

Annex 2

1. Attached to my original consultation response was a series of photographs and I shall refer to them in what follows in the form consultation response number [acronym "CR1"¹]. However I have updated those with additional photographs taken on 24 July 2017. The locations from which the new photographs are taken are shown on the map at Appendix 4. When looking at these photographs keep in mind that the site is the yellow field.
2. When seen from the west, the site can easily be discerned when walking along the tow path as it emerges from the cutting in the vicinity of Rock House; see Photo 2. This is beyond the point from which CR1b was taken. The County Council, as custodians of the canal, cut down a number of trees on this long bend in the canal last winter and, as a result, longer views are now evident.
3. Development of the western half of the proposed allocation, up to the crossroads known as Battens Cross, would be visible in this vista. It is reasonable to assume that two storey housing is proposed and this would be conspicuous in this view. This is perhaps why the draft master plan, put forward by Place Land LLP [Appendix 2], has pulled the development line back from the junction and proposed low density housing. However even with this, which differs from the proposed allocation, and the odd tree dotted around, I still consider that development on this area of the site would fail to preserve or enhance the pastoral character and largely undeveloped appearance of the Canal Conservation Area.
4. In closer views from the west, close to the point from which CR1b was taken, when walking along the long straight that characterises this part of the tow path, the site is more evident; see Photo 3. This is because one is closer but also because the site is almost central to that view. Again development of the western half of the proposed allocation would fail to preserve or enhance the character and appearance of this part of the Canal Conservation Area.
5. From the vicinity of Battens Bridge, two storey housing up to the crossroads known as Battens Cross would be visible and, at least from the minor road over the canal, would breach the skyline at that point [see Photo 4]. This would fail to preserve or enhance the character and appearance of the Canal Conservation Area.
6. Continuing east from Battens Bridge the first section of canal is largely screened by trees on the west bank of the canal. Whilst there are narrow views to the north-west between the trees, the dwellings on Turnpike are not especially evident and do not detract from the sylvan character of this part of the Canal Conservation Area. Views from the tow path are predominantly across the open pastoral landscape to the south and east of the canal. The proposed development might be seen above existing bungalows [see Photo 16]. However it might be possible to address this by siting, design or landscaping and so it is reasonable to find that with

¹ Where the number denotes the appendix attached to my earlier submission.

mitigation the development would preserve the character and appearance of the Canal Conservation Area along this stretch.

7. Turning the next corner on the canal at the start of the straight approach to the village, I acknowledge there are open views of the housing on Turnpike from the canal [see Photo 5]. The proposed development might again have some effect, including filling gaps between what appears as a single line of housing on the skyline. However I accept that any effect would be limited and might be capable of being mitigated by siting, design or landscaping. For these reasons development would preserve the character and appearance of this part of the Canal Conservation Area.
8. Standing directly at the bottom of my garden and looking up into that part of the Canal Conservation Area, there is a narrow vista of No 16 between the trees [see Photo 17]. The view is terminated by the mass of No 16 itself and hence it is clear that the proposed housing would not be seen above it. Development of the eastern end of the proposed allocation might be visible in winter behind the copper beech, uncontrolled hedgerow and soon to be moved wood pile, but I accept this is unclear at present.
9. Continuing further east, at the point from which CR7 was taken, the site defines the skyline and provides an attractive rural setting to the Canal Conservation Area. I acknowledge that photograph was taken in winter, but in summer there is a clear inter-relationship between the complex of old buildings on the horizon, including the listed building known as No 42 Higher Town, which are in the Sampford Peverell Conservation Area, and this part of the Canal Conservation Area [see Photo 18]. This part of the setting makes a positive contribution to the significance of these designated heritage assets. It is like catching a distant glimpse of Salisbury Cathedral across the Wiltshire Downs: fleeting but intriguing and even a little inspiring. In my view it is precisely the sort of quirky view that distinguishes this special environment from the banal.
10. It would be very easy to dismiss this narrow vista or say it is not of significance. The Framework defines significance as: "*The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting*". It should be noted from the historic footpath map² [see Appendix 5] that the field system comprised of narrow strips between Turnpike and Higher Town and so this setting is of historic interest. If such a view were compromised or lost it cannot be replaced. In my view that would be the very antithesis of sustainable development.
11. The relationship between these designated heritage assets is easily lost. The draft master plan [Appendix 2] would completely destroy this vista, yet in this respect it follows the draft allocation almost exactly. This is because the Council failed to identify the existence of the Canal Conservation Area and, as a consequence, has failed to assess the effect of the development on its relationship with other designated heritage

² The excerpt is from a map used to identify public rights of way in the area ahead of the link road being constructed. However the base map is plainly much older because even the cemetery [given to the village in 1926] is not evident on the map. The distinctive form of the listed building and the linked dwellings is however evident adjacent to field parcel No 423. What I believe to be the field gate [opposite the drive to No 16] can also be seen in the south-east corner of field parcel No 423.

assets. Again the answer to the Inspector's question is that the Council had **no** regard to this aspect of the historic environment. The proposed GI area is of no relevance because it appears to arise from the HEA's focus on the listed building and Sampford Peverell Conservation Area³.

12. It is clear that housing on the allocated site would fail to preserve or enhance this aspect of the character and appearance of the Canal Conservation Area. Moreover there is photographic evidence before the examination to show the reverse relationship between the Sampford Peverell Conservation Area and the Canal Conservation Area⁴. I am not familiar with this private view myself but have no doubt that access to the garden[s] concerned could be arranged with the owners. Even from the photograph it is clear that the field allocated as SP2 provides an attractive rural setting in views out of the Sampford Peverell Conservation Area at this point. This too would be harmed by the proposed allocation. Again the answer to the Inspector's question in this respect is that the Council had **no** regard to this aspect of the historic environment.
13. As one moves further east from the point from which CR7 was taken, a significant part of the SP2 site is revealed, which again defines the skyline and provides an attractive rural setting to the Canal Conservation Area [see Photo 6]. The existence of the agricultural building and the dwelling at 48 Higher Town does not alter that impression, because they are relatively minor features in the expanse of green [CR7] or yellow [Photo 6]. This character would be fundamentally changed by the proposed allocation, which offers no concessions to enable the character and appearance of the Canal Conservation Area to be preserved. This is because the Council failed to identify its existence in the SA and hence failed to consider what, if any, mitigation was required.
14. In my response to the community consultation [Appendix 2] I raised the prospect of a belt of landscaping to, in effect, screen the proposed housing. I want to be clear that this is still a poor option. First the policy, as worded, requires no such planting but even if a new criterion were introduced this would still not preserve the character and appearance of the Canal Conservation Area. The open setting would be lost, as would the inter relationship between designated heritage assets. A thick belt of tree planting would mitigate the serious harm to some extent but it would not be sufficient to meet the statutory duty in my professional view. It would terminate views and so not preserve the setting of the Canal Conservation Area, which is highly visible to users of the tow path.
15. I turn next to views out of the Canal Conservation Area from my own property, including the driveway serving Nos 16 and 16A. This is shown in CR2 and CR6 of my consultation submission and an updated image is Photo 19. These images demonstrate that the hedge on the Turnpike frontage of the site defines the skyline. This will be evident to the Inspector when he views the site from my property. The dwelling at 48 Higher Town and the designated heritage assets within the Sampford Peverell Conservation Area are evident on the skyline in these images. SP2 lies between the hedgerow on the skyline and these buildings.

³ See impact and mitigation (built environment) column on pages 50-51 of the HEA.

⁴ See for example photograph 9 attached to the submission of Elaine Keary [6355].

16. It is quite clear that any housing, even bungalows, would dominate this vista and break the skyline. With reference to the draft master plan [Appendix 2] it shows a terrace, row or block of housing that would stand across the central part of this view. I acknowledge it is slightly set back but this would not alter the fact that it would break the skyline and oppressively dominate views out of the designated area to its detriment. There is no meaningful landscaping proposed and whilst this represents one interpretation of how the site could be developed it is wholly in line with the draft allocation. In my view such a form of development would seriously harm the character and appearance of this part of the Canal Conservation Area.
17. The draft master plan also shows the proposed vehicular access emerging roughly opposite No 16A; with reference to CR2 this would be to the right of the dwelling at 48 Higher Town. Whilst not fixed it is clear that any access would be somewhere along this part of the frontage and in my earlier consultation response I anticipated it would be directly opposite our drive where the field gate is. Such an access would open up a clear vista into the development site. It must follow that such a view could not be mitigated by landscaping. Given that a significant part of the hedgerow would have to be removed to provide visibility splays, a replacement hedgerow would fail to mitigate the resulting harm both in the short and long term.
18. The Council has chosen not to do a Conservation Area Appraisal of the Canal Conservation Area and so there is nothing in the evidence base to support any claim that this part of the Conservation Area is somehow of lesser value or insignificant. The Council designated the extent of the Canal Conservation Area many years before we bought the property and in so doing it plainly regarded the full extent of the property to be "*...of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*"⁵. Perhaps the only odd thing is that having come up this far it did not include the adjacent cemetery. That notwithstanding any attempt to denigrate the value of this part of the Canal Conservation Area will be strongly resisted because there is nothing in the evidence base to support any such claim.
19. Finally I turn to views of the Canal Conservation Area from nearby public rights of way, such as CR3a and CR3b attached to my consultation submission. As the Inspector might wish to observe when he does his site visits, when seen from this part of the public footpath network No 16 is, despite its mass, largely hidden in summer months by the trees in our garden [compare Photo 17 with Photo 11]. Our part of the Canal Conservation Area [Nos 16/16A] provides a sylvan setting to the linear form of the canal.
20. As a backdrop to this rural scene is the allocated site. Housing development of the scale being proposed would fundamentally harm the character, appearance and setting of this public view of the Canal Conservation Area. Even a substantial belt of planting would fail to mitigate this harm. The proposed housing development would break the skyline in some views [see CR3b].

⁵ As per section 69 of the Planning (Listed Buildings etc) Act 1990.