

**Your Ref**  
**Our Ref** DS/WJR/2086(a)  
**Date** 12<sup>th</sup> September 2024



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Forward Planning,  
Mid Devon District Council  
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Email to: [REDACTED]

Dear Sir/Madam,

### **GRAND WESTERN CANAL CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN**

We write in response to your ongoing consultation on the Grand Western Canal Conservation Area Appraisal and Management Plan (CAAMP), which is out to consultation until Monday 16<sup>th</sup> September 2024.

Our client objects to the undefined and expansive 'setting' protection that the CAAMP attempts to introduce through commentary on different views that are not clearly defined. This appears an unjustified attempt to introduce a high level of protection in a vague manner.

#### **Land near Hartnolls Farm, Tiverton**

The views map (p.52) is vague, and fails to confirm the location of each view number nor does it define the extent of the view, nor the setting of the conservation area. Nonetheless, we have inferred that 'View 3' is the nearest to Hartnolls Farm (the third camera from the west on the map, located just before the canal curves north towards Crown Hill).

The Council consider that from View 3, the 'kinetic views' when travelling along the towpath provide an experience of the areas of historic character and an appreciation of its rural setting. This is a broad description and fails to provide detailed appraisal or management advice for those interpreting the CAAMP in due course. This is unacceptable.

This is despite allocating the Tiverton Eastern Urban Extension (and subsequently granting a number of planning permissions), and failing to include this as a putative reason for refusal to the Hartnolls application (nor advancing a case on the impact on the conservation area at the Inquiry).

The planning application at Hartnolls (ref. 21/01576/MOUT) was accompanied by a Heritage Assessment undertaken by Cotswold Archaeology (ref. CR0538\_1, dated December 2020). Section 5 considers the impact of the proposal on the setting of heritage assets, which, in summary, states:

*"5.17 In physical and visual terms, proposed development within the Site would not affect the key evidential and historical values from which the Conservation Area and its associated Listed Building's architectural and historic interest are principally derived, or alter their historical and functional relationships. Whilst proposed development will introduce new built form into the wider setting of the Conservation Area, the Site itself, which already contains existing industrial development, can be seen to form only a small distanced part of its wider agricultural setting that makes no meaningful contribution to its significance.*

*5.18 Whilst some visual appreciation of the Site can be experienced from the Conservation Area, proposed new planting within and along the southern and eastern boundaries of the Site by development would serve to strengthen existing vegetation screening of any new built form, which alongside the retained farmland that will remain between the Site and the Conservation Area, serve to maintain its rural ambience. In consideration of the above, development as proposed within the Site would therefore result in **no harm** to the character or significance of the Conservation Area or its associated Listed Buildings. No further design influence arising from the assessment of the setting of heritage assets is identified."* (paragraphs 5.17 and 5.18, pages 47 and 48, PCL emphasis underlined)

In the Officer Report on that application (CD1 to the Inquiry), the officer considers the impact of the site on heritage assets, and regarding the impact of the proposal on the setting of heritage assets, state (whilst making reference to the Heritage Assessment):

*"3.4. In terms of setting the HA states that, 'The available evidence and inspection indicate that views of the surrounding landscape (including the Site) from these assets are predominantly blocked by existing vegetation screening and/or topography. Some glimpsed views to the Site are available from the Manley Railway Bridge. The Site is not however identified to form part of, or make any meaningful contribution to, the*

*setting of these assets, or contribute to the special architectural or historic interest from which their principle significance derives.'*

*3.5. Officers concur with this view. The impacts on the setting of heritage assets would be negligible. Suitable screening could be provided to adequately mitigate any intervisibility." (paragraph 3.4 and 3.5, p. 40 and 41 of CD1, PCL emphasis).*

Therefore, it is clear that further eastward expansion of Tiverton will not have a negative impact on the setting of the Conservation Area.

The draft CAAMP as currently written introduces a degree of uncertainty on this matter, given its vagueness and lack of specific or detailed information, which will lead to inconsistent interpretation and subsequent decisions.

Kind regards,



David Seaton, BA (Hons) MRTPI  
**For PCL Planning Ltd**

