

West Devon Development Management and Licensing Committee



West Devon
Borough
Council

Title:	Agenda								
Date:	Tuesday, 18th July, 2023								
Time:	10.00 am								
Venue:	Chamber - Kilworthy Park								
Full Members:	<p style="text-align: center;">Chairman Cllr Cheadle Vice Chairman Cllr Southcott</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Cunningham</td> <td>Cllr Mann</td> </tr> <tr> <td>Cllr Guthrie</td> <td>Cllr Moody</td> </tr> <tr> <td>Cllr Jory</td> <td>Cllr Mott</td> </tr> <tr> <td>Cllr Leech</td> <td>Cllr Wakeham</td> </tr> </table>	Cllr Cunningham	Cllr Mann	Cllr Guthrie	Cllr Moody	Cllr Jory	Cllr Mott	Cllr Leech	Cllr Wakeham
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Cllr Guthrie	Cllr Moody								
Cllr Jory	Cllr Mott								
Cllr Leech	Cllr Wakeham								
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.								
Committee administrator:	Kathy Hoare - Democratic Services Specialist								

1. Apologies for Absence

2. Declarations of Interest

In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests including the nature and extent of such interests they may have in any items to be considered at this meeting;

3. Items Requiring Urgent Attention

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency (if any).

4. Confirmation of Minutes

1 - 4

Meeting held on 28 February 2023

5. Planning Applications

To see Letters of Representation and further supplementary information relating to any of the planning applications on the agenda, please select the following link and enter the relevant Reference number: <http://westdevon.gov.uk/searchlanding>

(a) 4087/22/HHO

5 - 16

Ward: Tavistock North
Application number: 4087/22/HHO
Location: 61 Parkwood Road, Tavistock PL19 0HH
Proposal: Householder application for alterations to existing building including rear/side extension and roof conversion.

(b) 0891/23/LBC

17 - 20

Ward: Tavistock North
Application number: 0891/23/LBC
Location: 73b Bannawell Street, Tavistock PL19 0DP
Proposal: Listed Building consent for provision of natural slate roof to main roof of dwelling in place of fibre cement slate roof and

repairs and capping of two chimneys

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| 6. | Planning Appeals Update | 21 - 22 |
| 7. | Update on Undetermined Major Applications | 23 - 24 |

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Agenda Item 4

Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **28th** day of **February 2023** at **10.00am** in the **COUNCIL CHAMBER, KILWORTHY PARK**

Present: Cllr J Yelland – Chairman

Cllr R Cheadle
Cllr N Heyworth
Cllr T Leech
Cllr C Mott

Cllr D Moyse
Cllr M Renders
Cllr T Southcott
Cllr J Spettigue

Head of Development Management (JH)
Planning Officer (NG)
Monitoring Officer and Head of Legal Practice (DF)
Democratic Services Officer (KH)

***DM&L.42 APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs T Pearce and B Ratcliffe, with Cllr R Cheadle substituting for Cllr Pearce.

***DM&L.43 DECLARATION OF INTEREST**

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting. In so doing, Cllr Mott declared an interest in planning application 4034/22/HHO (minute DM&L.46 below refers) by virtue of being the Council's appointed Member representative on the Cornwall and West Devon Mining Landscape World Heritage Site Partnership and remained in the meeting during consideration of this application.

***DM&L.44 URGENT BUSINESS**

Whilst there was no urgent business brought forward to this meeting, the Chairman reminded the Committee the next Development Management & Licensing Committee was scheduled to be held on 18 April 2023.

***DM&L.45 CONFIRMATION OF MINUTES**

The minutes from the Committee meeting held on 24 January 2023 were approved as a true and correct record.

***DM&L.46 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the report that had been prepared by the relevant Planning Officer on the following application and considered also the comments of the Parish Council together with other representations received, which were listed within the presented agenda report and summarised below:

(a) Application No. 4034/22/HHO Ward: Bere Ferrers

Site Address: Pump Cottage, Bere Ferrers

Development: Householder application for proposed detached garage

Recommendation: Refusal

Key issues for consideration: Design, scale and massing, the impact on non-designated heritage asset and setting, impact on the Cornwall and West Devon World Heritage Site, Tamar Valley Area of Outstanding Natural Beauty

Speakers included:

Supporter: Mr H Thornton

Bere Ferrers Parish Councillor: Cllr P Crozier

Local Ward Member: Cllr A Blackman

During questions of the speakers, it was clarified that, should Members wish to propose Conditional Application of the planning application, then they would need to demonstrate how the identified harm would be mitigated. It was confirmed that no weight should be given to the previous Structure, as there was just a concrete slab in situ. It was questioned if trellis work inside the hedge would help to mitigate the harm.

In debate, it was clarified that the Bere Peninsula Neighbourhood Plan stated that new development should avoid harming the unique assets of the area. Also, there was also no carbon reduction measures proposed in the planning application as stated as being required on new development within the Neighbourhood Plan.

It was raised by a Member that, on the site visit, the Committee had observed several sheds in close proximity to the application site that appeared to have no relevance to the heritage assets outlined in the Officer's published agenda report. In reply, the Head of Development Management said that the decision made on those garages may have been poor decisions in the past, however with the current adopted policies and, in particular, the World Heritage site status, it is important to measure the decision against them. The Officer also explained that it would be hard to condition against further development on this site, as it was an application for a garage and so it would not be possible to remove permitted development rights.

Committee Decision: Refusal

Reasons:

1. The proposed garage does not meet the minimum internal dimensions for domestic garaging as set out within paragraph 8.5 of DEV29 of the Plymouth & South West Devon Joint Local Plan (2014- 2034) The small size of the proposed garage is substandard resulting in a building that is not fit for purpose. If approved, it 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. As such the proposal is contrary to policy DEV29 Plymouth & South West Devon Joint Local Plan (2014- 2034);
2. The proposal introduces a new domestic feature on the approach to the settlement, which due to its siting, size and scale will detract from the setting of the host dwelling and other non-designated heritage assets within this linear hamlet. The proposal fails to conserve or enhance the outstanding universal value of the World Heritage Site (WHS) and is considered to cause less than substantial harm to the authenticity of the Outstanding Universal Value of the Site. The proposal is solely for private benefit and provides no mitigation to ameliorate the extent of harm to the WHS Public Realm. The proposal is therefore considered contrary to DEV20, DEV21, DEV 22 and DEV23, DEV25 of the Plymouth & South West Devon Joint Local Plan (2014- 2034), policies P3, P6, C2 and C9 of The Cornwall and West Devon Mining Landscape World Heritage Site Management Plan 2020-2025 and paragraphs 176, 200 and 202 of the National Planning Policy Framework; and
3. The application has failed to include a Heritage Statement proportionate to the asset's importance as required by The Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning Document 2017 and paragraph 194 of the National Planning Policy Framework. As a result, the full impacts of the design scheme and the proposal cannot be ascertained and therefore adequately considered against Policy DEV21 in the Plymouth & South West Devon Joint Local Plan (2014- 2034).

***DM&L.47 PLANNING APPEALS UPDATE**

The Head of Development Management updated Members on the appeal on Higher Wilminstone Milking Parlour, near Tavistock. The application had been refused on four reasons. The location had been the main reason that the Inspector had given for dismissing the appeal, as there were no local facilities and people would be reliant on the motor car.

***DM&L.48 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

The Head of Development Management updated Members on two applications that were raised at Committee. She confirmed that the meeting had taken place with Sports England on the application on Hazeldene Preparatory School, Tavistock. Also, that a meeting had taken place with the architect in regard to potential amendments to the design of the proposed houses.

The Monitoring Officer confirmed that the application on Plymouth Road was awaiting land ownership issues to be dealt with in regard to probate.

(The Meeting ended at 11.00 am)

Chairman

PLANNING APPLICATION REPORT – Householder Developments

Case Officer: Nicola Glanville

Parish: Tavistock

Application No: 4087/22/HHO

Agent (if applicable):

Miss Katie Mes - 4D Architects Studio
Plymouth Science Park
1 Davy Road
N24
Plymouth
PL6 8BX

Applicant:

Miss Felicity McCarter
61 Parkwood Road
Tavistock
PL19 0HH

Site Address: 61 Parkwood Road, Tavistock, PL19 0HH



Development: Householder application for alterations to existing building including rear/side extension & roof conversion

Cllr Jeffrey Moody has called this application to committee and feels that a site visit would be beneficial for the following reasons:

- 1) The Tavistock Town Council DM&L Committee support the application.
- 2) The Officer states: *The site forms the end of a row of well-preserved traditional buildings within the Conservation Area and World Heritage Site.* However, there are multiplicity of historic examples of modifications to the buildings which detract from the architectural merit of the row which does not support the claim that they are

'well preserved'. These include removal of some porches, installation of flat roofed carports on several buildings, the building of first floor extensions on porches on 2 buildings, one porch roof converted to a flat roof.

3) The Officer states: *The proposal would have a detrimental impact on the visual appearance of the rear of the dwellinghouse.*

Each building has a tenement at the rear of the building with a small (in most cases) lean-to extensions, but this symmetry is broken with one extension roof having been converted to a flat roof. Furthermore. The building on the opposite end of the row has a similar extension in mass and scale to that in this application.

4) The extension of the tenement is on the same footprint of the existing tenement and lean-to.

5) Officer states: '*.. two-storey rear element is an over-bearing addition that would overlook the neighbour's amenity space to the rear and encroach on their privacy.*' I am advised that there are no overlooking elements included in the proposal save for skylights in the roof from which there will be no view of the neighbouring property. There is however an existing window in the tenement which has historically overlooked the neighbouring property's amenity space.

6) It could be argued that view of the rear tenement extension element from the front public realm at the front of the building is minimal. There are no views of the proposed application site from the public realm behind the site.

Recommendation:

Refusal

Reasons for refusal

1. The proposal is considered to be an unacceptable development in terms of its design, size and scale. The site forms the end of a row of well-preserved traditional buildings within the Conservation Area and World Heritage Site. The proposed extension would wrap around the side of the dwellinghouse and would be visible within the Public realm when viewed from the front of the site causing harm to the outstanding universal value of the World Heritage Site and character and appearance of the Conservation Area, without significant public benefit.
2. The two-storey rear element is a dominant form that relates poorly to the existing dwellinghouse. The proposal would have a detrimental impact on the visual appearance of the rear of the dwellinghouse and is considered to cause harm to the setting of Listed Buildings and NDHAs in the broader street-scene, within the Conservation Area and World Heritage Site, without significant public benefit.
3. The two-storey rear element is an over-bearing addition that would overlook the neighbour's amenity space to the rear and encroach on their privacy contrary to DEV35.
4. The site is within Flood Zone, requiring a Flood Risk Assessment (FRA) to be submitted. Insufficient drainage detail has been submitted to fully assess the application.

The proposal is therefore contrary to the following policies:

National Planning Policy Framework (NPPF) including but not limited to paragraphs 197 and 203 and guidance in Planning Practice Guidance (PPG). Policies SPT1, TTV2, DEV1, DEV2, DEV10, DEV20, DEV21, DEV22 and DEV35 of The Plymouth & South West Devon Joint Local Plan (adopted by West Devon Borough Council on March 26th 2019)

Supplementary Planning Document (July 2020).

Key issues for consideration:

Design, scale and massing, the impact on non-designated heritage asset and setting, impact on the Cornwall and West Devon World Heritage Site and Tavistock Conservation Area, Tamar Valley Area. Impact on neighbour amenity.

Consultations:

- County Highways Authority - No Highways Implications
- Environmental Health Section - No comments
- Town/Parish Council - Support
- Drainage Specialist - Object

Recommendation

Due to insufficient information we would recommend that the application is not decided at this time.

Comments

The site is within Flood Zone 2 so an FRA is required. This information has not been submitted so we are unable to fully assess the application.

If the LPA is minded to approve the application then please ensure a suitable condition is added to cover the flood risk and drainage elements.

- Heritage Specialist - Object

The application site is within the Tavistock Conservation Area (CA) and the Cornwall and West Devon Mining Landscape World Heritage Site (WHS) and can also be considered as part of the setting of the listed miners cottages and the foundry buildings / site.

Further to our discussions regarding this application I can summarize the heritage concerns as follows.

The property is part of a wider group of semi-detached Victorian dwellings which are identified as 'positive' in the adopted Conservation Area Appraisal and are judged to be 'non-designated heritage assets' within the designated assets of the CA and WHS. Section 72 of the Planning, (Listed Buildings and Conservation Areas) Act, 1990 requires that '*special*

attention shall be paid to the desirability of preserving or enhancing the character or appearance...'

Paragraph 189 of the National Planning Policy Framework (NPPF) affirms that World Heritage Site status is a heritage asset of 'the highest significance'. As well as NPPF 20 and 203 para 206 says, '*Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance*'.

As well as having group value each of the Parkwood Road properties must be considered to contribute individually. Numbers 51-65 are of a consistent 'pattern book' type design. As well as their general elevation appearance having been the same they also had attractive brick porches to the side and identical 2 storey wings to the rear. The legibility of these original features is important as the standardised design contributes to their significance. Numbers 61 and 63 make a legible pair having unspoiled brick porches adjacent to each other. The proposed addition of a ground floor fake lean-to will be visible and is a change that would cause harm.

When viewed from Yelverton Terrace the 2 storey rear wings of the group are notably unaltered and have a clear rhythm that is a positive character feature. Number 55 was extended to a similar extent as the current proposal prior to CA designation and it is evident how it stands out as an irregularity. The proposed enlarged wing is also a change that equates to harm to the NDHA as a positive component of the CA and WHS. Rather than offering justification for further change and loss of character it is important to emphasise how the rarity of surviving characteristics adds to their heritage value and makes retention as designed much more significant.

With regard to setting of the listed buildings it is important to recognise that 'setting' can be more than simply visual. It is likely that these properties were associated with the adjacent foundry sites. Whilst they may post date the high point of the mining boom the foundries continued to function long after and exist entirely to service the mines. If these properties were occupied by staff of the works then that would add to their significance.

In terms of the WHS the property has the Attributes of being part of the mining settlement of Tavistock and a probable association with the ancillary industry of the foundry sites. The relevant policy in the WHS Management Plan is C2 which says, '*New development will add to the quality and distinctiveness of the Site by being of high-quality design and respectful of setting.*'

The Heritage Statement supporting the application does not adequately assess the heritage values, concentrating largely on cosmetic appearance from the front of the property and not the overall character. It does not meet the aims of NPPF 194.

I conclude that the proposed development would cause some 'less than substantial harm' to the character and appearance of the CA and to the outstanding universal value of the WHS. As there is no public benefit to outweigh the harm then I can only make a recommendation of refusal.

PUBLIC CONSULTATIONS

Representations:

Representations from Residents

Comments have been received and cover the following points:

- Question regarding whether the development would invoke the Party Wall Act.

This is a matter covered by separate legislation and is therefore not material to this application.

Relevant Planning History

4040/21/PR1 – Scoping Only - Pre-App Enquiry for – Alterations to existing building including rear/side extension and roof conversion – No Officer support

F/3/50/634/1985/81 Formation of a vehicular access. Conditional Approval

Site & Surroundings

The site is a 3-bedroomed dwellinghouse located at the eastern end of Parkwood Road close to the junction with Stannary Bridge Road, Tavistock.

The site forms one of a row of six semi-detached villas of a similar uniform appearance. Numbers 51-65 are of a consistent 'pattern book' type design. Numbers 61 and 63 make a legible pair having unspoiled brick porches adjacent to each other. Each property has a small front and rear garden with a side vehicular access onto the highway.

61 Parkwood Road 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 and Listed Buildings surrounding the Foundry.

Proposal

The proposal is for alterations to the existing building which include:

- a second storey to the rear above an existing single storey outshot.
- a single storey corner infill between the existing 2-storey outshot to the rear of the host dwelling and the boundary. This would sit on the boundary with the neighbour.
- A single-storey side extension with lean-to roof that extends from behind the existing porch to the rear of the building.

The proposal would provide a large kitchen/family room and breakfast bar, utility and wc on the ground floor. Three bedrooms (one being en-suite), walk in wardrobe and bathroom on the First Floor with landing and stairs to a fourth bedroom within the roofspace.

ANALYSIS

1.0 Principle of Development

1.1 The site is located within the curtilage of an existing dwellinghouse (NDHA). The principle of extensions 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, Conservation Area and the setting of the host dwelling (NDHA) and surrounding NDHA's and Listed Buildings.

2.0. Design & Heritage

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. It also sits within Tavistock Conservation Area. The site makes a positive contribution to the historic character and how the townscape is experienced.

2.2. The Conservation Area Character Appraisal (6.9) for Parkwood Road, Tavistock states:

Parkwood Road continues the historic line of Brook Street and includes some mid-19th century Italianate villas, a group of Bedford Estate cottages, and further groups of well-detailed late 19th century terraced houses. A few buildings remain of Tavistock's industrial past, namely the former Town Mill, the Tavistock Foundry, and further buildings associated with the Tavy Iron Works close to Stannary Bridge.

Historical development - The larger, more prestigious houses on the south side of Parkwood Road date to the 1860s and 1870s.

Historic family houses in Tavistock date to the 16th century onwards, and vary according to status. Higher status buildings include ... 19th century detached villas along ... Parkwood Road. Of the higher status buildings, the following are a sample: Watts Road and Parkwood Road: Paired or detached mid-19th century stuccoed Italianate villas with sash windows and slate roofs (not listed).

2.3 Having assessed the historical importance of the site against the Non-Designated Heritage Asset (NDHA) Assessment Methodology (SPD 2020) although not Listed the site can be considered a building of significant historical merit worthy of NDHA status. This has been confirmed by the councils Heritage Specialist: *'The property is part of a wider group of semi-detached Victorian dwellings which are identified as 'positive' in the adopted Conservation Area Appraisal and are judged to be 'non-designated heritage assets' within the designated assets of the CA and WHS.'*

2.4 Looking at the proposed development on the basis of NPPF 203 Cllrs must take a balanced judgement having regard to the scale of any harm or loss and the significance of heritage assets. The World Heritage Site is the highest Heritage area designation and proposals should be seen to preserve and enhance its outstanding universal value and attributes.

2.5. 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.'* 61 Parkwood Road is considered to be a non-designated heritage asset, as can the row of semi-detached villas it is associated with by way of age and architectural merit. Considering the visible prominence of the proposed single storey side extension from Stannary Bridge Road and the visible presence of

the two storey rear extension from Yelverton Terrace and its impact on setting, Officers consider the development fails to conserve the local character of both the host dwelling, the setting of the additional non designated heritage assets and surrounding Listed buildings in the CA and WHS.

2.6 As commented on by the Council's Heritage Specialist, the proposed side extension will be visible from the public realm and its siting, design and appearance particularly impacts on the Outstanding Universal Value of the World Heritage Site.

2.7 The councils Heritage Specialist comments: *'Numbers 61 and 63 make a legible pair having unspoiled brick porches adjacent to each other. The proposed addition of a ground floor fake lean-to will be visible and is a change that would cause harm.'*

2.8 With regards to the proposed rear extension the Heritage Specialist comments: *'When viewed from Yelverton Terrace the 2 storey rear wings of the group are notably unaltered and have a clear rhythm that is a positive character feature. Number 55 was extended to a similar extent as the current proposal prior to CA designation and it is evident how it stands out as an irregularity. The proposed enlarged wing is also a change that equates to harm to the NDHA as a positive component of the CA and WHS. Rather than offering justification for further change and loss of character it is important to emphasise how the rarity of surviving characteristics adds to their heritage value and makes retention as designed much more significant.'*

2.9 The two-storey rear element is a dominant form that relates poorly to the existing dwellinghouse. The proposal would have a detrimental impact on the visual appearance of the rear of the dwellinghouse and is considered to cause less than substantial harm to the setting of Listed Buildings and NDHAs in the broader street-scene, within the Conservation Area and World Heritage Site, without significant public benefit.

3.0 With regard to setting of the listed buildings: *'it is important to recognise that 'setting' can be more than simply visual. It is likely that these properties were associated with the adjacent foundry sites. Whilst they may post date the high point of the mining boom the foundries continued to function long after and exist entirely to service the mines. If these properties were occupied by staff of the works then that would add to their significance.'*

3.1 In terms of the WHS the property has the attributes of being part of the mining settlement of Tavistock and a probable association with the ancillary industry of the foundry sites. The relevant policy in the WHS Management Plan is C2 which says, *'New development will add to the quality and distinctiveness of the Site by being of high-quality design and respectful of setting.'*

3.2 The Heritage Statement supporting the application does not adequately assess the heritage values, concentrating largely on cosmetic appearance from the front of the property and not the overall character. It therefore does not meet the aims of NPPF 194.

3.3 As stated in the Heritage Specialists comments above, the proposal is considered to be an unacceptable development in terms of its siting, design, size and scale. The site forms the end of a row of well-preserved traditional buildings within the Conservation Area and World Heritage Site. The proposal introduces new built forms to both the rear and side of the dwellinghouse that would be visible within the Public realm, erode the distinctive, traditional appearance of the row of dwellings causing less than substantial harm to the outstanding

universal value of the World Heritage Site and character and appearance of the Conservation Area, without significant public benefit.

3.4 The mass of the structure would detract from the quality of the built form and the authenticity of the World Heritage Site, the Conservation Area 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, policies C2 of the World Heritage Site Management Plan and paragraphs 203 and 206 of the National Planning Policy Framework.

3.5 The proposed materials match those of the existing dwellinghouse and are considered appropriate within the setting. However, the siting, scale and design of the proposal are not supported.

3.6 DEV20 (2) requires proposals to have (amongst other things) proper regard to the wider development context and surroundings in terms of siting. Given the discussion above, Officers conclude that the proposal fails to consider the wider development and therefore is contrary to DEV20 and DEV21.

3.7 Furthermore, the heritage statement submitted with this application has not wholly provided a sufficient assessment of the impact of the development on the NDHA and its Heritage setting. 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.'

3.8. 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.

4.0. Amenity

4.1. Although there have been no neighbour objections to the proposal, the addition of a second storey above the existing single storey lean-to would result in an over-bearing built form that would encroach on the neighbour's existing amenity space to the rear of the property and the privacy both existing and future occupants would currently enjoy in their garden.

4.2. This new First Floor extension includes a large bedroom window in the end gable (north elevation) where there was previously no window.

4.3. Furthermore, the proposed single storey corner infill sits on the existing boundary with the neighbour, further compromising and crowding the limited available amenity space between the two attached properties.

4.4. The proposal is therefore considered unacceptable in terms of amenity and contrary to JLP Policy DEV1.

5.0 Highways

5.1. The proposal has No Highways Implications

6.0 Drainage

6.1 The site is within Flood Zone 2 so an FRA is required. This information has not been submitted so Officers are unable to fully assess the application or determine whether an acceptable drainage scheme is achievable.

6.2. Given the small size of the garden area surrounding the site available to achieve a workable drainage solution Officers do not consider the application accords with DEV35 and is therefore unacceptable.

7.0 Carbon Reduction

7.1 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.

8.0 Ecology

8.1 An Ecology Report was submitted (dated 07 November 2022) that states no protected species were present on inspection. Therefore the proposal would have no impact on protected species and Officers consider that the proposal accords with DEV26.

9.0 Trees

9.1. No trees will be affected by the proposal. Therefore Officers consider that the proposal accords with DEV28.

10.0 Conclusion

10.1. In totality, the proposal is considered contrary to policies DEV1, DEV20, DEV21, DEV22 and DEV35 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 and with Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV3 Strategic infrastructure measures for the Main Towns
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV10 Delivering high quality housing
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
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV31 Waste management
DEV32 Delivering low carbon development
DEV33 Renewable and low carbon energy (including heat)
DEV35 Managing flood risk and Water Quality Impacts

Neighbourhood Plan – Not adopted

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: SPD 2020.

Tavistock Conservation Area Appraisal 2009

Tavistock Conservation Area Management Plan 2009

Tavistock Conservation Area Designations Map 2008

World Heritage Site Management Plan 2020-2025

World Heritage Site Supplementary Planning Document 2020-2025

Neighbourhood Plan – Not adopted.

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.

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PLANNING APPLICATION REPORT

Case Officer: Graham Lawrence

Parish: Tavistock **Ward:** Tavistock North

Application No: 0891/23/LBC

Agent/Applicant:

Peter and Sandra Whitehead
73B Bannawell Street
Tavistock
Devon
PL19 0DP

Applicant:

Peter and Sandra Whitehead
73B Bannawell Street
Tavistock
Devon
PL19 0DP

Site Address: 73b Bannawell Street, Tavistock, PL19 0DP



Development: Listed building consent for provision of natural slate roof to main roof of dwelling in place of fibre cement slate roof and repairs and capping of two chimneys.

Reason item is being put before Committee:

One of the applicants is a Council employee.

Recommendation: Conditional approval

Conditions: (in full below)

- 1 Standard time limit
- 2 Accord with plans
- 3 Slate type and fixing

Key issues for consideration:

- Effect on listed building
- Effect on Tavistock Conservation Area and the World Heritage Site

1.0 Site Description:

The property is one of a pair of dwellings dating from the first half of the 19th century that were restored from flats in the late 1990's. It is presumed that the artificial slate roof dates from either the conversion of the building or the removal of the dormer that is referenced in the list description.

The building has considerable group value with its neighbouring listed buildings and is integral to the streetscene within the Tavistock Conservation Area. The historic buildings of Bannawell St were developed largely during the mining boom that is the reason for UNESCO inscription of the Cornwall and West Devon Mining Landscape World Heritage Site (WHS). The roofscape of Bannawell St is very visible from the listed railway viaduct.

2.0 The Proposal: Provision of natural slate roof to main roof of dwelling in place of fibre cement slate roof and repairs and capping of two chimneys. The works to the outbuilding that formed part of the application as submitted have been removed at the request of the applicants.

3.0 Consultations:

- County Highways Authority – No implications.
- Town Council – Support. The application is welcomed as it is conserving a heritage building, we would however anticipate that the choice of slate will be determined by a 'condition', and will be sympathetic to a Listed Building in the Conservation Area.

Representations: None received.

4.0 Relevant Planning History:

LBC/3/50/1118/1997 - Conversion of three flats to two houses involving alteration. Conditional approval.

1148/2000/TAV - Single storey rear extension to both properties. Conditional approval.

11598/2008/TAV - Replacement of dormer window with conservation style roof light. Conditional approval.

1106/21/LBC - Listed building consent for replacement roof and alterations to existing workshop/store. Conditional approval.

5.0 ANALYSIS

Heritage issues:

Re-roofing in natural slate represents a significant enhancement of the listed building and its contribution to the Conservation Area and WHS.

The original roof would have been clad with local blue-grey slate from Mill Hill quarry. As this is no longer available a blue-grey Spanish slate represents the nearest equivalent.

The other works proposed to the chimneys will help to alleviate issues of water ingress currently being experienced.

This application has been considered in accordance with Sections 16, 17 and 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.0 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).

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
SPT11 Strategic approach to the Historic environment
DEV21 Development affecting the historic environment
DEV22 Cornwall and West Devon Mining Landscape World Heritage Site

Neighbourhood Plan

The Tavistock Neighbourhood Plan is within its very early stages and doesn't carry any weight.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 194, 195, 197 and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: Tavistock Conservation Area Appraisal and Management Plan, WHS Management Plan.

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.

Conditions in full:

1 The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 18 and 74 of the Planning (Listed Buildings & Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby approved shall in all respects accord strictly with drawings site location plan, 73B/1, 73B/2, 73B/3, 73B/4 received by the Local Planning Authority on 31/3/2023, the Preliminary Visual Assessment by Western Ecology (March 2023) and the revised Schedule of Works received on 22/6/2023.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3 The roof shall be clad using a blue-grey natural slate of a European source and the slates shall be fixed using nails, not hooks, unless otherwise agreed in writing by the local planning authority prior to the undertaking of the works.
Reason: To protect and enhance the character of the listed building.

West Devon Borough Council Agenda Item 6

PLANNING AND LICENSING COMMITTEE 18-Jul-23

Appeals Update from 6-Jun-23 to 7-Jul-23

Ward Bere Ferrers

APPLICATION NUMBER: **3072/22/HHO** APP/Q1153/W/23/3316253
APPELLANT NAME: Mr & Mrs Robert & Alison Coombs
PROPOSAL: Householder application for proposed new storage enclosure in back garden
(Resubmission of 3590/21/HHO)
LOCATION: Treyard Weir Quay Bere Alston PL20 7BS **Officer member delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 03-July-2023
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Bridestowe

APPLICATION NUMBER: **4185/22/FUL** APP/Q1153/W/23/3318734
APPELLANT NAME: Mr M Rouse
PROPOSAL: Erection of detached gym building
LOCATION: East Bowerland Farm Okehampton EX20 4LZ **Officer delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 26-June-2023
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER: **2808/21/VAR** APP/Q1153/W/22/3291673
APPELLANT NAME: Virburnum SW Limited
PROPOSAL: Application for variation of condition 2 (approved drawings)
of planning consent 2161/19/VAR
LOCATION: Cross Roads Farm Lewdown EX20 4DP **Officer member delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 27-July-2022
APPEAL DECISION: Upheld
APPEAL DECISION DATE: 29-June-2023

APPLICATION NUMBER: **3252/21/FUL** APP/Q1153/W/22/3309883
APPELLANT NAME: Mrs D O'Neill
PROPOSAL: Replacement dwelling
LOCATION: Mobile Home, Widdacombe Barns Lewdown EX20 4EA **Officer member delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 03-March-2023
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 20-June-2023

Ward Buckland Monachorum

APPLICATION NUMBER: **0811/21/FUL** APP/Q1153/W/22/3306164
APPELLANT NAME: Mr Guy Leisching
PROPOSAL: Proposed single-storey dwelling with associated landscaping,
including provision of
Devon bank and tree planting
LOCATION: Axtown Lodge Green Lane Yelverton **Committee**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 04-April-2023
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 16-June-2023

APPLICATION NUMBER: **1566/22/FUL** APP/Q1153/W/23/3314365
APPELLANT NAME: Mr & Mrs A Wates
PROPOSAL: Change of use of existing annexe to mixed use of annexe and holiday
let
LOCATION: Old Orchard House Yelverton PL20 6ET **Officer delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 05-April-2023
APPEAL DECISION: Upheld

APPEAL DECISION DATE: 23-June-2023

Ward Exbourne

APPLICATION NUMBER: **0980/22/FUL** APP/Q1153/W/23/3318282
APPELLANT NAME: Mr Andrew Reekie
PROPOSAL: Dwelling with detached garage and associated landscaping
LOCATION: Land at SX 601 102 Garden near Town Living Cross North **Officer member delegated**
Road Exbourne Okehampton EX20 3RP
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 20-June-2023
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Okehampton South

APPLICATION NUMBER: **2016/22/CLP** APP/Q1153/X/22/3306005
APPELLANT NAME: Mr & Mrs Simon Essex
PROPOSAL: Certificate of Lawfulness for proposed demolition of industrial
buildings that surround the listed chimney, site clearance and making good / secure
site
LOCATION: The Old Mill Mill Road Okehampton **Officer delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 12-September-2022
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 12-June-2023

Ward Tamarside

APPLICATION NUMBER: **1771/22/FUL** APP/Q1153/W/22/3312802
APPELLANT NAME: Lawrence Goss
PROPOSAL: Proposed separate dwelling from existing Annex (Retrospective)
LOCATION: Garage At Sx 369 802 Greystone Bridge Launceston **Officer member delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 19-June-2023
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Tavistock South West

APPLICATION NUMBER: **0723/21/FUL** APP/Q1153/W/22/3292611
APPELLANT NAME: Baker Estates Limited
PROPOSAL: Hybrid application comprising full planning application for the
erection of 44 residential dwellings, formation of access, associated
public open space, landscaping and infrastructure; and outline
planning application for 0.76ha of commercial land (use class E(g) -
formerly B1 with all matters reserved, except means of access
LOCATION: Land At Plymouth Road Tavistock **Committee**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 11-October-2022
APPEAL DECISION: Upheld
APPEAL DECISION DATE: 23-June-2023

Undetermined Major applications as at 7-Jul-23

	Valid Date	Target Date	EoT Date
2915/19/FUL Steven Stroud	18-Dec-19	18-Mar-20	31-May-23

Address: Wool Grading Centre, Fore Street, North Tawton,

Description: READVERTISEMENT Revised plans received Conversion of existing Grade II listed mill buildings Building A into 11 open market townhouses redevelopment for B1 office use Conversion re erection of Building B into 3 open market dwellings

Comments: Agent submitted further information. Meeting held, EoT agreed and further information awaited. Likely to require a further EOT.

	Valid Date	Target Date	EoT Date
4113/21/OPA Steven Stroud	16-Nov-21	15-Feb-22	20-May-22

Address: Rondor And Gunns Yard, North Street, Okehampton,

Description: Outline application with some matters reserved for the development of 19 No dwellings with new private access road parking and external works

Comments: Awaiting applicant confirmation that the required commuted sum following viability review is accepted.

	Valid Date	Target Date	EoT Date
0107/22/OPA Steven Stroud	13-Jan-22	14-Apr-22	1-Jun-22

Address: Land north of, Green Hill, Lamerton,

Description: READVERTISEMENT additional information amended description Outline application for proposed development of 19 dwellings with access external works with all matters reserved other than the access

Comments: Further recon carried out following receipt of further detail and completion of viability review. Comments received under consideration.

	Valid Date	Target Date	EoT Date
4004/21/FUL Jacqueline Houslander	26-Apr-22	26-Jul-22	11-Nov-22

Address: Former Hazeldon Preparatory School, Parkwood Road, Tavistock, PL19 0JS

Description: Refurbishment of Hazeldon House to form a single dwelling including demolition of non listed structures demolition of all other structures including former classroom blocks on site the erection of 10 open market dwellings reinstatement of original site access restoration of parkland associated infrastructure including drainage and retaining structures landscaping open space play space removal of some trees parking and boundary treatments

Comments: Revised plans awaited. Will need to be readvertised.

	Valid Date	Target Date	EoT Date
2873/22/ARM Peter Whitehead	13-Sep-22	13-Dec-22	5-May-23

Address: Development Site At Sx 382 850, Fore Street, Lifton,

Description: READVERTISEMENT revised plans documents Application for approval of reserved matters following Outline Approval 2353 18 OPA relating to layout scale appearance and landscaping for the construction of 54 dwellings with associated public open space including allotments landscaping and sustainable drainage and the Discharge of Conditions 3 4 5 6 9 10 11 12 13 14 15 16 18 19 20 21 22 23 24 25 26 27 28 pursuant to application 0159 22 VAR variation to outline permission 2353 18 OPA

Comments: revised plans under consideration and reconsultation.

	Valid Date	Target Date	EoT Date
2441/21/FUL Steven Stroud	13-Sep-22	13-Dec-22	31-May-23

Address: The Old Woollen Mill, Fore Street, North Tawton,

Description: READVERTISEMENT revised plans Hybrid application for full planning for 24 dwellings office unit class E and caf and business unit class E and 13 dwellings as outline permission Self Build Plots

Comments: As above application No: **2915/19/FUL**.

		Valid Date	Target Date	EoT Date
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3041/22/FUL Peter Whitehead

20-Dec-22 21-Mar-23

Address: Unit 1A-2D, North Road Industrial Estate, Okehampton, EX20 1BQ

Description: Erection of new build two storey office warehouse development Resubmission of 1184 20 FUL

Comments: Awaiting revised surface water drainage strategy to resolve objection of DCC LLFA.

		Valid Date	Target Date	EoT Date
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4440/22/OPA Peter Whitehead

23-Jan-23 24-Apr-23

Address: Land Adjacent To Baldwin Drive, Radford Way, Okehampton,

Description: Outline planning permission with some matters reserved access for a mix of around 60 1 to 4 bedroom residential dwellings associated infrastructure

Comments: under consideration

		Valid Date	Target Date	EoT Date
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3198/22/ARM Clare Stewart

27-Jan-23 28-Apr-23

Address: Land Adjacent To Lifton Strawberry Field, Lifton,

Description: Application for approval of reserved matters following outline approval 1408 20 OPA for access adoptable road layout

Comments: Under consideration. Further details to be submitted by agent, rolling EoT.

		Valid Date	Target Date	EoT Date
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4083/21/OPA Peter Whitehead

8-Feb-23 10-May-23

Address: Development Site at SX 502 991, Crowden, Northlew,

Description: Outline application with some matters reserved only access under consideration for up to 25 dwellings including 30 affordable dwellings

Comments: under consideration.

		Valid Date	Target Date	EoT Date
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0474/23/VAR Clare Stewart

9-Feb-23 11-May-23

8-Jun-23

Address: Land Adjacent To Callington Road, Callington Road, Tavistock,

Description: Application for variation of condition 2 approved plans of planning consent 3345 18 ARM

Comments: Under consideration. Further information requested from agent.

		Valid Date	Target Date	EoT Date
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0998/23/OPA Clare Stewart

5-Jun-23 4-Sep-23

Address: Hawley House, Church Road, Highampton, EX21 5LS

Description: Outline Application with all matters reserved for residential development for up to 19 dwellings to include public open space resubmission of 1266 22 OPA

Comment:

		Valid Date	Target Date	EoT Date
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1723/23/VAR Bryony Hanlon

5-Jun-23 4-Sep-23

Address: Hatherleigh Market, Hatherleigh, EX20 3HT

Description: Application for Variation of Condition 1 approved drawings of Planning Consent 4416 21 VAR

Comment: In public consultation period.

		Valid Date	Target Date	EoT Date
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1116/23/VAR PI Officer

15-Jun-23 14-Sep-23

Address: Land south of North Tawton Primary Substation, North Tawton, EX20 2DA

Description: Application for variation of conditions 2 approved drawings 3 programme of archaeological work 4 CEMP 5 LEMP 6 site decommissioning remediation strategy 7 details of all external materials of planning consent 2094 21 FUL

Comment: