

COMMITTEE REPORT

Case Officer:	Lauren Hutton		
Parish:	Germansweek	Ward:	Bridestowe
Application No:	0821/24/HHO		
Applicant:	Mr & Mrs J & A Morris Nightingale Cottage Germansweek Devon EX21 5BP	Agent:	Mr Edward Persse - EJFP Planning Ltd 49 Bannawell Street Tavistock PL19 0DP
Site Address:	Nightingale Cottage Germansweek Beaworthy EX21 5BP		
Development:	Householder application for the erection of an extension		



Reason item is before Committee: Called by Cllr Southcott for the following reasons:

1. English Heritage has chosen not to comment on the application, but Historic England has previously commented on the principle of the extension and the potential impact on the setting of the Church to be of little significance.
2. The parish council fully supports the application as do many of the residents in the parish.
3. I do not believe the Barn Guide is relevant as the current house was built, I understand out of the remains of a tumble-down barn, 25 years ago.
4. The application site sits several metres below the level of the Church.
5. The proposed extension is subservient to the host dwelling as required.
6. The proposed extension is not widely visible from outside the site.
7. The extension is outside the conservation area.

Recommendation: Refusal

Reasons for refusal:

1. The proposal is an inappropriate form of development that fails to conserve or enhance the character and appearance of the Germansweek Conservation Area and the setting of the grade II* Church of St Germans, and would result in less than substantial harm to a designated heritage asset that is not outweighed by public benefits, contrary to the requirements of the statutory duty set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 205 and 209 of the National Planning Policy Framework (NPPF 2023), the provisions of Policy DEV21 (1,3,6) of the Plymouth and South West Devon Joint Local Plan (2019-2034), and paragraphs 17.1-17.10, 17.27-17.29, 17.35-17.60 of the Supplementary Planning Document (2022).
1. The proposed extension, by virtue of its siting, scale, massing, orientation, fenestration pattern, projection forwards of the principal elevation and unacceptable architectural design is considered inappropriate and at odds with to the host dwelling. It would therefore represent an incongruous and overbearing addition to the locality, contrary to Policies TTV29(5), DEV20 (2,4), DEV23 (1,2,3) of the Plymouth & South West Devon Joint Local Plan (2019- 2034) 11.85-11.86, 13.12, 13.36, 13.38, of the Supplementary Planning Document (2022), the guidance from 'The Barn Guide; Traditional Farm Buildings: Their Adaption and Re-use' (2020) and the guidance of the National Planning Policy Framework (NPPF, 2023) including but not limited to paragraphs 135 and 139.

Site Description:

The site is located on the southern side of Germansweek. The property is within Germansweek Conservation area, adjacent to a grade II* listed building and a public right of way. The property is located via a shared access track from the main single lane

carriageway within the village. The property is a former barn, with an existing permission to convert into a two bedroom dwelling.

The Proposal:

The proposal is for a two-storey link extension, single storey extension to the south elevation with flat roofed porch.

Consultations:

- Town/Parish Council: Support
This change seems to be discrete, It can not be seen, it does not overlook nor is it overlooked. There is no impact to anyone nearby.
- DCC Ecology: The Ecological Information provided is sufficient and conditions needed
- Environmental Health: No EH Concerns
- DCC Highways: No Highways Implications
- Historic England: Not Offering Advice – seek views of specialist Conservation Advisors
- LPA Heritage Specialist

Clear advice has been offered relating to this site on three separate occasions via our pre-application service so I will not re-visit the issues set out in those responses. It is apparent that the officer advice given has had little effect on the scale of development proposed.

The Heritage Statement(HS) identifies the heritage assets affected but does not address consideration of ‘harm’ to those assets as set out in the NPPF, nor does it acknowledge the fact that the property must be considered a ‘non-designated heritage asset’ that makes a positive contribution to the character and appearance of the Conservation Area. In Section 6 ‘Relevant Conservation Policies and guidance’ there is no reference to either the ‘Barn Guide’ which is part of the adopted SPD, or Historic England advice in ‘The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)’. There is no Heritage Impact Assessment relating to impact on the setting of the grade II church – a heritage asset of the ‘highest significance’ (NPPF195 and 206).*

The comments of Historic England via their pre-application consultation (included in the HS) must be given very limited credence as they are based on an entirely one-sided consultation with the project designer and without any site visit or (it appears) prior knowledge of the site. The continued practice of Historic England offering such limited advice without including the local planning authority at any stage is most unhelpful. The comments offered to the architect are at first seemingly encouraging but then state, (in reference to the earlier LPA pre-app responses), ‘We strongly recommend that you consider how your proposals can be aligned to comply with these policies.’ This letter, sent privately to an agent without the courtesy of copy to the LPA, is fundamentally contradicted by the formal response to this application that, ‘Historic England provides advice when our engagement can add most value. In this case we are not offering

advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.'

From my site visit to this site and experience of the settlement and Conservation Area over many years as a heritage specialist for WDBC I continue to have significant concerns regarding views from the churchyard and especially the south porch. Every visitor to the church for whatever reason will experience the view from the porch and whilst the development site has a degree of screening that is not in the applicants' control and is sparse in winter. Similarly the sequential views approaching the church along Germansweek Footpath #5 from the SW may not always be screened by the current level of tree growth. That footpath exists as a relic of the need for occupants of the farms in that direction to have a route to their parish church so such routes must be accorded respect and consideration. The harm to the setting of the II church is certainly at the lower end of 'less than substantial' but any level of harm is required to have 'clear and convincing justification' (NPPF206) and be 'weighed against' public benefits (NPPF208). These requirements are echoed in DEV21 of the JLP.*

The proposed extensions to a simple barn, characterised by its simple linear form and materials of construction, can only be seen as harmful. The scale, form, design and materials proposed all jar with the vernacular parent building and would dominate it both physically and visually. In addition to the scale of the proposed additions the change of the roof of the historic barn from hipped to gabled is a change that is clumsy and serves to illustrate a lack of understanding or appreciation of the historic roof form. Hipped roofs are a dominant characteristic of the local vernacular, especially on farm buildings and an integral feature of the heritage assets of the Conservation Area. This change alone would be firmly resisted. The 'Barn Guide' is adopted guidance that has informed the conversion of traditional buildings for many years. The advice contained therein is clear and robust. Despite officers' attempts to encourage the applicants to follow that good advice we have an application that simply ignores effectively all of the tenets the 'Barn Guide' provides.

Conclusion

From a heritage perspective I can only recommend refusal on the basis of:-

- *Harm to the character of a non-designated heritage asset that is assessed to make a positive contribution to the character and appearance of the Germansweek Conservation Area.*
- *Harm to the setting of the grade II* Church of St German*

Relevant Planning History

- 1022/2000/OKE – Change of use of redundant barn to detached 2 bed accommodation plus access (appeal APP/Q1153/A1/01/1067734 upheld conditional approved) 30/10/2001
- 6435/2004/OKE - Erection of single storey extension – Refused – 19/08/2004
- 6753/2004/OKE- Erection of a single storey extension – Refused- 10/05/2004
- 7304/2005/OKE - Erection of first floor extension – Conditional Approval – 18/05/2005

- Pre application – No Officer Support

ANALYSIS

1.0 Principle of Development/Sustainability:

1.1 The site hosts an existing dwelling; the principle of alterations within this context is therefore established, subject to the compliance with the other protective designations and policies relevant to this location. It is noted that the Parish Council Support the scheme.

1.2 It should be noted that the applicants have gone through the Local Planning Authorities pre application process. The same scheme was given No Officer Support. Alterations and the scaling back of the scheme were proposed in order to make a proposal acceptable, although this advice has not been reflected in the subsequent application.

1.3 The site is in Germansweek, and therefore for the purposes of assessing the principle of the extension, it is determined that the site is within tier 4 of the settlement hierarchy as defined in policy TTV1 of the Joint Local Plan (JLP) and would therefore fall into the category of 'Smaller Villages, Hamlets, and the Countryside'. As such, the development must be considered against policy TTV29(5) which relates to residential extensions in the countryside:

'Proposals to extend or replace existing dwellings in the countryside will be permitted provided (5) the extension is appropriate in scale and design in the context of the setting of the host dwelling'

1.4 The Plymouth and South West Devon Supplementary Planning Document (SPD) provides further clarification as to what may be deemed acceptable in terms of scale. When considering what is 'appropriate' in scale for the rural location it is measured by the increase in internal floorspace in combination with all subsequent extensions of the original house. This should be less than 50% giving consideration to the rural location.

1.5 The property has already been extended with the addition of a storm porch and rise in ridge height to accommodate a first floor bedroom. With this increase in internal space the property has been extended to the 50% internal space threshold. The dwelling has been extended by subsequent addition of a conservatory since the 2005 application for extension which has increased the internal space further.

1.6 There is scope for additions over the 50% internal floor space when considering the context of the site and the quality of the design proposal. Permission may be granted if there is a:

- Demonstratable uplift if the quality of the built form and
- The primacy of the host dwelling is not unduly diminished and
- The proposal does not have a negative impact on the external amenity space within the proposal site.

1.7 The proposed scheme represents approximately a 300% increase from the approved internal floor space from the originally approved dwelling, including the 'void' on the first floor which has proposed rooflights and hip to gable roof alteration and can comfortably be a habitable room.

1.8 Officers do not consider there to be a negative impact on the external amenity space within the proposal site. However, the primacy of the host dwelling is unduly diminished and there is no uplift in the quality of built form. The latter two points are explained with more detail within the 'design' section.

1.9 Officers therefore do not support the principle of this large extension within the rural location which is inappropriate in terms of scale and contrary to JLP policy TTV29 (5) and the support paragraphs 11.85 and 11.86 of the JLP.

2.0 Design

2.1 The host dwelling is a former barn conversion which, although subsequently extended still reflects its original origin. The Barn Guide sets out best practice guidelines for barn conversions which is applicable in this instance. When proposals relate to an already existing conversion, it is judged on (i) how well the initial conversion retained the character of the building and its setting and (ii) how well the new proposals maintain the standards and qualities originally achieved. In this case, the host dwelling reads as a converted and sympathetic barn conversion with much of the original features in place which makes a positive contribution to the wider setting. Notably, although the roof has undergone a small extension to form a matching ridge height, it reads as a barn with a hipped roof and as an authentic conversion.

2.2 Policy DEV20 of the JLP requires development to meet good standards of design and contribute positively to both townscape and landscape. Proposals must have proper regard to the pattern of local development and wider surroundings in terms of (amongst other things), style, local distinctiveness, visual impact, scale, materials, historic value, and character. The proposed internal alterations to the site are considered to be acceptable in principle.

2.3 Policy DEV23 of the Joint Local Plan requires that development conserves and enhances landscape character and scenic and visual quality.

The Barn Guide gives additional guidance and states that '*the general absence of extensions and additions to traditional farm buildings is an aspect of their historical interest and authentic character*'.

The Supplementary Planning Document (SPD) sets out the considerations for residential extensions. Paragraph 13.6 states:

Extensions and alterations should relate well to the main dwelling and character of the area. They should generally follow the same architectural style and use the same materials as the original dwelling. Proposals should also respect the character of the area, including building form and layout, architectural style and materials'.

2.4 The proposed extension consists of a large (5.6m to 4.8m height, 15m width, 9m breath) rendered and rubble stone facing link extension with the addition with a flat roof projecting bay porch clad in vertical timber cladding (7.4m width, 2.7m height, 3.1m breath).

2.5 The siting of the extension sits to the side of the host dwelling and comes forward of the principal elevation. The site is constrained by the property sitting to the east side of the site, with limited capacity for a rear extension. The proposed extension protrudes 9m in

front of the principal elevation and will dominate the visual impact of the site as it is entered from the north.

2.6 The introduction of a porch projecting forward of the extension, changes the orientation in which the property will be entered from the original building and diminishes the primacy of the host dwelling, contrary to the SLP guidance for TTV29 (5). The introduction of the flat roof is generally discouraged when not a feature on the original house (SPD 13.12). In this case the porch is unrelated to the host dwelling, emphasised by the introduction of new materials. Notably, the metal clad parapet accentuates the juxtaposition of the extension and highlights the disparity of design influences that is sought.

2.7 The rendered extension is subservient to the main dwelling, but the increase in mass and use of render does not meet good standards of design and diminishes the sense of place associated with a historical building.

2.8 The proposal also includes a change in fenestration materials from timber to powder coated aluminium in dark grey with double glazing. The Barn Guide states '*New or replacement doors and windows should always be made of timber and recess in their openings in the traditional manner.....timber should be painted or stained using colours that relate positively to the robust character of the building, the rural character of its setting and the natural colours of its stonework*'. It is unclear from the application form and the elevational drawings if the proposal is to change all of the windows. The scheme would either include a mismatch of window styles or the loss of traditional wooden windows within the barn conversion. The existing windows are sympathetic, wooden and traditional in style. The introduction of coloured aluminium windows is ill informed of the traditional style and would change the character of the host dwelling and the overall visual appearance of the site.

2.9 The fenestration pattern within the extension is also inconsistent with the host dwelling and overly domesticated, hosting large patio sliding doors, large windows to the south elevation, a 'fold over' roof light to the south elevation and north elevation extension. The lack of openings is a fundamental characteristic of a barns' with new openings starting to alter the authenticity of the building.

2.10 The existing building is unobtrusive and modest within the rural setting. The proposal is poorly related to the barn conversion and is fundamentally changing the character of the simple traditional building which does little to reinforce the distinctive sense of place and reinforce local distinctiveness. It is therefore not considered that the proposal represents an uplift in built form under TTV29 (5) of the JLP., The scheme is considered contrary to TTV29, DEV20 and DEV23 of the JLP and the accompanying guidance within the SLP and The Barn Guide.

3.0 Heritage

3.1 Officers are mindful of the duty noted at Section 72 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area in exercising planning functions.

3.2 Officers have assessed the application property in relation to the criteria outlined in the Plymouth and South West Devon Joint Local Plan (JLP) Supplementary Planning Document (SPD) and consider that the dwelling to be a 'Non-Designated Heritage Asset'

(NDHA) due to its age, character, relationship with the surrounding dwellings within the Conservation area and its inclusion on the first edition 1880 OS maps.

3.3 The dwelling is situated 17m to the east of the Grade II* Church of St Germans separated by a row of self-seeded deciduous trees. At the time of the site visit (April 2024) the dwelling was visible but largely screened from view, the screening quality will change seasonally and is not within the control of the application site. The Parish have supported the scheme stating that the proposal will not be seen. Officers do not agree with this statement. The property can be viewed from the Church of St Germans, as shown on plan 1335.45A 'Existing Building & Constraints Photographs' under photograph 'View from St. Germans Church over to Nightingale Cottage. 2'. Notably, when the public exit the grade II* listed church, they will be directly facing the application site and the property with the extension.

3.4 Officers note, the effect of the setting is not solely about visibility but also about the surroundings in which a heritage asset is experienced (NPPF 2023). The setting surrounding the Church of St Germans is defined by its position within the landscape which at present is traditional buildings associated with a post historical use. The large and out of keeping extension therefore brings less than substantial harm to the Conservation Area and the setting of the Grade II listed Church.

3.5 West Devon Borough Council's Heritage Officer has given formal comments for this application. The full comments can be seen at the top of this report but summarise that the proposal will result in harm to the character of a non-designated heritage asset that is assessed to make a positive contribution to the character and appearance of Germansweek Conservation Area with Harm to the setting of the grade II* Church of St German.

'The harm to the setting of the II church is certainly at the lower end of 'less than substantial' but any level of harm is required to have 'clear and convincing justification' (NPPF206) and be 'weighed against' public benefits (NPPF208). These requirements are echoed in DEV21 of the JLP.'*

3.6 Policy DEV21 (2) states that where development proposal will lead to any harm to the significance of a designated heritage asset, they must be fully justified against:

- i. the public benefits of the development, and whether there are substantial public benefits in cases where there would be substantial harm
- ii. whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses or mitigate the extent of harm to the assets significance and if the work is the minimum required to secure its long term use.

3.7 In this case where identified harm to the significant of the designated asset have been identified, the benefit of this application is solely for the applicant and no wider public benefit. The application therefore is contrary to DEV21 (2).

4.0 Neighbour Amenity:

4.1 The proposed extensions are located on the south elevations of the property and does bring the dwelling closer to the neighbouring boundary line. Officers do not consider that

the extension would have an overbearing impact or cause any loss of light to the neighbouring properties, as required by policy DEV1 of the JLP.

5.0 Ecology:

5.1 The site is a day roost of low numbers of individual Common Pipistrelle bats and an emergency survey carried out. The proposal has been reviewed by the Devon County Ecologist who has recommended conditions accordingly. With this recommendation in place, Officers consider the scheme to accord with DEV26 and is acceptable.

5.2 If the scheme were otherwise acceptable, the LPA would consider the three degradation tests of the Conservation of Habitats and Species Regulations 2017 (as amended) and accordingly whether Natural England are likely to grant an EPSL/proceed under a BMCL which would permit the proposal to lawfully proceed.

6.0 Highways/Access:

6.1 The scheme does not include any alterations to the existing access or parking arrangements. As such, it is not considered that the proposal will result in an increased risk to highways safety and the proposal accord with the provisions of DEV29.

7.0 Conclusion

7.1 In totality, the proposal is considered unsympathetic and inappropriate in terms of scale for the rural location. The proposal is assessed by the West Devon Borough Council's Heritage Officer as causing less than substantial harm to the character of a non-designated heritage asset which makes a positive contribution to the Conservation Area and harm to the setting of the grade II* Church of St German contrary to the provisions of TTV29 (5), DEV20 (2,4), DEV21 (1,3,6), DEV23 (1, 2, 3) of the Plymouth & South West Devon Joint Local Plan (2019- 2034), paragraphs 11.85-11.86, 13.12, 13.36, 13.38, 17.1-17.10, 17.27-17.29, 17.35-17.60 of the Supplementary Planning Document (2022), the guidance from 'The Barn Guide; Traditional Farm Buildings: Their Adaption and Re-use' (2020) and the guidance of the National Planning Policy Framework (NPPF, 2023) including but not limited to paragraphs 135,139, 205 and 209.

The proposal is recommended for refusal on this basis.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and, with Sections 66 and 72 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).

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
TTV29 Residential extensions and replacement dwellings in the countryside
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
DEV23 Landscape character
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV32 Delivering low carbon development

Neighbourhood Plan

There is no Neighbourhood Plan for Germansweek.

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:

Plymouth and South West Devon Joint Local Plan Supplementary Planning Document (2020)

Plymouth and South West Devon Climate Emergency Planning Statement (2022)
Traditional Farm Buildings: Their Adaption and Re-use (2020)

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.

Reasons for Refusal:

1. The proposal is an inappropriate form of development that fails to conserve or enhance the character and appearance of the Germansweek Conservation Area and the setting of the grade II* Church of St Germans, and would result in less than substantial harm to a designated heritage asset that is not outweighed by public benefits, contrary to the requirements of the statutory duty set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 205 and 209 of the National Planning Policy Framework (NPPF 2023), the provisions of Policy DEV21 (1,3,6) of the Plymouth and South West Devon Joint

Local Plan (2019-2034), and paragraphs 17.1-17.10, 17.27-17.29, 17.35-17.60 of the Supplementary Planning Document (2022).

2. The proposed extension, by virtue of its siting, scale, massing, orientation, fenestration pattern, projection forwards of the principal elevation and poor architectural design is considered inappropriate and at odds with to the host dwelling. It would therefore represent an incongruous and overbearing addition to the locality, contrary to Policies TTV29(5), DEV20 (2,4), DEV23 (1,2,3) of the Plymouth & South West Devon Joint Local Plan (2019- 2034) 11.85-11.86, 13.12, 13.36, 13.38, of the Supplementary Planning Document (2022), the guidance from 'The Barn Guide; Traditional Farm Buildings: Their Adaption and Re-use' (2020) and the guidance of the National Planning Policy Framework (NPPF, 2023) including but not limited to paragraphs 135 and 139.

Informatives:

1. This decision relates to drawing numbers:

1335.00C 'Location Plan' (received 5/4/2024)

1335.40B 'Proposed Site Plan' (received 3/4/2024)

1335.46A 'Roof Plan Existing & Proposed' (received 14/03/2024)

1335.43A 'Proposed Elevations' (received 14/03/2024)

1335.43 'Proposed Elevations' (received 11/03/2024)

2. This authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with Article 35(2) of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended) in determining this application, the Local Planning Authority has endeavoured to work proactively and positively with the applicant, in line with National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed.