

**Planning policy**



# East Devon Local List Guide

Consultation Draft



December 2018

East Devon – an outstanding place

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## Consultation Details

We are seeking views on this draft East Devon Local List Guide which:

- Proposes criteria for identifying locally important heritage assets and
- Sets out a procedure for including them on a local list.

Anyone can comment on what we are planning to do and your comments will be considered before our approach is finalised. To help with this, some questions you may wish to consider in your response are detailed below.

Please quote the question number in your response where this applies.

## Consultation Questions

1. Are there any features missing from the description of East Devon historic distinctiveness, and how could this be improved?
2. Are any factors missing from the criteria for inclusion on the list, and if so what would you add?
3. Is the proposed selection fair and reasonable and how could it be improved?
4. Should any other amenity groups be added to the list shown in Appendix 2?
5. Overall is the proposed document clear and easy to understand or how could it be improved?

## How to submit your comments

Comments can be submitted

*By email to:* [planningpolicy@eastdevon.gov.uk](mailto:planningpolicy@eastdevon.gov.uk), or

*By post to:* Planning Policy Section,  
East Devon District Council,  
Knowle, Sidmouth  
EX10 8HL

The period for you to submit comments runs from: *(date)*

All comments must be received by 5pm on *(date)* or they may not be considered.

## **What happens next?**

Following the consultation we will consider all responses received. We will then amend the document accordingly and submit it to the East Devon Strategic Planning Committee recommending adoption.

*Please note that we usually upload comments to the website including the name of the person commenting, although personal details (signature, address, e:mail and telephone number) are redacted.*

*Where comments are received from an organisation or business, contact details will not usually be redacted.*

*In some cases, for instance where comments are deemed to be offensive or confidential, comments may not be made public or an officer summary may be uploaded instead.*

## **Data protection**

*Any personal information which you provide will be held and used by East Devon District Council for the purpose of the draft Local List Guide consultation and may inform other planning policy work.*

*Your information may also be shared within East Devon District Council for the purpose of carrying out our lawful functions. Otherwise your personal information will not be disclosed to anybody outside East Devon District Council without your permission, unless there is a lawful reason to do so, for example disclosure is necessary for crime prevention or detection purposes.*

*Your information will be held securely and will not be retained for any longer than is necessary. There are a number of rights available to you in relation to our use of your personal information, depending on the reason for processing. Further detail about our use of your personal information can be found in the relevant Privacy Notice which can be accessed at: <http://eastdevon.gov.uk/privacy>*

## 1 Introduction

- 1.1 This document has been produced to help local communities and individuals to identify and assess features of character with a local heritage value which may go on a local list for their area. A local list can have a positive effect on the planning process and be beneficial for local communities.
- 1.2 Heritage assets, including those of local, national and international value, are an irreplaceable resource that contribute to the quality of life for residents and it is important that they can be enjoyed by future generations. The positive conservation of our heritage assets, a process of managing change, delivers recognised wider social, economic and environmental benefits.
- 1.3 A substantial majority of buildings and other features in our District have little or no heritage significance and so do not constitute heritage assets. However those that do, have enough heritage interest for their significance to be a material consideration in the planning process.
- 1.4 A heritage asset is described as:  
  
*“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”<sup>1</sup>*
- 1.5 In 2019, East Devon District has more than 3200 designated heritage assets which includes Conservation Areas, Listed Buildings, Scheduled Monuments, Registered Parks and Gardens, and an internationally inscribed World Heritage Site. Listed buildings alone comprise nearly 4600 buildings and structures which have a degree of significance due to their special architectural or historic interest at a national level.
- 1.6 However the majority of heritage assets in East Devon, whether buildings, archaeological sites or areas of historic landscape character, do not have this statutory designation. Their conservation relies on the planning system and positive management by land and property owners.
- 1.7 This guide focusses on the local heritage assets that contribute to the special character of East Devon but do not meet the strict criteria for national listing. East Devon District Council recognises the valuable contribution that these assets make to their locality and is reviewing how they are identified and publicised.
- 1.8 Currently, features of local importance are noted on our Conservation Area appraisals, but this does not include features outside these designated areas. We want to guide local communities on how to identify heritage assets, including those outside Conservation Areas that are important to them locally, and those assets meeting certain criteria will be placed on a ‘local list’.

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<sup>1</sup> DGLC (2018) National Planning Policy Framework, Annex 2: Glossary

1.9 There are many features in our towns, villages and countryside of local heritage value that help define places and establish their character, and local lists can:

- Strengthen a feeling of local character and distinctiveness
- Build a sense of place and encourage cohesion for local communities
- Promote understanding of our historic environment and heritage assets
- Inspire local communities to celebrate the heritage assets of value to them
- Bring recognised benefits to health and wellbeing through involvement
- Help to conserve and enhance our local heritage assets

1.10 Local listing also has a positive impact on the planning process as it can:

- Make it easier to identify the items which merit consideration in the preparation and determination of development proposals
- Save time on such proposals as information relating to the significance of an asset will be gathered prior to local listing
- Ensure the significance of any locally valued heritage asset is considered in planning decisions, and
- Be helpful to those preparing plans, particularly neighbourhood plans, and in strategic planning.

1.11 This document sets out a consistent approach towards identifying heritage assets for a local list through selection criteria, and guidance on the assessment procedure through the Council. We have set out a range of criteria against which applications for items on the local list will be considered. These reflect the national guidance provided by Historic England.<sup>2</sup>

1.12 Local lists only deal with things that are locally important. The purpose of the list is to identify high quality, locally significant, built or landscape features which are not subject to any other heritage designation such as statutory listing.

As this is a local list, we are looking for the features of East Devon that help make up its distinctive identity, the particular character that makes it different from elsewhere. It is often the things that are not significant on a national scale that make the biggest contribution to the 'distinctiveness' of a local area and that is what we hope to capture by supporting local listing.

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<sup>2</sup> Historic England (2016) Local Heritage Listing; Historic England Advice Note 7



## 2 National planning policy framework

- 2.1 National policy emphasises the importance of heritage assets for their contribution to quality of life, and as an irreplaceable resource which should be conserved in a manner appropriate to their significance.

Local planning authorities are required to set out in their plans, “a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats”<sup>3</sup> and to make information on the historic environment, gathered as a part of policy-making or development management, publically accessible.

- 2.2 Non-designated heritage assets may be identified by a local planning authority as having a local heritage value that should be taken into account when considering any planning application that affects either the asset or its setting.

National policy further advises that heritage assets should be conserved in a manner appropriate to their significance. In weighing an application that may affect a non-designated asset, a balanced judgement is required regarding the scale of any harm or loss and the significance of the asset.

- 2.3 Local Authorities are encouraged to publish the criteria they will use to identify locally important heritage assets and to make information on the criteria and location of existing assets accessible to the public.
- 2.4 Whilst it is important to capture enough information to understand the significance of assets for the local list, the government and Historic England also emphasise that such activities need to be no more than necessary, and proportionate to the significance of the assets affected.

## 3 Local Plan policy

- 3.1 The adopted East Devon Local Plan has strategies and policies relating to non-designated heritage assets (provided here in Appendix 1), which comply with the national policy set out above.
- 3.2 East Devon District Council has a draft Heritage Strategy for 2019 – 2031, due to be adopted in the near future, which sets out a positive strategy for the historic environment of East Devon. It recommends the production of a local list guide, and following this, for a local list to be established.
- 3.3 The strategy also recommends working more with local communities, starting with pilot schemes which may include local listing within specific geographic area/s.

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<sup>3</sup> DGLC (2018) National Planning Policy Framework: 16. Conserving and enhancing the historic environment



## 4 Overarching statement

- 4.1 Historic England advises on the preparation of an overarching statement which sets out local historic significance,<sup>4</sup> similar to the process of identifying local characteristics for Conservation Areas. Themes suggested for the creation of a new list are cultural landscapes, social history, patterns of settlement and local figures.
- 4.2 East Devon covers a large area. The following description sets out the main elements that contribute to the special character of the district, recognising its inherent diversities. This helps to develop the local list criteria that are included and may be useful information for communities in developing their local statements.

### **East Devon historic distinctiveness**

- 4.3 East Devon is a predominantly rural area with attractive market towns, a world heritage coastline and picturesque villages. Much of the landscape of East Devon is of outstanding scenic beauty and this is reflected by the designation of two Areas of Outstanding Natural Beauty (AONB) which cover around two thirds of the District. The diversity of the landscape and its underlying geology has helped to create a distinctive local environment.
- 4.4 The District stretches from the city of Exeter and the Exe Estuary in the West, to the Dorset and Somerset borders in the East. There is a perceptible change in character across the district from the main centre of population in Exmouth and the neighbouring city of Exeter towards the remoter settlements of the Blackdown Hills to the north and east. Further details of the elements that contribute to the special character of the Blackdown Hills and East Devon AONBs are available through the organisation websites.<sup>5</sup>
- 4.5 One of the main historic construction materials for many years in East Devon was cob, which is earth compacted with natural material such as straw or animal dung. This concentration of earth buildings is significant on a national scale given the scarcity of this construction method in other parts of the United Kingdom. The main traditional roofing material is Devon reed, although many thatched roofs were replaced with tiles when transport improvements allowed.
- 4.6 The geology of East Devon is complex and the southern coastline is internationally recognised for its geology as part of the 'Jurassic Coast' World Heritage Site. Local stone has provided material for local buildings, including Triassic sandstone, Blue Lias limestone, chert, flint and limestone. Beer Stone is a particularly fine limestone quarried near the East Devon village of Beer, which has been used locally, but also in many English parish churches and cathedrals.

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<sup>4</sup> Historic England (2016) Local Heritage Listing p.10

<sup>55</sup> East Devon AONB <http://www.eastdevonaonb.org.uk/>  
Blackdown Hills AONB <https://blackdownhillsaonb.org.uk/>

- 4.7 Local materials have often been used in combination to create a distinctive style with cheaper materials supplemented with more expensive stone. For example, in the Blackdown Hills AONB, chert is often laid randomly with more expensive Beer stone being used for defined features such as door jambs. Throughout East Devon cob is often supported on low chert or flint walls to improve weather resistance with the use of dressed stone reserved for quoins, window and door details.
- 4.8 Pebble bed stones or 'Budleigh Buns' are large distinctive 'pebbles' that are used throughout the western fringes of the District. Whilst slate is a prominent roofing material in the west following development of the railway, there is a tendency for more clay tiles, usually from Bridgewater, towards the east, which were possibly brought in by canal. Many of the older brick buildings are constructed from local brickworks including those which were based at Exmouth and Ottery St Mary. All of the 'Mark Rolle' buildings, for example, were constructed from bricks from the Rolle Estate brickworks.
- 4.9 East Devon is bounded to the south by Lyme Bay and to the west by the Exe Estuary and the coastal area is an attractive tourist and retirement destination. The main 'seaside' destinations are Exmouth, Budleigh Salterton, Sidmouth, Beer and Seaton, while Lyme Regis lies just over the county border in Dorset.
- 4.10 The towns of Exmouth, Budleigh Salterton and Sidmouth first developed as 'watering holes' for the wealthy during the Napoleonic wars, when the convention of continental travel for the aristocracy was interrupted. There are fine examples of Georgian architecture in East Devon towns and particularly in Exmouth and Sidmouth, the latter renowned as a 'Regency' town.
- 4.11 Exmouth is essentially Victorian in character as the most rapid growth happened after 1860. The opening of the railways increased the attraction of visitors and Exmouth in particular, with its sandy beach and scenic location on a promontory between the open sea and Exe Estuary, the town became a popular tourist destination.
- 4.12 The Cottage Orne (rustic buildings of picturesque design) was a popular movement in the late 18<sup>th</sup> and early 19<sup>th</sup> century with fine examples in Budleigh Salterton and Sidmouth. There was also high quality development in Budleigh Salterton and Beer during the early 20<sup>th</sup> Century including good examples of the Arts and Crafts style, extending along the lower Otter Valley.
- 4.13 The towns of Honiton, Axminster and Ottery St Mary were centres of the textile industry from medieval times. Axminster is synonymous with carpet production and Honiton was the focus for the historic East Devon cottage industry of lace making.
- 4.14 In an East Devon context farmstead groupings are an important local feature, particularly those of medieval origins or planned as part of land estates. Several of the most beautiful East Devon Villages have their origins as planned estate villages, including Broadclyst, Gittisham and Broadhembury.

## 5 Criteria for inclusion on the local list

- 5.1 It is important when identifying or nominating assets to be included on a local list that they are judged against firm selection criteria so that the process is consistent and the significance of each feature is properly considered.
- 5.2 The sounder the basis for an addition to the heritage list, using selection criteria, the greater the weight that can be given to preserving the significance of the asset. The degree of consultation on the list and the on the inclusion of assets also increases that weight.
- 5.3 Historic England has set out commonly applied selection criteria, which we have adapted to take account of the overarching statement of historic distinctiveness for East Devon. We intend to use the criteria both as a guide for people wishing to put forward assets for consideration and to assess applications for inclusion on the East Devon local list.
- 5.4 It is essential that the local list is not de-valued by the inclusion of heritage assets that do not meet the criteria, however only one of the criteria listed needs to be met to make the building or structure eligible for inclusion on the local list.
- 5.5 Assessing the 'significance' of a heritage asset and the contribution of its setting is important in decision making in order to understand the potential impact and acceptability of development proposals.
- 5.6 The criteria for local listing are set out below. A feature of local interest is one that retains its historic form and external detail, and makes a positive contribution to the architectural and historic character of the locality for one or more of the following reasons:
  - **Age:** The more recent an asset is, the more unaltered it will need to be, for inclusion on the list. Buildings dated after 1939 will only be considered if they are outstanding (for example they have been documented in recognised publications or received a planning or architectural award) or they represent an important architectural style.
  - **Rarity:** Generally, the less common an asset is in an East Devon context, the more likely it is to be considered for inclusion on the local list. The main exception is likely to be cob buildings. This was a common historic building method in East Devon, but was far less common in the rest of the United Kingdom. Examples of cob building are therefore likely to be important components of the East Devon list, even though they are not particularly rare in an East Devon context.
  - **Aesthetic interest:** Good examples of identifiable building traditions, techniques, materials or characteristics that are part of local styles. This could include the work of recognised local architects, builders and engineers and is likely to include some of the best examples of the work of David Carr in Beer, RW Sampson in Sidmouth, Mark Rolle in Exmouth and Hatchard Smith in the Otter Vale.

- **Group Value:** Groupings of assets with a clear visual, design or historic relationship. In an East Devon context farmstead groupings are an important local feature, particularly those of medieval origins or planned as part of land estates.
- **Archival Interest:** The significance of a local heritage asset of any kind may be enhanced by a significant contemporary or historic written record.
- **Historical Association:** The significance of a local heritage asset of any kind may be enhanced by a significant historical association of local or national note, including links to important local figures. Blue Plaque and other similar schemes may be relevant.
- **Archaeological interest:** This may justify registration of a locally significant asset, if the evidence base is sufficiently compelling and a distinct area can be identified. The local heritage asset may provide evidence about past human activity in the locality which may be archaeological (in the form of buried remains), but may also be revealed in the structure of buildings or in a manmade landscape.
- **Designed landscapes interest:** Locally important designed landscapes, parks and gardens, which may relate to their design or social history. There are some particularly fine examples of large estates with designed landscapes in East Devon that are not nationally registered, but are included on the Devon Gazetteer of Parks and Gardens of Local Historic Interest.<sup>6</sup>
- **Landmark status:** An asset with strong group or historical associations, or with an especially striking aesthetic value that contributes to the image of the local area.
- **Social and Communal Value:** Features with special local or national historical associations. This may relate to places that aid a perception of local identity or social interaction and could include intangible aspects of heritage that contribute to the “collective memory” of a place. Examples may be features that are important in events like the Ottery St Mary tar barrel races or the Honiton hot pennies.

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<sup>6</sup> Devon Gazetteer of Parks and Gardens of Local Historic Interest:  
<https://www.devongardenstrust.org.uk/?q=devon-gazetteer>

## 6 Identifying potential assets

6.1 Historic England's Advice note 7 sets out a range of sources to identify assets, including:

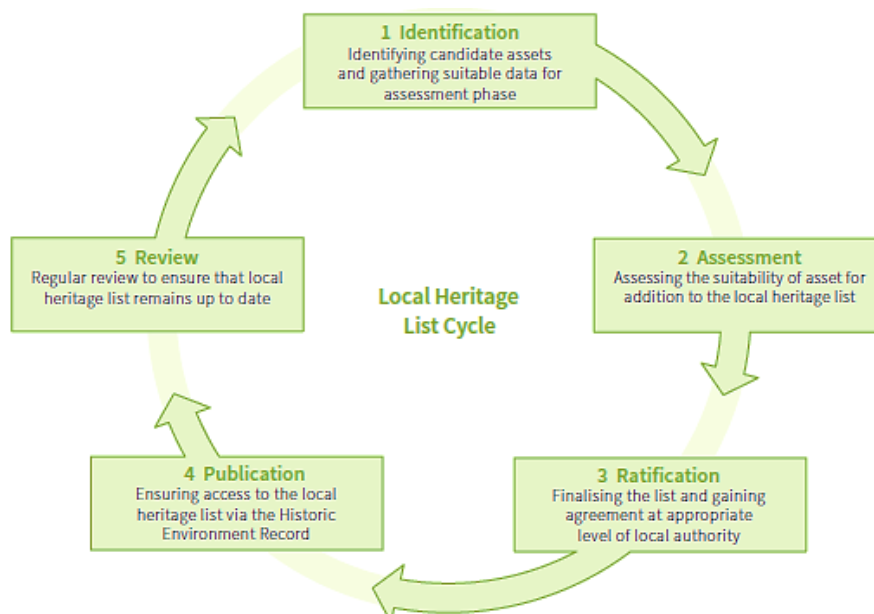
- Inviting public nominations
- Local research publications
- Existing lists, such as the old 'Grade III' buildings
- Historic Environment Records
- Government and non-government organisation databases

Searches can be structured around categories such as historic theme, asset type or geographic area. It would be useful to check the Historic England national list to see if any considered items are designated heritage assets.

The experience of local experts, voluntary organisations and other specialist advice may be helpful in collating and verifying information and assessing whether assets meet the criteria set out in this document.

## 7 Local heritage list cycle

Advice note 7<sup>7</sup> illustrates a suitable approach towards the inclusion of items on the local list:



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<sup>7</sup> Historic England (2016) Local Heritage Listing; Historic England Advice Note 7

## 8 Assessment

- 8.1 Nominations to include assets on the local list may be made by town and parish councils, ward members, neighbourhood planning groups and properly constituted local amenity groups.
- 8.2 Comprehensive surveys by the above groups will be particularly welcomed, especially if local people have been encouraged to take part in the process. An overarching statement setting out local historic significance will help to set the context for suggested items for the list.
- 8.3 Priorities for processing nominated items will be considered alongside the Heritage Strategy delivery plan, for example in the delivery of pilot schemes within an area.
- 8.4 Where a large number of items have been submitted for an area, assessment may take place in stages, based on, for example, geographical area or type of feature to make this more manageable for Council staff.
- 8.5 An item may only be considered for inclusion where it has not been previously assessed and deemed not suitable within the previous three years from that decision date.
- 8.6 The assessment procedure will be as follows:
  1. Nominations for assets for inclusion on the local list must be made using a standard form for each proposed asset which will be available on the Council's website. It will be necessary to provide a site location plan, photograph and a brief statement on how the nomination meets the selection criteria.
  2. To qualify for inclusion on the list, one or more of the criteria set out in this guide must be met. The nominating group will be responsible for gathering evidence to support the nomination, including any further investigation into the history of a proposed asset. This may occasionally involve consultation with specialists or a public body of that particular asset type.
  3. A selection panel may be formed by the nominating group to independently assess assets, with membership drawn from a cross-section of the community and professionals, to draw up a shortlist of nominated assets.
  4. The nominating group should consult with the owner (and occupier where relevant) of each asset, where known, and at this stage the local community may also be consulted on a nominated asset or shortlist of nominations for useful comment.
  5. The nominating group should then consider any views and provide the Council with the nomination form and any written comments from the owner (and occupier where relevant) of each proposed asset for consideration.
  6. The Council will consider the nomination/s and make a decision on whether the item/s will be included on the local list. The reasons for either inclusion or exclusion from the list will be recorded and made available if requested.

7. Any request for an nominated asset not to be included on the list by the owner/occupier or other interested party will need to be based on evidence that it fails to meet the requirements of the selection criteria. The Council will only be able to consider comments relating to the criteria and cannot consider personal circumstances or development proposals. If one or more criteria are met there will be no valid reason for omitting the feature unless the background information is incorrect.
8. The final ratification of assets for the local list will be made by the Service Lead for Planning at East Devon District Council.
9. We will write to the nominating group to confirm whether item/s meet the criteria for inclusion on the list or not, with a copy to any owner or occupier who has commented on the nomination.
10. Once the initial backlog of assessments has been processed the Council will aim to process nominations for the list within a maximum of three months from receipt of a nomination. This may vary according to the delivery plan of the Heritage Strategy.
11. Following a decision to include a feature on the local list, our web site and geographic information system will be updated and details will be made available to the Devon Historic Environment Record.
12. The list will be reviewed periodically and this may result in removal of assets where they no longer meet the selection criteria, have been demolished or have undergone changes that undermine their significance.

## 9 The effect of inclusion on the local list

- 9.1 When a planning application is considered, the implications for the locally listed asset and its setting will be taken into account when a decision is made. However inclusion on the list will not automatically mean refusal of any application that involves its alteration or loss.
- 9.2 It is necessary for an applicant for either planning permission or listed building consent to submit an 'Assessment of Significance' with their application which will need to include:
  - A statement of significance of the heritage asset
  - Details of the proposal, and
  - Analysis of the impact of the proposal on the significance (including a statement of need & statement of impact).

Further guidance is available in the document Historic England, Historic Environment Good Practice Advice in Planning: 2.<sup>8</sup>

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<sup>8</sup> Historic England (2015) Managing Significance in Decision – Taking in the Historic Environment <https://content.historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2.pdf/>



- 9.2 Heritage assets included on the local list are not subject to any additional planning controls over alteration or demolition.
- 9.3 Any locally listed asset and its setting should be considered when development is being proposed as part of a development plan document or a neighbourhood plan.
- 9.4 A locally listed building would also become a building where special considerations apply in relation to Approved Documents L1B and L2B of the Building Regulations.

This effectively means that its heritage significance can be taken into account when considering the requirement under the building regulations for the conservation of fuel and power in existing homes and other buildings.

## Appendix 1: Adopted East Devon Local Plan policies

### **EN7 – Proposals affecting sites which may potentially be of archaeological importance**

When considering development proposals which affect sites that are considered to potentially have remains of archaeological importance, the District Council will not grant planning permission until an appropriate desk based assessment and, where necessary, a field assessment has been undertaken.

### **EN8 - Significance of Heritage Assets and their Setting**

When considering development proposals the significance of any heritage assets and their settings, should first be established by the applicant through a proportionate but systematic assessment following East Devon District Council guidance notes for 'Assessment of Significance' (and the English Heritage guidance "The Setting Of Heritage Assets"), or any replacement guidance, sufficient to understand the potential impact of the proposal on the significance of the asset. This policy applies to both designated and non-designated heritage assets, including any identified on the East Devon local list.

### **EN10 - Conservation Areas:**

Proposals for development, including alterations, extensions and changes of use, or the display of advertisements within a Conservation Area, or outside the area, but which would affect its setting or views in or out of the area, will only be permitted where it would preserve or enhance the appearance and character of the area. Favourable consideration will be given to proposals for new development within conservation areas that enhance or better reveal the significance of the asset, subject to compliance with other development plan policies and material considerations. Loss of a building or other structure that makes a positive contribution to the significance of a Conservation Area will be considered against the criteria set out in Policy EN9.

## **Appendix 2 List of local amenity organisations**

These are the local history and heritage societies, groups and associations to be notified of the draft report following a nomination for local listing:

Axminster Historical Society

Axe Vale and District Conservation Society

Branscombe Project

Broadclyst Local History Society

Chardstock Historical Record Group

Colyton Parish History Society

Exmouth Historical and Archaeological Society

Feniton History Group

Hawkchurch History Society

Honiton History Society

Lympstone History Society

Membury History Society

Newton Poppleford Local History Group

Otter Vale Association

Ottery St. Mary Heritage Society

Sidmouth Local History Group

Sid Vale Association

Whimble History Society

Woodbury Local History Society

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