

Appeal reference: APP/Q1153/W/20/3256087
Local planning authority reference: 3799/19/FUL

Agenda Item 5b

Proposal: Erection of detached three bedroom dormer bungalow with integral garage, external parking, new vehicular access and external works (Resubmission of 1811/19/FUL)

Location: "Land Adjacent To Haseley", Butcher Park Hill, Tavistock, Devon

Appeal start date: 26th August 2020

Tavistock Town Council has prepared this submission to the planning inspector in its capacity as a statutory consultee in the planning process. It may, however, be helpful for the Inspector to be aware that Tavistock Town Council owns the allotments immediately to the north of the proposed site and the access lane from Butcher Park Hill to the allotments along which future occupiers of the new property, if built, would need to pass.

Tavistock Town Council has twice considered the proposal to build a house on land adjacent to Haseley and on both occasions objected on substantially the same grounds.

We objected to the first application (1811/19/FUL, application date 19th June 2019) for the following reasons:

- Substandard highway access is a threat to the safety of the highway both during and after construction phase.
- Proximity to workable quarry contrary to the Mineral resources plan.
- Isolated location outside settlement boundary (DEV26)
- Inappropriate location dominating adjoining property (Haseley)
- Potentially contaminated, made up land requiring investigation.
- Site access arrangements for large vehicles is inadequate.

The application was withdrawn and then resubmitted (3799/19/FUL, application date 28th February 2020). After due consideration the Town Council again objected as follows:

- The resubmitted application does not overcome TTC's previously submitted objections. In particular members were not persuaded that changes to the footpath on Butchers' Park Hill made the junction with the access lane to the site any safer than previously.
- TTC was not persuaded that the applicant's statement, that the owners of the nearby quarry had no intention to work it, satisfies the requirements of Policy M2 of the Devon County minerals Plan. The proposal is for development in a Minerals Safeguarding Area. It is not "exempt" development as defined by the DCC Minerals Local Plan and, therefore, is subject to very clear consultation processes. In the documentation which accompanies the application, this consultation

has not been implemented. The proposal therefore conflicts with Policy M2 of the Devon County minerals Plan 2017.

- The applicant has not demonstrated that the proposal would not harm the potential for Hurdwick stone to be recovered from the safeguarded Buddle Quarry. This stone is an important element in the protection and preservation of internationally important buildings. Thus, the proposal is in conflict with the principles set out in Section 16 of the NPPF.

The following comments may help the inspector to understand these important issues.

Harm to Heritage Assets. Much of the Tavistock townscape was remodelled in the 19th century by the Bedford estates using money made from extensive mining interests in the area. The town's important civic buildings were built with local Hurdwick stone extracted from Hurdwick and Buddle quarries located to the north of the town. These stone buildings are Grade II listed, or above, are located within the Tavistock Conservation Area, and constitute an important element of the Cornwall and West Devon Mining Landscape World Heritage Site.

Hurdwick stone is an uncommon igneous rock with a distinctive pale green colour and a rough texture. The rock is relatively soft and easily worked but it is somewhat porous and does not weather well, tending to break down over a period of time. The distinctive buildings that are so important in defining Tavistock's character are now between 175 and 200 years old. On going maintenance is critical for their preservation and from time to time stone repairs are required. No other stone has the characteristic appearance of Hurdwick stone and attempts to substitute alternative stone result in unsightly and incongruous outcomes. An example can be seen at the junction of Drake Road and Duke Street where an alternative stone was used to patch up the wall following relocation of a cash machine. It is therefore essential that a source of Hurdwick stone be preserved for future use. Whether or not the current owners plan to re-open Buddle quarry is irrelevant. At some time in the future Hurdwick stone will be needed to repair and maintain the town's world heritage buildings and it is essential that the current proposal, or any subsequent proposals, should not be permitted to constrain or prevent exploitation of the quarry when that time arrives. The inspector should note that there are no known sources of Hurdwick stone other than Buddle quarry.

The appellant's Appeal Statement makes much of the alleged absence of any special designation for the application site. This is clearly not true:

1. The Inspector will already have seen that the site is in a Safeguarded Mineral Protection Area, designated as such in Devon County Council's Minerals Local Plan 2017.
2. The site also directly adjoins the Cornwall and West Devon Mining Landscape World Heritage Site, which government (para 184 of the NPPF) considers "**of the highest significance, ... internationally recognised to be**

of Outstanding Universal Value. The appellant entirely ignores the requirement of the NPPF to assess the impact of the proposal on the WHS. Paragraph 194 of the NPPF is very clear about this:

“194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”

The importance of Hurdwick stone and Buddle Quarry to the character of Tavistock is recognised in the Tavistock Conservation Area Appraisal Review and Update 2019 currently out for consultation until October 20th 2020. The appraisal states (Para 3.2.2): “The ongoing importance of this unusual and locally distinctive stone in the character of the town and the possibility of securing limited extraction for conservation work makes this quarry a candidate for inclusion within the CA (Conservation Area).” Indeed the detailed map of the proposed Conservation Area Extension (Tavistock Conservation Area Appraisal Review & Update 2019, para 3.2, page 21) demonstrates clearly that the quarry, the allotment gardens AND the application site would all fall within the extended Conservation Area.

Tavistock Town Council believes that the introduction of a residential use so close to the safeguarded Buddle Quarry would unnecessarily harm the potential for the recovery of Hurdwick stone from the last remaining source. The applicant has, signally, failed to recognise or mitigate this harm – or even to acknowledge it. Therefore, as it stands, the proposal conflicts with the Minerals policies of Devon County Council, the Conservation policies of the Joint Local Plan and the NPPF, including policies designed to protect the World Heritage site, a heritage asset of the highest significance.

We understand that Devon County Council, as the Minerals Planning Authority, will be submitting a separate statement on this matter.

Access: Although the appellant attempts to show that the proposal is in a sustainable location by reference to its position in the town, the fact is that it is a difficult 900 metre walk from the town centre, it is 2 kilometres from the nearest primary school and even further from the nearest secondary school. These are far beyond the indicative acceptable distances set out in the adopted Joint Local Plan (see Appendix A). The likelihood is, therefore, that the vast majority of journeys will be made by private car – a likelihood that the appellant has been good enough to acknowledge.

Access for all of these journeys to the proposed development site is via a narrow, rough privately owned track that leads from Butchers’ Park Hill to the allotments. There are two fundamental problems:

1. The track is very narrow, swings to the left and climbs uphill from Butchers’ Park Hill. It is only passable by small vehicles. There are reports of larger vehicles, including emergency vehicles such as fire engines, being unable to negotiate the track. The track passes immediately to the southern edge of the

allotments. Any widening of the track, should Tavistock Town Council, as the owners, be minded to agree, would result in the loss of several allotment plots at the southern end. Tavistock has very few allotment plots and loss of any would be significant. The importance of the allotments is recognised in the Tavistock Conservation Area Appraisal where it is proposed that they be incorporated in to the Conservation Area. Understandably allotment holders are strongly opposed to any proposal that would risk losing any plots or that would compromise the security of the allotments.

2. The track meets Butchers Park Hill opposite Redmoor Close on a bend at a point where the main road emerges from a deep cutting to the north and curves left as it descends southwards towards the town. Butcher Park Hill is one of the principal routes north from Tavistock. The construction of the new housing development to the north of the allotment gardens will increase the volume of traffic using this route. Drivers emerging from the track on to Butchers Park Hill have limited visibility uphill to the north and very limited visibility downhill to the south. The construction of a pedestrian footpath northwards from the junction may have improved visibility in that direction a little but visibility to the south remains unchanged. Allotment holders have told us that when turning left on to Butchers' Park Hill they have to cross over the middle of the road risking collision with traffic coming downhill and face oncoming traffic before re-joining the left side of the road. Some allotment holders choose to leave their cars in Redmoor Close and walk up to their plot rather than risk driving along the track. Others have told us that sometimes one person stands in the middle of the Butchers' Park Hill to stop the traffic while a car emerges from the track.

Tavistock Town Council believes strongly that development of the proposed site would increase the risk of accidents on Butcher Park Hill and put the occupants of the proposed house in danger both by virtue of the hazards involved in joining Butchers' Park Hill and the inability of emergency vehicles to access the site in an emergency. We therefore entirely support Devon County Council's view, expressed in the local planning authority's submission to the inspector, that:

“The proposed development will introduce additional vehicular and pedestrian movements where visibility is significantly restricted by the alignment of the adjoining carriageway, making the access neither ‘safe’ nor ‘suitable’ to serve the additional traffic generating development. “

For the reasons given above, Tavistock Town Council respectfully requests the Inspector to dismiss the appeal and to refuse planning permission.

Yours sincerely

Cllr Paul Ward
Chairman, Development Management & Licensing Committee

On behalf of Tavistock Town Council.
Monday 14th September 2020