

## EXMOOR NATIONAL PARK AUTHORITY

4 April 2023

### DESIGNATION OF SIMONSBATH AND WINSFORD AS CONSERVATION AREAS

#### Report of the Head of Conservation and Access

**Purpose of the report:** To outline the public consultation response in relation to the proposed creation of the new Conservation Areas listed below and to secure formal adoption of the below listed settlements as Conservation Areas and their associated appraisal documents.

#### **RECOMMENDATIONS:**

- (1) The Committee is asked to APPROVE the proposal to create Winsford Conservation Area and its associated Conservation Area appraisal documents so that they may be brought into formal effect and use by the Authority.
- (2) The Committee is asked to APPROVE the proposal to create Simonsbath Conservation Area and its associated Conservation Area appraisal documents so that they may be brought into formal effect and use by the Authority.

**Authority Priorities:** Maintaining our core services – Working with land managers, working with the community and business, working with and for users of the National Park. Supporting delivery of the Exmoor National Park Partnership Plan. This paper supports the conservation and enhancement of cultural heritage which is a key purpose of the National Park.

**Legal and Equality Implications:** The National Park Authority is the sole Planning Authority for the National Park area and has powers to act under the Town and Country Planning Act 1990 and related legislation, including the Town and Country Planning (Listed Buildings and Conservation Areas) Act (1990).

**The equality impact of the recommendation of this report has been assessed as follows:** There are no equality issues in relation to this report.

**Consideration has been given to the provisions of the Human Rights Act 1998 and an assessment of the implications of the recommendation of this report is as follows:** There are no human rights issues in relation to this report.

**Financial and Risk Implications:** This is a statutory process and therefore can be open to legal challenge and scrutiny.

**Climate Change Response:** It has been assessed that this report does not have an adverse impact on our ability to respond to climate change.

## **1. Introduction**

- 1.1 The purpose of this report is to outline the public consultation response in relation to the proposed creation of the new Conservation Areas in Winsford and Simonsbath and to secure formal adoption of Winsford and Simonsbath as Conservation Areas and their associated appraisal documents.
- 1.2 The draft Conservation Area appraisal documents appear on the Authority's website.

[Exmoor - Conservation Areas \(planning\) \(exmoor-nationalpark.gov.uk\)](http://exmoor-nationalpark.gov.uk)

Paper copies of the appraisal documents are available to Members on request.

## **2. Background**

- 2.1 Conservation Areas are designated as a duty under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. They are defined as 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance' (69.1.a). The legislation was first introduced in the Civil Amenities Act 1967. There are approximately 10,000 Conservation Areas across England.
- 2.2 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that: Every local planning authority shall from time to time determine which parts of their area meet the above definition and are designated as Conservation Areas.
- 2.3 Various factors contribute to the special character of a Conservation Area. These include: the quality of buildings; the historic layout of roads, paths and boundaries; boundary treatments and patterns of enclosure; characteristic building and paving materials; uses and associations; the quality of the public realm; and the contribution made by trees and green spaces. A strong 'sense of place' is often associated with Conservation Areas.
- 2.4 The designation of a Conservation Area has various consequences in terms of planning and development control. Under Section 72 of the 1990 Act it is a requirement that in determination of planning applications 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area' (72.2).
- 2.5 Exercise of the LPA's duty under Section 72 requires that value judgments be made as to the nature of the 'special architectural or historic interest' and the 'character and appearance' of each Conservation Area when considering development proposals. Best practice has always dictated that this is best achieved through production and adoption of a Conservation Area appraisal; an analytical document through which a map and text-based assessment is made. The advantages of an Appraisal to the Local Planning Authority are that they:
  - Provide authoritative and consistent guidance to property owners and developers in formulating development proposals. This should save considerable time within the planning process and thus improve efficiency.
  - Are an important tool for Local Authority staff in decision making. This helps the speed of turnaround for planning applications.
  - Provide a standpoint more strongly defensible at appeal than where individual judgements have been made.

- Provide a basis for the formulation of management and enhancement schemes, which are also a duty under the 1990 Act.
- Can feed into the preparation of other planning documents.
- Improve the all-round efficiency of the planning process while providing significant scope for improved outcomes in terms of design quality and amenity.

2.6 The review of Conservation Areas is a duty under Section 69 (2) of the 1990 Act and the formulation of appraisals on a rolling five-year basis is recommended in current guidance from Historic England.

2.7 Paragraph 191 of the National Planning Policy Framework states that 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. The Current Position**

3.1 Exmoor National Park has a significant issue with under designation and formal recognition of its heritage assets. There are numerous settlements, buildings and sites which are worthy of national designation across the National Park.

3.2 Exmoor National Park has not undertaken a broader review of its settlements to identify areas which meet the criteria for Conservation Area designation since the 1990s.

3.3 Exmoor National Park currently has 16 Conservation Areas designated in the 1970s, 1980s and 1990s. These are:

1973 - Dunster, Lynmouth, Porlock Weir

1984 - Allerford, Bossington, Porlock, Selworthy

1986 - Lynton

1993 - Four Exmoor Farmsteads

1994 - Dulverton, Luccombe, Wootton Courtenay

1997 - Parracombe

3.4 The review of Exmoor National Park's settlements to meet the requirements of s69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 was commenced in 2018/19 by the Historic Buildings Officer. Winsford and Simonsbath have been identified as meeting the requirements of Conservation Area designation.

### **4. Proposal**

4.1. It is proposed to create two new Conservation Areas: Winsford and Simonsbath.

#### **4.2. Winsford**

##### **4.2.1. Summary of significance**

The character of Winsford derives from the informal layout of cottage groups along several approach roads or around such features as the village green and the River Winn with its ancient stone bridges.

Winsford contains many buildings that epitomise the local vernacular style together with the Parish Church with its impressive 15<sup>th</sup> century tower. This gives an impression of antiquity and of a settlement that has played an important part in the history of the wider locality for many centuries.

It may be that this character is partly the result of long-lasting ownership by the Acland family. Whilst being very different in character to the estate village at Selworthy on the Acland's Holnicote Estate, Winsford has similar characteristics in terms of the open spaces and the strong historic visual character of the settlement, in particular around the centre of the village.

The proposed Conservation Area boundary encompasses the historic core of the village. The village is notable for its collection of traditional Exmoor village buildings in the local vernacular style, having little architectural detail but modest and well-proportioned in scale, many of which have limewashed walls and thatched roofs, it is likely that many of these houses have much earlier origins than suspected.

There is also a good mix of later buildings dating from the 19th century that reflect detailing from earlier properties. The houses, church, bridges and open spaces all complement each other to form a traditional English village setting.

#### 4.2.2. Built form

There is little uniformity evident in the buildings, which have evolved according to their particular purpose given at the time. The contrast between Karlake House with its uniformed façade following refacing in the early C19 and the simple form of the former Weslyn Chapel demonstrates this clearly.

There are no buildings above two stories in height in Winsford other than the Church Tower. All the early traditional cottages are modestly proportioned with little in the way of uniformity to their facades.

Later C19-early C20 buildings such as Exe Vale House and The Close are larger in scale and well-proportioned but quite in keeping.

Other late 20th-century houses are larger and do not closely follow the prevailing vernacular tradition in terms of scale, plan-form and position in the plot. The largest houses are, unsurprisingly, those with formerly the highest status, The Old Vicarage, the Royal Oak and Karlake.

#### 4.2.3. Open Spaces and Routes

There are important green spaces throughout Winsford. The centre the village is dominated by the village green and formal gardens which contribute greatly to the character of the village. Looking out from the village from the centre there are uninterrupted views of open countryside that seems to flow seamlessly into the green spaces of the village core, such as the view west from the war memorial across the village green.

The churchyard also offers a semi-public green space. The area to the west of the village hall is also a large centrally located green space that forms a backdrop to many views from the village.

Also included in the proposed boundary is section of river frontage to the Exe. The settlement inset maps to the Local Plan (2011-2031) p375, show those areas identified as being important open spaces or as important visual amenity spaces.

Several routes converging on the village, especially that leading south west towards Tarr Steps, are of considerable age.

#### 4.2.4. Trees and Hedges

Trees and hedgerows make strong contribution to the character and appearance of the village and its wider landscape setting. Generally, this informal. Woodland forms an important backdrop to the village with steep wooded slopes of Berry Cleave to the east.

Trees bordering the rivers and the open spaces are an especially picturesque feature and there are a number of mature specimen trees both here and elsewhere in the village including Copper Beech trees, Oak and Ash.

#### 4.2.5. Materials

Natural stone is a predominant building material. The local hard red sandstones and Devonian shales are most widely used as stone rubble for cottages and boundary walls. Many of the cottages have been rendered and colour-washed either over stone rubble, or in some cases, cob has been used.

Thatch was originally the predominant roofing material, with several good examples of its use surviving, especially The Royal Oak and adjoining cottages. Elsewhere clay pantiles from the Bridgwater area of Somerset or Welsh slate have replaced thatch.

#### 4.2.6. Boundary

The proposed boundary incorporates the historic core of the village. A map is at the end of the paper. There are 13 listed buildings and 2 Scheduled Ancient Monuments inside the proposed Conservation Area. Where possible the boundary follows physical boundaries. The proposed boundary is shown at the back of the draft appraisal documents. The boundary excludes the new recent development behind Royal Oak Farm. It also does not include buildings to the west of the church along Ash Lane, more modern properties to the east of Exford Road and along Halse Lane as they lay outside the historic core and are not of historic or architectural merit. Where the line of the Conservation Area is on a physical boundary this boundary is considered to be inside the Conservation Area. A schedule of the properties within the proposed boundary can be found in Appendix 1.

Further discussion on the boundary can be found in paragraph 5.1.3.

### 4.3. **Simonsbath**

#### 4.3.1. Summary of significance

Only a single building existed in Simonsbath until 1819. It lay at the heart of the Royal Forest and was at the centre of John Knight's efforts to reclaim Exmoor and transform it into an agricultural landscape. It is essentially an early to mid 19th century estate village set around the 17th century Simonsbath House, the earliest building in the village.

It has a unique history with a hidden story of designed gardens, industrial activity, an unfinished mansion and farming enterprise that reveal a long narrative from the late Georgian period until the end of the 19th century- an era of great change and development across the country. The suggested Conservation Area boundary encompasses the historic core of the village. The village is notable for its collection of mid 19th century buildings that played a role in the Knight estate and later the Fortescue estate. This group of buildings provide a unique window into the reclamation of Exmoor during the 19th century.

Simonsbath does not have the varied range of building styles and types seen in other villages on Exmoor, the overall pattern is of a style with little ornament or architectural detail. John Knight's buildings are low and have a 'Scottish' character while Frederic Knight buildings are taller with steeper pitch roofs. Stone is the dominant building material. In the Knight era building stone was left exposed while Fortescue buildings are predominantly rendered.

#### 4.3.2. Built Form

Prior to c1819 Simonsbath House was the only structure in the Royal Forest. Between 1819 and 1833 at least 14 structures were constructed in Simonsbath including a granary, workshops, White Rock Cottage, kennels and stables. At the same time a new mansion was being constructed behind Simonsbath House

The 19th century estate village would have had a certain amount of uniformity. John Knight appears to have adopted the highland bothy style for his estate cottages planned around a great regency house. While the four listed buildings in Simonsbath are protected by their listed status, it is, in many senses, the collection of remaining buildings built for John Knight, Frederic Knight and Lord Fortescue which, together, give the village its distinctive upland-estate-village character.

John Knight's surviving buildings – White Rock Cottage, Higher Stables, and Pound Cottages – are distinguished by their low, croft-like character with dressed stone reveals and round-headed arches. Frederic Knight's taller buildings tended towards steeper roof pitches and brick reveals.

Subsequent ownership of the estate has resulted in some fragmentation with several properties becoming privately owned rather than estate housing. There has been very little modern development in the settlement but where it has occurred this has generally been infill.

#### 4.3.3. Open spaces and routes

The main character of Simonsbath lies in its open nature, its dramatic and beautiful setting in the valley of the River Barle and the views to the surrounding landscape.

The long-distance footpath, the Two Moors Way, also runs through the village. In addition to the public rights of way, there are permitted paths through Birch Cleave and Ashcombe, and the picnic area at the southern end of Ashcombe is openly accessible.

The moorland on Halscombe and Cornham Brake to the south and southwest of the village and the meadow below Simonsbath Bridge are also open access land. The River Barle and the adjoining flood plain areas are designated as a SSSI.

Birch Cleave Woods – a beech woodland which formed part of John Knight's original planting scheme for the setting of the house are a prominent landscape feature and provide a sense of enclosure to the settlement-this woodland is protected by a Tree Preservation Order.

Ashcombe is a local wildlife site and an important late Picturesque designed landscape and flower garden formerly associated with John Knight's mansion.

As a subtle Picturesque landscape, it is easy to overlook the critical roles of gaps, open and neutral spaces in framing and composing designed views of the landscape. Not all of these views have yet been identified and plotted.

#### 4.3.4. Trees and hedges

The landscape would have been largely treeless before the arrival of the Knight family and most of the woodlands in and around Simonsbath today are a result of the work of both John and Frederic. There is also record of tree planting by the Fortescues in the late 19th and early 20th centuries by their forester David Hoggan.

Birch Cleave Wood is a prominent landscape feature that provides a sense of enclosure to the settlement. The whole of the wood is under a Tree Preservation Order, designated for its amenity value. Oak plantation, forming part of Ashcombe Gardens is a mixed woodland and contains some fine Beech clumps.

Beech trees are the most obvious species in Simonsbath with other noteworthy examples on the roadside behind Boeveys.

The strong sense of enclosure the wider landscape provides is further enhanced, especially on the approaches to the village by hedgerow banks, sometimes in deep cuttings known locally as “holloways.”

#### 4.3.5. Materials

Natural stone is a predominant building material. The local Morte slate is easily cleaved and worked. There are numerous disused quarries around the village from which the stone was sourced in the 19th century. Drystone walls around the village are a key characteristic that are not seen widely on Exmoor outside Simonsbath.

Slate is the dominant roofing material in Simonsbath (although there is evidence that the 1820s buildings in Ashcombe were thatched). It is likely that the slate was originally sourced from Cornwall and trade links across the Bristol Channel grew more and more Welsh slate was used. Corrugated iron also features in Simonsbath to a number of agricultural structures.

#### 4.3.6. Boundary

The proposed boundary incorporates the historic core of the village. A map is at the end of the paper and in the appraisal document. It includes four listed buildings. Where possible the boundary follows physical boundaries. The proposed boundary is shown at the back of the draft appraisal documents. It includes Ashcombe plantation and Birchcleave Wood. It extends as far as West Gate Cottages to the west and incorporates land to the south of West Gate as this includes the water management system for the sawmill. It does not include properties to the east at Winstitchen Cross as they lay outside the historic core and are not of historic or architectural merit. Where the line of the Conservation Area boundary is on a physical boundary, this boundary is considered to be inside the Conservation Area. A schedule of the properties within the proposed boundary can be found in Appendix 1.

### **5. Public Consultation**

#### **5.1 Winsford**

##### 5.1.1 Consultation

Letters were sent to 57 properties in the village and to the Church Diocese of Bath and Wells. Only residents/landowners inside the proposed boundary received a letter. Posters were also put up around the village stating the proposal with details of the consultation. A six-week public consultation ran from the date of the letter (September 22nd to November 4th 2022). Two public drop-in sessions were held in this period.

### 5.1.2 Public meetings and Response

The first drop-in event was held at Winsford Village Hall on Monday 3rd October 4-6pm. Around 28-30 attended this event in total. Approximately 20 residents arrived together at 4pm and so the drop-in format was abandoned. Chairs were set up and ENPA Officers commenced by explaining the rationale behind the proposal and the impacts.

Other residents arrived over the next 2 hours. A small minority were very much against the proposal. Others spoke in favour and asked for a calm debate. It was explained that the Parish Council had supported the principle of the idea and wished to start a public consultation period to seek views of villagers. Members of the Parish Council arrived later in the event and answered questions directed at them.

One resident expressed frustration at the timing of the meetings making them hard to attend.

Due to the high attendance of the first session, the second session was run differently and was attended by the Historic Buildings Officer and the Head of Planning and Sustainable Development along with members of the Parish Council. This was held on October 20th between 12-2pm. Villagers were asked to queue and were admitted in 3s or 4s by a Parish Councillor. Approximately 30 residents attended. An estimate would be that around half had not attended the first meeting. The Chair of the Parish Council sat in to hear the discussions.

Comments boxes were left out during both drop-in sessions.

- 1st drop-in session - three comments in suggestions box. Two of support and one of objection.
- 2nd drop-in session - eight comments in suggestions box. One of support, four against and three with general questions.
- Throughout the public consultation numerous comments were received.
- Phone calls: Four in total-Two in support (from same individual) and a further two with questions who did not offer support or objection.
- Letters: Three expressing objections. (Two were joint signed- so five residents total). One letter in support from one resident.
- Emails: Numerous emails chains with 21 separate residents. 5 residents indicated support if boundary amendments were made. 7 emails of support (this is a total of 9 residents when counting joint signatures). 8 emails of objection (this is a total of 11 total when counting joint signatures). One indicated potential support of the scheme if it did not include their building.
- As stated above it is hard to be sure there is not double counting, however the following figures give an accurate representation of the responses received in total.
- 14 residents supported designation.
- 21 residents did not support designation.
- Approximately 5 residents indicated some support subject to changes to boundary position.
- As the letters went to 57 separate addresses in the village there is clearly a number of residents who have not provided any formal comment.

The above do not include correspondence with the Chair of the Parish Council- see below.

### 5.1.3 Main areas of concern

Concern	ENPA Response
<p>Location of the proposed boundary</p> <p>The location of the boundary seems to be a major issue amongst residents. A range of views on this were raised.</p> <p>These mainly focus on:</p> <ul style="list-style-type: none"> <li>• Inclusion of the whole village</li> <li>• The inclusion of the garage</li> <li>• The exclusion of houses at Royal Court</li> <li>• The inclusion of the former stables opposite Quarme Mounceaux</li> </ul>	<p>Conservation Areas very rarely include whole settlements and there is no justification to include all properties in the village in this instance. Whilst the properties along the east side of Exford Road and further up Ash and Halse Lane represent development of the village they are not buildings of architectural or historic interest and lie away from the historic core of the village. Such development is excluded in other existing Conservation Areas.</p> <p>The former garage was a particular area of concern and while some residents have been of the view it should be included, the garage has been removed from the proposed Conservation Area. The main reason for including it was that it is so centrally located and an important part of the social development of the village. However, it is not a building of any architectural or historic interest and can be excluded while maintaining a logical boundary.</p> <p>It is also the view of the Historic Buildings Officer that the new buildings behind Royal Oak Farm should remain outside the Conservation Area as they are an incongruous later development.</p> <p>Residents expressed confusion about how ENPA could recently grant permission to a development but then be of the view it is of poor quality. These buildings were granted permission in the 1990s under a very different planning system. The recent application (2018) for the site which led to their construction was a certificate of lawfulness that sought the lawful implementation of planning permission ref. 6/40/91/110. Whilst they are quite prominent in the village this does not justify their inclusion.</p> <p>The Historic Buildings Officer is strongly of the view that the stables should be included. Despite their poor condition they have the potential to be an attractive group of buildings. They also have a historic relationship with the village and are shown on the 1840s Tithe map</p>

	<p>and the 1880s First Edition Ordnance Survey mapping.</p> <p>Conservation Area boundaries are often altered over time and are not fixed in perpetuity. A schedule of the properties can be found in the Appendix 1</p>
Impact on property prices and young people buying houses.	<p>Affordable housing for young people in the area is currently a major issue. There is no reason to believe designation will impact this. There is evidence to suggest that property prices are higher in Conservation Areas but this is marginal and likely more than offset by other external economic factors such as wages and demand.</p> <p>ENPA is not the local housing authority, but we do have strong policies that support local housing for local people. Local needs affordable housing can be constructed in and around Conservation Areas.</p>
Impact on solar development	<p>Conservation Area designation does not impact on existing permitted development rights for solar on roofs. Planning permission would however be required if a resident wished to fit solar on any wall facing a highway</p>
Creation of a divide in the village	<p>This was a view expressed both in relation to dividing the villagers into those inside and outside the boundary and dividing those who are for or against the proposal.</p> <p>As already stated above, the boundary of a Conservation Area rarely includes a whole settlement The line of the boundary should not be seen as dividing wall around the village.</p> <p>No sense of division is expressed in the existing Conservation Areas in the National Park. It is hoped and expect that any division will be short lived regardless of whether or not designation takes place.</p>
Extra bureaucracy and works to trees	<p>See Simonsbath response 5.2.3</p>

#### 5.1.4 Response of the Parish Council:

The Parish Council voted on the matter in a meeting on Monday 28<sup>th</sup> November 2022. The draft minutes from this meeting are as follows:

*To discuss progress re the ENPA Conservation Area proposal and what further involvement the council needs to take – Following discussion it was decided that the council would not proceed with the ballot as on reflection it was not possible to*

*ensure it was carried out fairly within the timescale. It was recognised that people had been given the opportunity to feedback directly to the National Park at the two face to face meetings and through online feedback/letter writing. As Parish Councillors there is a responsibility to make the best judgement on behalf of the village and to agree what is in the best interest of the village going forward.*

*The Council has received correspondence giving support to the proposal. In the West Somerset/Exmoor area a number of other councils/villages have gone ahead with the changes. Residents have expressed a range of views on this, both those living in and outside of the proposed designated Conservation Area. It was recognised that if the Councillors could not agree on the proposal that would, in fact, be a fair representation of the village views. Voting took place on whether the Councillors agree that the proposed Conservation Area would be a good thing for the village – 3 for, 1 abstained and 2 against.*

## **5.2 Simonsbath**

### **5.2.1 Consultation**

Letters were sent to 33 properties/landowners in the village and to the Church Diocese of Bath and Wells. Posters were also put up around the village stating the proposal with details of the consultation. A 6-week public consultation ran from the date of the letter (September 22nd to November 4th 2022). Two public drop-in sessions were held in this period.

### **5.2.2 Public Meetings and Response**

- First drop-in event: was held at White Rock Cottage on Tuesday 4th October 4-6pm. This was attended by the Historic Buildings Officer and one of the Planning Officers.
- Five residents attended this event. There were general concerns over additional bureaucracy, impact on permitted development rights, works to trees and expressions of frustration regarding the performance of the planning service.
- No resident gave a formal indication of approval or objection to the scheme, but one expressed the view that the general feeling in the village was against the proposal.
- Second drop-in event: was held in White Rock Cottage on Friday 21st October 12-2pm. This was attended by the Historic Buildings Officer and the Head of Conservation and Access. 3 residents attended the event. There were comments about the merit of designation in Simonsbath given it is in a National Park and additional costs to residents/extra bureaucracy.
- It was clear that 2 of the 3 in attendance were not in support of the proposal. The other attendee did not give a formal view.
- Comments boxes were left out during both drop-in sessions. No comments were deposited in either session.
- Throughout the public consultation few comments were received from residents.
- Phone calls: None (other than with the Parish Council)
- Letters: One via email
- Emails: Three of objection (plus Parish Council correspondence)

### 5.2.3 Main areas of concern

Many similar concerns were raised by Winsford residents as Simonsbath residents. These are not repeated in the below summary unless the concern is specifically related to Simonsbath.

Concern	ENPA Response
Increase in time in determining applications/added bureaucracy	<p>Planning applications to works inside Conservation Areas are not subject to a different process to applications outside Conservation Areas. Conservation Area designation does not mean that no change or new development can occur.</p> <p>ENPA regularly receives and determines planning applications for development in the 16 Conservation Areas that currently exist in the National Park.</p>
Simonsbath is already well protected	<p>A recurring theme that came up was that due to Simonsbath having an active Parish Council and the Simonsbath and Exmoor Heritage Trust, and that ENPA have ownership of much of the surrounding land, it means that there are already good restraining factors in place to prevent undesirable change.</p> <p>Whilst it could be considered that there is currently little threat to the settlement, it does not mean this will be the case in the future. Ownerships can change quickly, and it is easier to prevent harm rather than react to harm. The loss or demolition of small but important features can result in significant harm to settlements and can occur without planning permission, as can the loss of architectural detailing and design features. Conservation Area designation can help prevent this</p>
Timing of proposal due to financial issues currently facing the National Park Authority.	<p>This work is a statutory duty of Exmoor National Park Authority and is overdue. It can be undertaken with minimal cost and is factored into the Historic Building Officer's work programme. The ongoing cost associated with the administration of Conservation Areas, such as dealing with works to trees applications is minimal and can be managed under the current staff/funding structure. There is</p>

	no reason to believe the creation of Simonsbath Conservation Area will have any noticeable impact on National Park Authority finances or operations.
Works to trees	Concerns were raised about this, in particular when hedging is required. A 6 week notice period is required for works to trees over 75mm in diameter 1.5m above the ground. This is a free and simple form. The process is in place to ensure works are necessary and will not cause harm to trees that are important to the village. If a tree is dead or dangerous then permission is not required but it is recommended that this is evidenced and that the Tree Officer is informed. The ENPA Woodland Team are on hand to provide advice.

#### 5.2.4 Response of the Parish Council

The Parish Council are objecting to the proposal.

These objections are based around the following points:

- Unclear of benefits designation provides.
- Extra burden on residents to notify ENPA in relation to works to tree.
- Additional burden to ENPA staff and associated cost to taxpayers.
- Location of boundary not including full village.
- Existing planning regulations being adequate.

Please refer to Appendix 3 for the full Parish Council response.

## 6. Statute and Policy

- 6.1. The local planning authority is under a general duty to ensure the preservation and enhancement of Conservation Areas, and a particular duty to prepare proposals to that end.
- 6.2. Notice must be given to the local planning authority before works are carried out to certain trees in that area. If a tree subject to an application is considered to be of high amenity value or helps define the character of the Conservation Area, ENPA may consent to fell by placing a TPO (Tree Protection Order) on that tree.
- 6.3. Planning permission is required for the demolition of any unlisted building in a Conservation Area and the local planning authority or the Secretary of State may take enforcement action or institute criminal prosecution if permission or consent is not obtained.
- 6.4. The details as to the limits of what works may be carried out without planning permission are somewhat different and extra publicity is given to planning applications affecting Conservation Areas.

- 6.5. The planning authority is to take account of the desirability of preserving and enhancing the character of the area when determining such applications.
- 6.6. The making of Article 4 directions, limiting permitted development rights is more straightforward.
- 6.7. The local planning authority or Secretary of State may be able to take steps to ensure that a building in a Conservation Area is kept in good repair.
- 6.8. The display of advertisements may be somewhat more restricted than elsewhere.
- 6.9. Further relevant duties are contained in other legislation including the Housing Act 1985, the Electricity Act 1989, the Water Industry Act 1991, the Land Drainage Acts 1991 and 1994, and the Environment Act 1995. These are expressed in general terms, and do not specifically refer to Conservation Areas, but the bodies to which these Acts relate should take account of Conservation Area designation when undertaking works.
- 6.10. Policy CE-D3, Conserving Heritage Assets, states that: Development proposals affecting Conservation Areas should ensure that: a) the character or appearance of the area is preserved or enhanced; b) they deliver high quality design and incorporate materials that reflect the scale, architectural quality and detailing of the area.
- 6.11. Policy CE-S4, Cultural Heritage and Historic Environment, states that: Development proposals affecting heritage assets (identified on the Exmoor National Park Historic Environment Record) and their settings, will be considered in a manner appropriate to their significance including: a) designated Conservation Areas, scheduled monuments, listed buildings and registered historic parks and gardens.
- 6.12. Other Local Plan policies such as CE-D5 Advertisements and Private Road Signs, CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings, CE-S1 Landscape and Seascape Character and CC-S5 Low Carbon and Renewable Energy Development, also make reference to policies CE-D3 and CE-S4.

## **7. Grant Aid and Funding for Conservation Areas**

- 7.1 Future funding/grant provision for improvement works is not guaranteed but designation does provide more opportunity for grant funded works. Historic England are currently running a Conservation Area partnership grant programme. This is a grant scheme that is run in partnership with Local Authorities.
- 7.2 There is a statutory duty for ENPA to formulate enhancement proposals to its Conservation Areas. Any enhancement proposals will involve village consultation.

## **8. Next Steps**

- 8.1. Should the proposal be approved by members the Conservation Area designation will be in place from the time and date of the vote.
- 8.2. An advert must be placed in a local newspaper and the London Gazette. Historic England and the Secretary of State will be informed of the decision.

**Thomas Thurlow**  
**Historic Buildings Officer**  
**March 2023**

**Property Schedule - Winsford:**

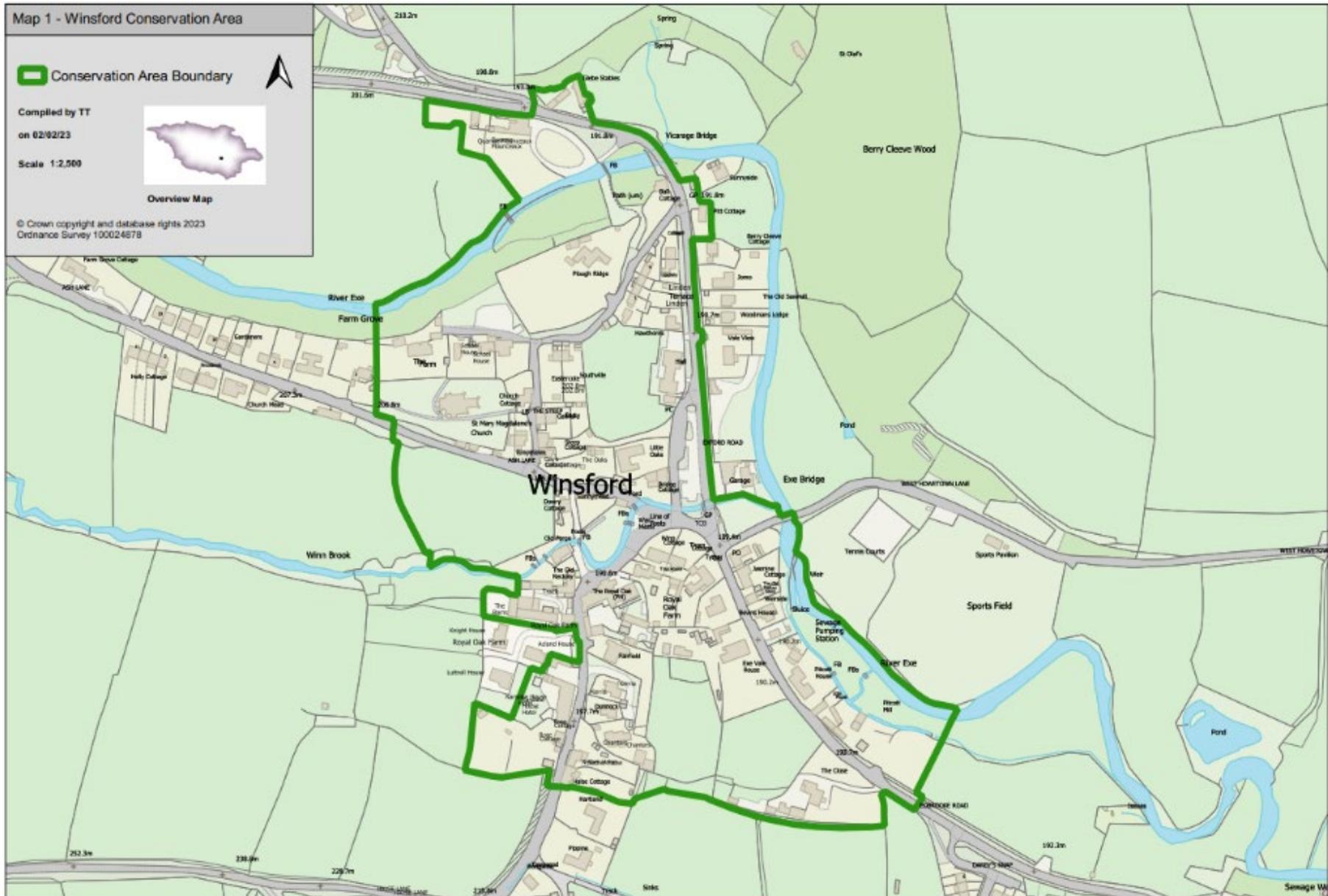
<b>FIRST LINE ADDRESS</b>	<b>VILLAGE</b>	<b>POSTCODE</b>
1 Linden Terrace	Winsford	TA24 7JG
2, Linden Terrace	Winsford	TA24 7JG
3, Linden Terrace	Winsford	TA24 7JG
4, Linden Terrace	Winsford	TA24 7JG
Ball Cottage	Winsford	TA24 7JE
Beech Cottage	Winsford	TA24 7JE
Bevins Cottage	Winsford	TA24 7JE
Bridge Cottage	Winsford	TA24 7JE
Brookwood	Winsford	TA24 7JE
Chanters	Winsford	TA24 7JE
Church Cottage	Winsford	TA24 7JQ
Dowry Cottage	Winsford	TA24 7JE
Dunnock	Winsford	TA24 7JE
East Galliford	Winsford	TA24 7JQ
Eastercott	Winsford	TA24 7JQ
Exe House	Winsford	TA24 7JE
Fairfield	Winsford	TA24 7JE
Genista	Winsford	TA24 7JF
Greystones	Winsford	TA24 7JQ
Halse Cottage	Winsford	TA24 7JE
Hawthorns	Winsford	TA24 7JE
Honeysuckle Cottage	Winsford	TA24 7JQ
Jasmine Cottage	Winsford	TA24 7JE
Karslake Cottage	Winsford	TA24 7JE
Karslake House	Winsford	TA24 7JE
Kerria	Winsford	TA24 7JE
Little Oaks	Winsford	TA24 7JE
Little Pitcott	Winsford	TA24 7JE
Netherhalse	Winsford	TA24 7JE
Oaks Cottage	Winsford	TA24 7JQ
Old Forge	Winsford	TA24 7JE
Old Tythe	Winsford	TA24 7JE
Pitcott House	Winsford	TA24 7JE
Pitcott Mill	Winsford	TA24 7JE
Pitt Cottage	Winsford	TA24 7JF
Plough Ridge	Winsford	TA24 7JQ
Post Office	Winsford	TA24 7JE
Quarme Mounceaux House	Winsford	TA24 7JF
Rose Cottage	Winsford	TA24 7JE
Royal Oak Farm	Winsford	TA24 7JE
Royal Oak Inn	Winsford	TA24 7JE
School House	Winsford	TA24 7JQ
Steep Cottage	Winsford	TA24 7JQ
Sunnymead	Winsford	TA24 7JE

The Barns	Winsford	TA24 7JE
The Close	Winsford	TA24 7JE
The Coach House	Winsford	TA24 7JF
The Farm	Winsford	TA24 7JQ
The Old Rectory	Winsford	TA24 7JE
The Old School	Winsford	TA24 7JQ
The Old Timber Store	Winsford	TA24 7JE
The Trap House	Winsford	TA24 7JE
Thorne Cottage	Winsford	TA24 7JE
Weirside	Winsford	TA24 7JE
West Galliford	Winsford	TA24 7JQ
Winn Cottage	Winsford	TA24 7JE

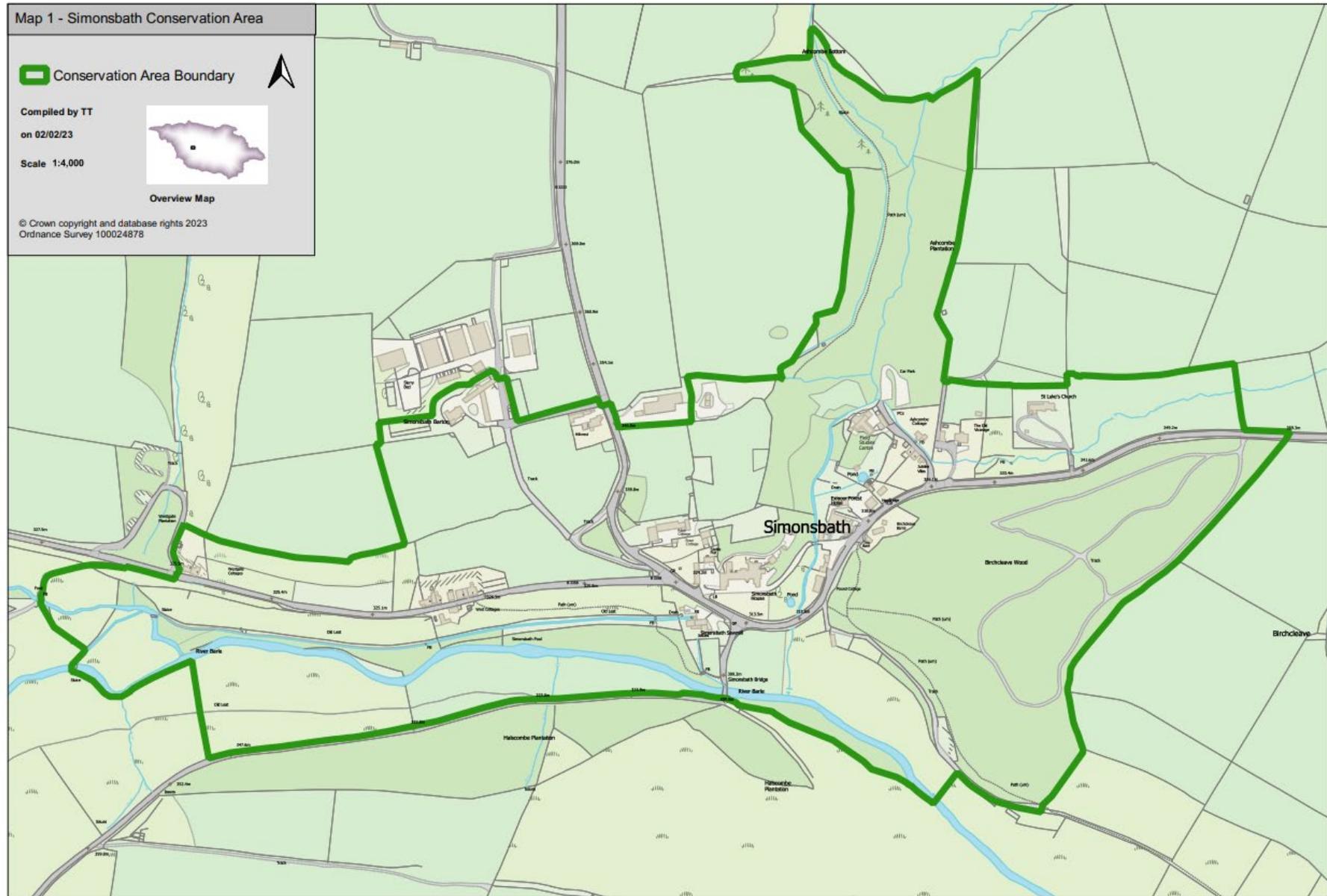
### Property Schedule - Simonsbath:

FIRST LINE ADDRESS	VILLAGE	POSTCODE
1 Jubilee Villas	Simonsbath	TA24 7SH
1 Knights Barn	Simonsbath	TA24 7SH
1 West Cottage	Simonsbath	TA24 7SL
1 Westgate Cottages	Simonsbath	TA24 7SN
2 Jubilee Villas	Simonsbath	TA24 7SH
2 Knights Barn	Simonsbath	TA24 7SH
2 West Cottages	Simonsbath	TA24 7SL
2 Westgate Cottages	Simonsbath	TA24 7SN
3 Knights Barn	Simonsbath	TA24 7SH
3 West Cottages	Simonsbath	TA24 7SL
4 West Cottages	Simonsbath	TA24 7SL
5 West Cottages	Simonsbath	TA24 7SL
6 West Cottages	Simonsbath	TA24 7SL
Ashcombe Cottage	Simonsbath	TA24 7SH
Birch View	Simonsbath	TA24 7JS
Boeveys Restaurant & Tea Rooms	Simonsbath	TA24 7SH
Diana Lodge	Simonsbath	TA24 7SH
Hawkridge	Simonsbath	TA24 7SH
Hillcrest House	Simonsbath	TA24 7SJ
Knights Barn	Simonsbath	TA24 7SH
Pound Cottage	Simonsbath	TA24 7SH
Rose Cottage	Simonsbath	TA24 7SH
Simonsbath Barton	Simonsbath	TA24 7SJ
Simonsbath House Hotel	Simonsbath	TA24 7SH
Simonsbath Sawmills	Simonsbath	TA24 7SL
Stable Flat	Simonsbath	TA24 7SH
Teasel Cottage	Simonsbath	TA24 7SH
The Cottage. Birch Cleave Barns	Simonsbath	TA24 7SH
The Exmoor Forest Inn	Simonsbath	TA24 7SH
The Old Vicarage	Simonsbath	TA24 7SH
The Old Pottery	Simonsbath	TA24 7SH

Map 1 - Winsford Conservation Area



# Map 1 - Simonsbath Conservation Area



### **Proposal for Simonsbath to become a Conservation Area ...**

As custodians of the Exmoor Parish, the Parish Council would firstly like to place on record that it is unequivocally behind the proposal of conserving everything that is good, attractive and old (where fit for purpose) in the village of Simonsbath. This includes preserving the charm and character of the village. The PC takes its responsibilities very seriously when it comes to avoiding any unsuitable development.

From the outset, it has been unclear to the Parish Council what real benefits or extra protections the proposed designation brings over and above the National Park status. The PC also prides itself on having an excellent working relationship with the ENPA when it comes to matters concerning the Parish of Exmoor.

Having examined all available facts, it appears that the only apparent change is the requirement to notify the ENPA of any tree works and or apply for permission to demolish certain buildings/boundary walls.

The restriction to notify tree works, which includes any pruning of non-fruit trees, extends to any tree with a trunk diameter of over 3 inches (75mm). The Parish Council feels that such burdensome regulations are not necessary in Simonsbath, especially since all members of the PC and parishioners already place a high value on any trees in the village.

In recent years any trees which have been lost to the village have either come about as a result of extreme weather conditions or obvious disease, in which case they have been removed because they pose a danger to the public (or highway).

As a footnote, the majority of trees in the designated Conservation Area are ENPA-owned and in the opinion of the Parish Council, this will just introduce a waste of taxpayers' money, where the ENPA has to notify its own already over-stretched Planning Department of proposed tree works and obtain the necessary permissions. We are aware that within the ENPA this work will be carried out involving salaried officers, nevertheless a value has to be placed on their time and the PC feel this could profitably be spent on other priorities.

Therefore, as far as this aspect is concerned, the Exmoor Parish Council feels that Conservation Area status is likely to introduce an additional layer of bureaucracy without providing any clear benefits to its parishioners.

The Parish Council also feels that the proposed boundaries seem somewhat arbitrary and only include some of the properties, which are generally considered to be within the village. As an example, Winstitchen Farm and those around Winstitchen Lane are not included.

After seeking further clarification from the ENPA, Conservation Area status would not prevent, for example, UPVC windows or artificial slates being used in the village, unless that is with more direction (such as an Article IV notice) and as such none are planned. Therefore, as far as the Parish Council is concerned, what benefit is there?

Conservation Area status for the village of Simonsbath could give rise to such unintended consequences as becoming a material planning consideration for applications OUTSIDE the proposed Conservation Area - i.e. the Planning Department would have to consider what the consequences are of a proposed application on the neighbouring Conservation Area.

As far as planning applications go within the proposed Conservation Area of Simonsbath, the Parish Council has real concerns that Conservation Area status could be used as yet another 'stick' with which to beat any planning applicants. As such, the existing ENPA planning regulations are perfectly adequate to serve the needs of the community and village of Simonsbath.

Further to that point, the Parish Council believes that the current National Park designation (& stewardship of the PC) is perfectly adequate to preserve the character and charm of the village of Simonsbath.

In response to the '**Summary of the Public Consultation for the Proposed Creation of Simonsbath as a Conservation Area**' document, **circulated on 24<sup>th</sup> November 2022**. This was after the two drop-in opportunities for parishioners to attend in order to air their views. The underlying opinion created by the **Summary** was that both days in question were poorly attended with minimal follow-up.

It should be noted that **NO** Parish Councillors attended either of the 2 hour drop-in sessions (since they had already had several Q&A sessions with the Historic Buildings Officer), preferring to allow available, interested parishioners the chance to air their views without any interference.

The figure of 8 residents attending these drop-ins might be construed as the Parish being disinterested in the entire proposal. **Members can be assured that this is definitely NOT the case.**

There are (or were) two holiday cottages, empty properties at the time, plus the sale of a property going through during this period. Councillors canvassed especially elderly parishioners, who were unlikely to attend any consultation and once again the reports which came back were against the proposal.

When you also consider that there are 5 Parish Councillors, who are unanimously opposed to Simonsbath becoming a Conservation Area, along with their partners and any extended family. Their individual opinions have not been included in this **Summary** document because they did not attend either day, feeling that their opinions would be registered in this Parish Council formal response. **This means you can safely swell the number of opponents to the proposal by at least a further 15 residents (& list a further five properties opposed to it).**

The **Summary** also states that no 'phone calls had been received. Yet the Chair of the Parish Council had quite a lengthy call with the Historic Buildings Officer, to inform him of the unanimous opposition to the proposal by the Parish Council, along with the concerns of a number of parishioners. Indeed many of the issues raised in that discussion have been mentioned in the **Summary** document.

As far as the possibility of improved future funding, as a consequence of being in an Exmoor Conservation Area is concerned (something of obvious interest to the Parish Council and the Simonsbath and Exmoor Heritage Trust), the Parish Council in its investigation of this claim heard decidedly mixed opinions. However, none which categorically suggested any funding was greatly enhanced through being in a Conservation Area.

A point of further clarification, **'The Simonsbath Steering Group'** as mentioned in the **Conclusion** of the **Summary** document is no longer in existence. It has been incorporated into **'The Simonsbath & Exmoor Heritage Trust'**. The Trust and the Parish Council have very strong links.

The Parish Council will obviously continue to work constructively with the ENPA when it comes to considering planning applications within the Parish and will, when providing feedback, bear in mind the sensitive need to conserve all the positive elements of the village of Simonsbath. As mentioned above, the PC takes very seriously the importance of maintaining an excellent working relationship with the ENPA when it comes to matters concerning the Parish of Exmoor.

In conclusion though, the Parish Council are **not** persuaded of the merits of Conservation Area status for Simonsbath and do **NOT** support the proposed designation of the ENPA. We believe the existing collaboration between the Parish Council, the Simonsbath & Exmoor Heritage Trust and the ENPA is perfectly fit for purpose and certainly more than adequate to meet the challenges of taking Simonsbath forward into 21<sup>st</sup> Century.

We would like to thank you for reading our objections. We hope you will acknowledge our reasons for leaving the village Simonsbath under the stewardship of the people who love it as it is and have its very best interests at heart.

**Exmoor Parish Council (January 2023).**