

PLANNING APPLICATION REPORT

Case Officer: Lauren Hutton

Parish: Bere Ferrers **Ward:** Bere Ferrers

Application No: 4034/22/HHO

Agent:

Mr Jeremy Maddock
Elford Maddock Architect'l Practice
23 Fore Street
Bere Alston
Yelverton
PL20 7AA

Applicant:

Mr & Mrs Thornton
Pump Cottage
Bere Alston
PL20 7BY

Site Address: Pump Cottage, Bere Alston, PL20 7BW



Development: Householder application for proposed detached garage

Cllr Angela Blackman has called this to committee for the following three reasons:

1. The scheme is much smaller than the LPA policy wants so will impact the WHS less (6.5m x 3.5m internal, ref Supplementary Planning Document), it continues the existing 'ribbon pattern' of roadside development, it reflects the shed that was on the site before but is slightly larger and uses similar materials.
2. The scheme does not cause significant harm as outlined in the WHS SPD.
3. The scheme is well designed to reflect the architecture of the local area.

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| <ul style="list-style-type: none"> • Heritage • Tree Specialist | <p>Comments</p> <p>No objection on arboricultural merit</p> |
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PUBLIC CONSULTATIONS

Representations:

Representations from Residents

No representations have been received.

Representations from Internal Consultees

- Heritage – comments.

The proposed structure is in a location where there was a small shed the size of which is exaggerated in the information supplied. It is clearly visible on Streetview as a small and somewhat dilapidated garden shed that was barely visible over the hedgebank. The difference in scale and presence together with the fact the old shed is long gone means this should be given no weight whatsoever in assessing the present proposal.

There is considerable crossover here between the effect on AONB and WHS and the way to avoid harm to each may well be the same. It is worth noting that the site has been historically orchard (see map snip attached) and some fruit trees remain. Apple tree planting (on the site of the old shed?) would assist in terms of WHS, AONB and biodiversity net gain, as would added planting along the hedgebank.

Significance in heritage terms

This small settlement is on the tithe map so dates from at least 1840 and falls fully within the relevant period for World Heritage Site (WHS) Inscription of 1700-1914. The cottages are clearly associated with mining so exhibit OUV Attributes (as miners dwellings), as does the chapel (because non-conformism spread with miners as part of their cultural identity). As the WHS is a designated heritage asset of the 'highest significance' (NPPF 189) any harm must be avoided if possible or outweighed by public benefit.

There is a connection of the locality to the silver-lead node that was exploited at least as early as the 13th century but that was mostly in the locality of Cleave Farm to the south of the application site. More directly significant is the connection with mining at the Furzehill mine, which is immediately adjacent (NW) to this settlement group. Flooding in c1856 and subsequent struggles with water levels lead to the closure of this mine working in c1861. It is likely, however, that the occupants of the cottages continued to work in other local mines or associated industrial activities for some time after that. The chapel was built a little later as it is not on the tithe map but is on the 1st edition OS. There is no Heritage Statement or Impact Assessment so it appears no consideration has been given to heritage including the OUV of the WHS. For this reason the basic need of NPPF194 has not been met.

Impact of proposed development

Put simply the form and location of the proposed structure makes it a prominent new feature on the approach to the settlement. It will detract from the setting of the various non-designated heritage assets of this linear settlement that together contribute to the OUV of the

WHS. I recommend the proposal be assessed using the steps in the Historic England guidance – ‘The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)’, in particular Step 4 – ‘Explore ways to maximise enhancement and avoid or minimise harm’.

Relevant Planning History

Planning Application Reference	Proposal	Site Address	Decision
F/3/29/1210/1995/7	Erection of car port.	Bere Alston Yelverton Devon PL20 7BW	Conditional Approval 16/08/1995
00518/2014	Householder application for the erection of a first floor extension, removal of lean-to and installation of roof lights.	Bere Alston Yelverton Devon PL20 7BW	Conditional Approval 13/06/2014

Site & Surroundings

The site is located c. 1.2km south of Bere Alston village within the small hamlet of Cotts with access along the road past Lower Birch Farm. Pump Cottage is situated to the northern corner of the site, adjacent to the highway, with all of the greenspace to the front and side of the property. Within the ownership of the applicant, there is also Daffodil Shed Cottage. This is a seasonal holiday let, which is occupied from April to end of October. Daffodil Cottage is also sited adjacent to the road in the garden area between the host dwelling and the eastern access onto the road. Both accommodations share the same parking area and vehicular access.

The shared parking area is situated off the main road within a gravel area and accessed at the east of the site from the main road. On the southern boundary of the site facing into the parking area, is a woodshed, which was originally approved as a carport under F/3/29/1210/1995/7. The re-purposing of the car port as a wood shed has occurred due to the substandard size of this building making it impracticable to be effectively used as garaging, hence the need for the replacement garage building currently being considered by Officers.

Pump Cottage is not listed, but sits within the Cornwall and West Devon Mining Landscape World Heritage Site and the Tamar Valley Area of Outstanding Natural Beauty. The host dwelling is considered a non-designated heritage asset and sits within the setting of multiple non-designated heritage assets within the hamlet.

Proposal

The proposal is for the construction of a detached garage to serve Pump Cottage & Daffodil Shed Cottage. The garage is to be constructed close to the boundary of the site adjacent to the access road to the hamlet.

ANALYSIS

1.0 Principle of Development

1.1 The site is located within the curtilage of an existing dwelling house. The siting of the proposal is situated adjacent to the boundary line of the domestic curtilage of the dwellinghouse. It is noted that the siting of the proposal has been chosen in order to utilise an existing area of hardstanding, which was used for a former shed.

1.2. The shed can be seen from Google Street view in 2011 and this also demonstrates that the proposed garage will be seen from the public realm. The footprint of the proposed garage exceeds that of the existing area of hardstanding and as the proposed garage is larger in terms of mass and scale than the former shed, it will have a greater visual impact towards the boundary line. Officers do not consider the former shed to be in-principle support of development in this position, there is no planning history for the shed and as such is given no weight within the decision.

1.3. The principle of outbuildings within the domestic curtilage of a property is acceptable. The acceptability of the proposal will however need to be considered in terms of visual impact and siting, particularly with regards to the impact on the World Heritage Site and the AONB.

2.0. Design, Heritage and ANOB.

2.1. The proposal sits within the Cornwall and West Devon Mining Landscape World Heritage Site which is considered to be of Outstanding Universal Value. The site is situated along an entrance into the World Heritage Site from a rural countryside setting. Pump Cottage and its associated buildings sits just 75m from the boundary line along an entrance into Cotts, the World Heritage Site and makes a positive contribution to the historic character and how the townscape is experienced.

2.2. As commented on by the Council's Heritage Specialist, the proposed garage will be visible from the public realm and its siting particularly impacts on the Outstanding Universal Value of the World Heritage Site. The mass of the structure would detract from the quality of the built form and the authenticity of the World Heritage Site and the wider setting. DEV22 requires proposals with the Mining Landscape World Heritage Site to conserve or where appropriate enhance the Outstanding Universal Value of the Site. The proposal causes less than substantial harm to the authenticity of the Outstanding Universal Value of the Site. However less than substantial harm must still be justified and should be wholly exceptional. Criteria 6 of DEV22 requires harm to be weighed against the public, not private benefit of the proposal and whether all reasonable efforts have been made to mitigate the extent of the harm. Officers consider that the benefit of the proposal is solely private, with no mitigation measures put in place. This private benefit does not justify to the long-term harm to the character and appearance of the World Heritage Site and is therefore contrary to DEV22, E1 of the Bere Peninsula Neighbourhood Plan, policies P3, P6, C2 and C9 of the World Heritage Site Management Plan and paragraphs 200 and 202 of the National Planning Policy Framework.

2.3. Policy DEV21 of the Joint Local Plan requires development to sustain the local character and distinctiveness of the area by conserving and where appropriate enhancing its historical environment, both designated and non-designated heritage assets and their settings. Criteria 3 of DEV21 states 'Development that harms the significance of locally important non-designated heritage assets, or their contribution to the character of a place will be permitted where it can be justified on the basis on a balanced judgement, having regard to the scale of any harm or loss and the significance of the heritage asset.' Pump Cottage can be identified on the OS first addition maps and is considered to be a non-designated heritage asset, as can the linear group of buildings that make up Cotts by way of age and architectural merit.

Considering the prominence of the proposed building, Officers consider the development fails to conserve the local character of both Pump Cottage and the setting of the additional non designated heritage assets.

2.4. Similarly, policy DEV25 requires that proposals conserve and enhance the natural beauty of the protected landscape with particular reference to their special qualities and distinctive characteristics or valued attributes. The proposal fails to meet the first policy test, as it does not conserve or enhance the character and appearance of the built heritage which is recognised with the Tamar Valley AONB Management Plan. The proposal fails to accord with DEV25 and paragraph 176 of the National Planning Policy Framework.

2.5. The proposed materials are round profile corrugated roof sheets, PVCu windows and timber doors. In terms of design, except for the upvc windows, the materials are considered appropriate for the proposed use. However, the siting, scale and massing of the proposal are not supported.

2.6. DEV20 (2) requires proposals to have (amongst other things) proper regard to the wider development context and surroundings in terms of siting. Additionally, DEV23 (1) seeks development to be located to respect scenic quality and maintain an area's distinctive sense of place. Given the discussion above, Officers conclude that the proposal fails to consider the wider development or respect for scenic quality, and therefore is contrary to DEV20 and DEV23.

2.7. Furthermore, no heritage statement was submitted with this application. The Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning document states:

'If the proposed development site lies within the World Heritage Site, it is likely that some level of consideration of the historic environment will be required. Any proposals potentially affecting designated heritage assets will automatically require a Heritage Statement' (Page 60).

Additionally, paragraph 194 of the National Planning Policy Framework states:

'Proposals affecting heritage assets should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate of the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.

2.8. The application therefore has failed to meet the minimum requirements set out within the NPPF and the World Heritage Site Management Plan and World Heritage Site Supplementary Planning Document.

3.0 Highways

3.1. DEV29 sets out the requirements for parking that is required to contribute positively to the achievement of a high quality, effective and safe transport system. The guidance for high quality parking dimensions including those for proposed domestic garages are set out within the Joint Local Plan Supplementary Planning Document.

3.2. The internal dimensions of the proposed garage are 5.1m x 4.8m which does not adhere to the minimum internal dimensions of 6.5m x 3.5m set out for domestic garaging within the

Supplementary Planning Document paragraph 8.5 and is therefore contrary to DEV29.2. Officers note the addition of a workbench within the garage which will decrease the useable footprint within the garage area. The application form submitted states that there will be an increase to the parking area and the proposal will provide covered parking. Officers consider that the proposal will result in a substandard size garage being created in perpetuity. The small size of the proposed garage will result in a building that is not fit for purpose. If approved, this will increase pressure for additional garage buildings within the site, further compromising available space within the site for on-site parking and turning and exacerbating the negative visual impact that a proliferation of small garden buildings would have within the Public Realm of the Area of Outstanding Natural Beauty (AONB) and World Heritage Site (WHS) protected Heritage Landscape.

4.0 Drainage

4.1 No drainage information was submitted within the original application, although the proposal falls on the concrete base of a former shed there is an increase in impermeable surface area. The agent has confirmed that the applicant plans to add water butts and a soakaway which are shown on an additional plan. With this in place, the scheme is considered in accordance with DEV35 and is acceptable.

5.0 Carbon Reduction

5.1 There has been no carbon reduction measures proposed within the application. The application date was 30th November, before the implementation of additional measures in relation to the Plymouth and South West Devon Climate Emergency Planning Statement as such there is not an expectation within a householder application to demonstrate carbon reduction measures.

6.0 Ecology

6.1 No requirements for a Preliminary Ecological Assessment were identified within the Wildlife and Geology Trigger Table given the nature of the development.

7.0 Trees

The proposal will not impact the root protection area of adjacent fruit trees.

8.0 Conclusion

8.1. In totality, the proposal is considered contrary to policies DEV20, DEV21, DEV22, DEV23 and DEV29 within the Joint Local Plan and the guidance within the Supplementary Planning Document, the World Heritage Site Management Plan and Supplementary Planning Document, and various paragraphs of the NPPF. For the reasons stated above, the proposal is recommended for refusal.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

Relevant policy framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change. On 13th January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

[*now known as Department for Levelling Up, Housing and Communities]

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment
DEV22 Cornwall and West Devon Mining Landscape World Heritage Site
DEV23 Landscape character
DEV29 Specific provisions relating to transport

Neighbourhood Plan

The Bere Peninsula Neighbourhood Plan now forms part of the Development Plan for West Devon and should be used in deciding planning applications within the Bere Ferrers Parish Area. The following policies are relevant to the consideration of this application:

Policy E1: Protecting the Local Environment

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application:

Tamar Valley AONB Management Plan (2019-2024)

The Cornwall and West Devon Mining Landscape World Heritage Site Management Plan 2020-2025

Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning Document 2017

Plymouth and South West Devon Supplementary Planning Document

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.