

Statement

HOUSEHOLDER APPLICATION Glazed front to existing single story building and open fronted oak framed porch and APPLICATION FOR LISTED BUILDING CONSENT

Wayside, Causeway, Beer, EX12 3JU



Planning Portal Ref: PP-12640746

2023 December

CONTENTS

	Page
1 Introduction	3
2 The Site and its Heritage Significance	5
3 The Proposals, and Design And Access Considerations.....	6
4 Planning Policy Context.....	7
5 Policy Analysis and Conclusions.....	12

APPENDICES

- 1 Copy of Listing
- 2 Photographs of Wayside and Neighbouring Properties
- 3 Historic Photograph

1.0 INTRODUCTION

1. This Statement has been prepared on behalf of David Paget in support of a householder planning application, and an application for listed building consent, for a glazed front to existing single story lean to and an open fronted oak framed porch to Wayside, situated in Causeway, Beer.
2. Wayside comprises the end cottage of a terrace of three, collectively referred to as Virginia Cottages, which are Grade II listed; hence the submission of an application for listed building consent. A copy of the listing is attached at Appendix 1.
3. This Statement describes the application site and its context, and in particular the significance of the listed building, its setting, and the Conservation Area within which it is situated, as well as the relevant planning history. This Heritage Statement is proportionate to the scale and nature of the proposal. It then goes on to describe the proposal, and should be read alongside the submitted application forms, and plans.
4. For the avoidance of doubt, these proposals do not include a new access to the highway.
5. Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places an obligation on a Local Planning Authority (LPA) to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. This Act also requires an LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
6. In addition to the above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan here consists of the East Devon Local Plan 2013 – 2031 adopted in January 2016 (EDLP). A Neighbourhood Plan has also been ‘made’ for Beer (January 2019).
7. Significant weight can also be attached to the National Planning Policy Framework (amended July 2021), and National Planning Practice Guidance. The Beer Conservation Area Appraisal (1999) and the Council’s Householder Design Guide (2018) are also material considerations.
8. This statement therefore goes on to consider the proposal in the context of national and local planning policies, where relevant, together with any other material

considerations, and the obligations placed on the decision-maker by the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. Having done so, it is concluded that the proposal accords with the development plan, and the National Planning Policy Framework, and that granting approval would preserve the character of the Beer Conservation Area and special architectural and historic interest of the listed cottage.

2.0 THE SITE, AND ITS HERITAGE SIGNIFICANCE

1. The application site comprises the residential curtilage of Wayside; a two storey cottage situated on the end of a terrace of three cottages collectively known as Virginia Cottages on the north side of Causeway in the village of Beer. There is a pedestrian and vehicular access to the side of the cottage giving access to: a large gravel parking area; a substantial two storey outbuilding to the rear, and beyond that a garden which slopes up to New Road.
2. Permission was granted in 1988 for the replacement of the roof (Ref: 88/H0058).
3. The terrace of three cottages, which are thought to date from the nineteenth century appear relatively uniform in the street scene presenting a pleasant well-order single elevation of rubble stone beneath a slate roof with gable ends (see photographs 1 and 2 at Appendix 2). The rear elevations, in sharp contrast to this, are much more varied, though the rear elevation of Wayside is largely obscured from views by the substantial outbuilding located to the rear and off centre (see photographs 5 and 6 at Appendix 2).
4. Virginia Cottages have all the appearance of a terrace of fisherman's cottages which are characteristic of the village and aligned on relatively level ground towards the upper part of the valley. They are situated in that part of the Conservation Area referred to as Townsend/The Causeway/Long Hill (Ref: Para 3.6) in the Beer Conservation Area Appraisal. The use of natural slate for the roof is widespread throughout the Conservation Area, while the rubble stone is just one variety of stone used locally. The Conservation Area Appraisal does not list Wayside/Virginia Cottages as being among the most noteworthy listed buildings in the village.
5. The terrace of cottages appear somewhat detached from the rest of the village on the 1905 Ordinance Survey Second Edition, and have only been linked to the core of the village by more modern development.

3.0 THE PROPOSALS, AND DESIGN AND ACCESS CONSIDERATIONS

- 3.1 Planning permission is sought for the construction of a glazed front to existing single story lean-to, at present being used as a utility/office constructed in modern brick. Replacing with a minimalistic glass front, with slimline aluminium anthracite frames. Removing the corrugated roof and changing for slate as approved under planning application 21/2679/FUL 212680/LBC (SIGA39). The roof will be of the same size and pitch.(See photo 3 in appendix 2)
- 3.2 The glass we propose for the front of the existing office/ utility (west side) keeps a clear distinction between new and old. The goal of this glass front isn't for the extension to be to distract from the aesthetic qualities of the building, quite the opposite but to instead to be subtly but clearly identifiable from the original structure.
- 3.3 Additionally an open fronted oak framed porch to the (west side). The proposed elevations and roof would use matching roof tiles and characteristic pitch ,using cast iron rainwater goods in place of the existing UpVC gutters and down-pipes.
- 3.4 The application necessarily includes Sections showing the existing and proposed rear (norther elevations) since these elevations are otherwise largely obscured from view, even from the higher vantage point of New Road to the rear, by the substantial two storey outbuildings situated to the rear of Wayside and the neighbouring concrete flat roof two storey extension (see photographs 5 and 6 at Appendix 2).

4. PLANNING POLICY CONTEXT

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan here consists of the East Devon Local Plan 2013 – 2031 adopted in January 2016 (EDLP). A Neighbourhood Plan has also been ‘made’ for Beer (January 2019).
2. Significant weight can also be attached to the National Planning Policy Framework (amended July 2021), and National Planning Practice Guidance. The Beer Conservation Area Appraisal (1999) and the Council’s Householder Design Guide (2018) are also material considerations.
3. Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places an obligation on an LPA to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. This Act also requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Revised National Planning Policy Framework (RNPPF July 2021)

- 4.4 As a starting point, it is relevant to note that the RNPPF still confirms at Paragraphs 2 and 47 that:

“Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

(Ref: Revised NPPF Paragraph 2)

- 4.5 Paragraph 7 confirms that:

“The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

(Revised NPPF Paragraph 7)

- 4.6 In the Forward to the original NPPF, the (then) Minister Greg Clarke MP, set out his vision of Sustainable Development:

“The purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations.

Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate.

Sustainable development is about change for the better, and not only in our built environment.....

So sustainable development is about positive growth – making economic, environmental and social progress for this and future generations.

The planning system is about helping to make this happen.

Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision. This framework sets out clearly what could make a proposed plan or development unsustainable.

In order to fulfil its purpose of helping achieve sustainable development, planning must not simply be about scrutiny. Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives.”

(Ref: Ministerial Forward to the Original NPPF)

- 4.7 Paragraph 10 of the Revised NPPF reaffirms that at the heart of the RNPPF, there is a presumption in favour of sustainable development, which paragraph 11 explains that for decision-taking means:

“c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

(Ref: Revised RNPPF Paragraph 11)

4.8 And in making these decision Paragraph 38 is clear that:

“Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”

(Ref: Revised RNPPF Paragraph 38)

4.9 Section 11 of the Revised RNPPF is concerned with making effective use of land and requires that decisions:

“...promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

And:

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.”

(Ref: Revised NPPF Paragraphs 119 and 120)

4.10 Section 12 of the Revised NPPF is concerned with achieving well-designed places and paragraph 126 is clear that:

“The creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

4.11 Paragraph 130 requires that decisions should ensure that developments:

“a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

4.12 Paragraph 197 of the RNPPF states that:

“In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

4.13 Paragraph 199 is clear that:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

14. Given the nature of the proposal and the location of the site, it is considered that the following policies of the EDLP are of particular relevance in the consideration of this application:

- Strategy 6: Development within Built-Up Area Boundaries
- Policy D1: Design and Local Distinctiveness
- Policy EN9: Development Affecting a Designated Heritage Asset

Other Material Considerations

4.15 We have also had regard to The Beer Conservation Area Appraisal (1999) and the Council's Householder Design Guide (2018).

4.16 We also note the permission granted for other two storey rear extensions in the immediate vicinity of Wayside but favour the pitched roof solution over the flat roof for the reasons explained (see photographs 7 and 8 at Appendix 2).

5.0 POLICY ANALYSIS AND CONCLUSION

1. In considering the obligation on the LPA to determine this appeal *“in accordance with the development plan unless material considerations indicate otherwise”* we have tested the proposals against the relevant development plan policies, the RNPPF, and the Council’s Supplementary Planning Guidance, as well as the relevant Conservation Area Character Appraisal. Moreover, in accordance with Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, we have sought, in the design of these proposals to pay special attention to the desirability of preserving or enhancing the character or appearance of the Beer Conservation Area and preserve any features of special architectural or historic interest which the listed building possesses.
2. Insofar as the principal design considerations are concerned, we are clear that:
 - The size and design of the proposed would be subservient to the existing dwelling to allow the original building to remain dominant
 - A matching roof style has been adopted.
 - It would not cause unacceptable overshadowing of neighbouring properties and would not have an overbearing impact.
 - It would not cause an unacceptable loss of privacy to neighbouring occupiers given the judicious location.
 - The architectural details, particularly the proposed materials, respect the character of the host dwelling; indeed it is proposed to replace all rainwater goods with cast iron as would have been originally installed.
 - The goal of this glass fronted lean to isn't for it to be to distract from the ascetic qualities of the building quite the opposite but to instead to be subtly but clearly identifiable from the original structure and not in any way detract from the character of the original house.
 - The proposal would have no impact on garden space, parking, or trees
3. Given the above, and noting the variety of designs of existing rear extensions to neighbouring properties, we are clear that the proposal would preserve the character of the listed building and the character and appearance of the Conservation Area;

always bearing in mind that 'preservation' in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged. That said, this conclusion is reinforced by the complete lack of any change to the streetscene and the enclosed nature of the rear of the property where the proposed would be screened from view, in any event, by the two storey outbuilding.

Overall Planning Balance and Conclusions

- 5.4 Paragraph 7 of the RNPPF is clear that the purpose of the planning system is to contribute to the achievement of sustainable development. It then goes on to say that achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).
- 5.5 The environmental benefits would arise through making more effective use of the site and preserving the character of the listed building and the character and appearance of the Conservation Area. Coupled with this there are social and economic benefits generated by the provision of additional living accommodation in a sustainable location, and the construction works to achieve the alterations. Taken together, we say this comprises 'sustainable development'.
- 5.6 We conclude that granting planning permission for the proposed would accord with the development plan, the Council's Householder Design Guide and the Beer Conservation Area Appraisal. Moreover granting planning permission and listed building consent would not compromise the LPA's duties under the Planning (Listed Building and Conservation Areas) Act 1990; with particular regard to the character of the listed building and the character and appearance of the Beer Conservation Area. Given the environmental, economic and social benefits which weigh in favour of granting planning permission, Paragraph 11 of the RNPPF is clear that such policy-compliant developments should be approved without delay.

Appendix 1
Listing Description

Name: VIRGINIA COTTAGES WAYSIDE

Designation Type: Listing

Grade: II

List UID: 1098603

Terrace of cottages. Circa C18/19 stone rubble terrace of cottages. Slate roof with gabled ends. Six window range. Two and three light casements with glazing bars. Virginia Cottage No 1 has door with fielded and ogee-shaped flank panels. The other doors are glazed. Brick ridge and end chimney stacks.

Appendix 2

Photographs of Wayside and Neighbouring Properties



1. Front elevation of Wayside



2. Wayside (on the left) in context of the rest of the terrace



3. Side elevation of Wayside



4. Front elevation of outbuilding to rear of Wayside



5. Rear elevation of neighbouring properties in same terrace with Wayside obscured (to the right) by outbuilding



6. Rear elevation of Wayside is obscured by outbuilding and neighbouring concrete flat roof two storey extension



7. Highly visible two storey flat roof and pitched roof extensions on properties to the west of Wayside



8. Highly visible two storey flat roof and pitched roof extensions on properties to the west of Wayside



9. Old quarry diagonally opposite Wayside



10. Properties diagonally opposite Wayside

Appendix 3

Historic Photograph Date Unknown

