they are responsible as Quiet Lanes in which cars are encouraged to slow down and give more consideration to other users. More use might also be made of discreet signage on the roads leading into the village giving specific advice to drivers to avoid South Pool unless entry is essential. On speeding, whilst there is a general wish to avoid

road signs and other roadside ‘clutter’ that would be unsympathetic to the unspoilt historic environment, it may be possible to find a solution using traffic calming measures/ horizontal alignments such as cobbles and stone setts. These matters should now be addressed as a matter of urgency.

#### Areas with Scope for Improvement

18. Work is needed to restore damaged river banks and retaining walls south-west of the bridge and along the estuary shoreline. Despite engagement with local authorities, no progress has been made on this for several years, largely owing to the number of different entities that have potentially conflicting interests in the Creek and its banks (DCC, Harbour Authority and the Duchy of Cornwall amongst others). Meanwhile the banks continue to collapse. Substantial funding is also needed for which, unsurprisingly, there is no ready source.

19. Walls/Surfaces. The Appraisal identified a considerable number of historic walls, some of which may be in danger of collapse; owners should be made aware of the potential danger. It also identifies two areas which have historic cobbled surfaces. These walls and cobbled surfaces are important features in the Conservation Area..

20. Pontoon/Slipway. Many boat owners, both resident and transient, visit the Conservation Area. The pontoon has recently been extended and upgraded, but it continues to be crowded, especially during holiday periods. Similarly the adjacent slipway is a facility which is heavily used during holiday periods and members of the community have called for it to be upgraded and extended. The Harbour Authority has been approached. Since it is within the proposed extension to the Conservation Area the historic cobbled surface should be retained. Similarly, the original old landing stage is still to be found under the ramp of the pontoon. If any work is to be done to that area care needs to be taken to ensure that it is preserved as far as is practicable and does not further disintegrate.

21. The 2005 Parish Plan identified a possible need for small amount of affordable housing to enable senior citizens and young families to remain in the village should they wish. Further investigation is needed to determine the current need but availability of sites, funding and sustainability in a village with no development boundary, few amenities and no public transport are issues.

22. Please see also the list of structures requiring improvement included in the Appraisal.

#### Extensions to the Conservation Area Boundary

23. In a survey conducted in 2012 the Parish community strongly supported the case for the proposed extension of the current Conservation Area. The extension was adopted together with this Management Document and the Character Appraisal on 18<sup>th</sup> March 2015. Full details and the justification for the extension are included in the Appraisal.

#### New Development in the Conservation Area

24. Enforcement. If Conservation Area designation is to mean anything relevant planning policies must not only be applied but be seen to be applied. It is important that breaches involving works that harm the character of the Conservation Area are enforced in a timely way to secure their reversal or suitable modification.

26. Trees and Landscape. The Local authority must be notified if it is proposed to carry out works to a tree, or fell a tree, within the Conservation Area. The Authority will consider the need to serve Tree Preservation Orders where trees contribute to the character of the Area.

#### Article 4 Direction

27. As noted above, under the 1990 Act local authorities may introduce an Article 4 direction involving the removal of 'permitted development rights' where developments threaten to harm features in a Conservation Area that contribute significantly to its character. Such developments could be the alteration or replacement of doors and windows, changing roof material or erection or alteration of gates, fences and railings.

28. The power to introduce Article 4 (2) directions needs to be used sparingly and on a case-by case basis where there is a specific threat. The Appraisal has not identified any instances where such action is currently recommended.

#### Community Involvement in Preparation of the Appraisal & Management Document

29. The extent of community involvement is stated in the final paragraph of the Appraisal document. The final consultation attracted just 3 comments; the first offering full support for the proposals, the second questioning the inclusion of part of Prowse's Field, south of the creek and the third suggesting that all of this field should be included. Having inspected the site and considered the boundary in this area, which follows the public footpath, it has been concluded that the boundary is in the correct position. The conservation boundary has been drawn relatively loosely, including significant areas of green space in the east of the area. The footpath itself is a historic route related to the activities that took place around the creek.