

Document 1 of 2: Built Heritage Proof of Evidence

Tidcombe Hall, Tidcombe Lane, Tiverton, Devon EX16 4EJ

Town and Country Planning Act

Tidcombe Hall, Tidcombe Lane, Tiverton, Devon EX16 4EJ

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PLANNING INSPECTORATE REFERENCE:

APP/Y1138/W/24/3358001

Mid Devon District Council Reference:

24/00045/MOUT

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1. Introduction

Qualifications and Experience

- 1.1 I am a Conservation Officer at Mid Devon District Council. I hold a Bachelor's (Hons) degree in Ancient, Classical and Medieval Studies (University of Winchester), and a Master's degree (MSc) in the Conservation of Historic Buildings (University of Bath).
- 1.2 I have worked as a heritage consultant and Conservation Officer for the public sector across the UK. I have over five years' experience working within the public sector and I have extensive experience of heritage issues arising from development in both urban and rural settings.
- 1.3 I am aware that my duty is to the Inquiry, irrespective of by whom I am instructed. The evidence which I have prepared and provided for this appeal, PINS reference: APP/Y1138/W/24/3358001, in this Proof of Evidence is true and I confirm that the opinions expressed are my true and professional opinions. I have visited the appeal site in preparation of this statement.

Applicant's Proposal

- 1.4 This proof of evidence relates to the appeal by Tidcombe Holdings LLP against the refusal of Mid Devon District Council to grant planning permission for the Outline application with the following description:

Outline application (Planning Ref: 24/00045/MOUT) for the erection of up to 100 dwellings to include conversion of Tidcombe Hall and outbuildings, provision of community growing area, public open space, associated infrastructure, ancillary works and access with all other matters reserved.

1.5 Reason for refusal two of the Decision Notice relates to heritage matters and states:

“In the opinion of the Local Planning Authority, the proposed development would result in harm to the character, appearance, setting and significance of the Grand Western Canal Conservation Area and Tidcombe Farm (grade II listed). The proposal would also result in harm to the setting of Tidcombe Hall, a non-designated heritage asset. The less than substantial harm that has been identified is not considered to be outweighed by public benefits of the scheme. On this basis it is considered that the proposal conflicts with the statutory duty to have special regard to preserving or enhancing conservation areas and to the desirability of preserving listed buildings and their settings. The proposal does not accord with Policies S1, S9, DM1 and DM25 of the Mid Devon Local Plan 2013-2033 in respect of heritage assets or government advice in the National Planning Policy Framework.”

Site Location and Description

1.6 The appeal site is located on the south eastern edge of Tiverton, with the Grid reference SS97553 12056. The appeal site is a mixture of agricultural land and land associated to Tidcombe Hall, to the south of the Grand Western Canal.

1.7 The appeal site lies partly within and outside of the Grand Western Canal Conservation Area. The eastern boundary of the appeal site is adjacent to the Grade II listed building, Tidcombe Farmhouse and access is provided through the site of Tidcombe Hall from the existing access within Tidcombe Lane.

1.8 Reason for refusal two identifies the following heritage assets:

Designated Heritage Asset:

- Grade II listed, Tidcombe Farmhouse (List Entry ID: 1384974)
- The Grand Western Canal Conservation Area

Non-Designated Heritage Asset:

- Tidcombe Hall.

1.9 This statement relates to the effect the proposed development will have on the significance of the heritage assets, having regard to the contribution to significance made by their setting.

Structure of my Statement

1.10 This statement is structured as follows:

1.11 Relevant legislation, heritage planning policy, and national guidance in the context of which a decision on this appeal must be made is outlined in Section 2.

1.12 Section 3 sets out the methodology used in this statement. The methodology follows steps 1 to 3 of the Historic England Historic Environment Good Practice Advice Note 3: The Setting of Heritage Assets (Second Edition, 2017). The significance of the heritage assets has been assessed following Historic England 2019, Statements of Heritage Significance: Analysing Significance in Heritage Assets (Advice Note 12).

- 1.13 Section 4 sets out the heritage assets that would be affected by the proposed development and their significance including the contribution made by the setting of the heritage assets to their significance.
- 1.14 Section 5 considers the impact of the proposed development on the significance of the affected heritage assets.
- 1.15 Section 6 provides the summary and conclusions.

2. Legislation, Planning Policies and Guidance

2.1. The relevant planning policy, national and local guidance, and background studies taken into account include:

- Planning (Listed Buildings and Conservations Area) Act 1990;
- National Planning Policy Framework 2024;
- National Planning Practice Guidance: conserving and enhancing the historic environment 2021;
- Historic Environment Good Practice Advice Note 2: Decision-Taking in the Historic Environment 2015;
- Historic Environment Good Practice Advice Note 3: The Setting of Heritage Assets 2017; and
- Historic England Advice Note 12: Statements of Heritage Significance 2019.

2.2 The Planning & Compulsory Purchase Act 2004 Section 38 (6) requires that a determination made under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise. The adopted Mid Devon 2013-2033 Local Plan (2020) should be read as a whole, including saved policies S1, S9, DM1 and DM25.

2.3 Key policies and guidance from these documents, relating to the assessment of the appeal site, are set out below.

Mid Devon Local Plan 2013-2033

2.4 The Mid Devon Local Plan 2013-2033 was adopted on the 29th July 2020. Saved policies relating to heritage assets includes Policy DM25, this states:

“Heritage assets and their settings are an irreplaceable resource. Accordingly the Council will:

- a) Apply a presumption in favour of preserving or enhancing all designated heritage assets and their settings;
- b) Require development proposals likely to affect the significance of heritage assets, including new buildings, alterations, extensions, changes of use and demolitions, to consider their significance, character, setting (including views to or from), appearance, design, layout and local distinctiveness, and the opportunities to enhance them;
- c) Only approve proposals that would lead to substantial harm or total loss of significance of a designated heritage asset where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss of the requirement of the National Planning Policy Framework are met;

- d) Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use; and
- e) Require developers to make a proportionate but systematic assessment of any impact on the setting and thereby the significance of the heritage asset(s)."

Planning (Listed Buildings and Conservation Areas Act) 1990

2.5 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duty for development that affects the setting of listed buildings:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess."

2.6 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duty for development that affects conservation areas.

"In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2)1, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

2.7 Case law¹ has clarified how the statutory duty is to be exercised when considering development affecting a listed building or its setting. The Courts have confirmed that a decision maker should give "considerable importance and weight" to any harm to the setting and significance of a listed building and to the desirability of preserving that setting. Because of this, where such harm exists it gives rise to a "strong presumption" that planning permission should be refused. The presumption to refuse permission can nonetheless be outweighed by material considerations, provided these considerations are powerful enough to do so.

2.8 Case law² has also established that a conservation area may be 'preserved' even if it is altered by development, if its character or appearance is not harmed. Thus, the litmus test for the acceptability of any development in heritage terms is whether it causes harm (because that will not discharge the statutory duty to "preserve", and the extent of that harm).

¹ **CD7.2** Most notably *East Northamptonshire DC v SSCLG* [2014] EWCA Civ 137 (Barnwell Manor wind turbine case) as further explained by the High Court in *R (Forge Field Society) v Sevenoaks DC* [2014] EWHC 1895 (Admin) (Penshurst Place affordable housing case) **CD7.3**

² **CD7.7** *South Lakeland District Council v Secretary of State for the Environment and another* [1992] 1 ALL ER 573

National Planning Policy Framework, NPPF (2024)

2.9 The planning policy context for the assessment of impact on the setting of heritage assets is set out in the National Planning Policy Framework. Annex 2: Glossary of the NPPF defines the terms 'heritage asset', 'significance' and 'setting'.

“Designated heritage asset: A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.”

2.10 Paragraph 202 of the NPPF sets out that heritage assets should be conserved 'in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'.

2.11 The following paragraphs in the NPPF are of particular importance when considering the impact of development on the setting of heritage assets:

2.12 Paragraph 207 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

2.13 Paragraph 212 states 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. 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.

2.14 Paragraph 213 sets out that 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.

2.15 Paragraph 214 sets out that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated the substantial harm or total loss is necessary to achieve substantial public benefits.

- 2.16 Paragraph 202 sets out that where less than substantial harm is involved this harm should be weighed against the public benefits of the proposal.
- 2.17 Paragraph 215 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 2.18 Paragraph 219 states local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

National Planning Practice Guidance 2024 (NPPG)

- 2.19 The National Planning Practice Guidance reiterates that the conservation of heritage assets in a manner appropriate to their significance is a core planning principle. Key elements of the guidance relate to assessing harm to a heritage asset. In paragraph 018, the NPPG advises that what matters in assessing whether a proposal might cause harm is the impact on the significance of the heritage asset, and confirms that significance derives not only from a heritage asset's physical presence, but also from its setting.
- 2.20 Paragraph 006 explains that in legislation and designation criteria, the terms 'special architectural or historic interest' of a listed building and the 'national importance' of a scheduled monument are used to describe all or part of what, in planning terms, is referred to as the identified heritage asset's significance.
- 2.21 In paragraph 013, it is stated that all heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.
- 2.22 Paragraph 013 also confirms that the contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. The contribution may vary over time and according to circumstance.
- 2.23 Paragraph 039 provides a definition of non-designated heritage assets, these 'are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets'.
- 2.24 In Paragraph 040, it is recognised that there are a number of processes through which non-designated heritage assets may be identified, including as part of the decision-making process on planning applications.

Historic Environment Good Practice Advice Note 2: Decision-Taking in the Historic Environment, 2015

2.25 The Historic Environment Good Practice Advice Note 2 (2015) provides a useful summary of the approach that Historic England promotes in cases where development may affect the significance of heritage assets. Paragraph 4 explains the overarching purpose of the guidance:

“Development proposals that affect the historic environment are much more likely to gain the necessary permissions and create successful places if they are designed with knowledge and understanding of the significance of the heritage assets they may affect”

2.26 This is expanded in paragraphs 8 to 10 which suggest that decision making should be guided by a sound understanding of the level, extent and nature of this identified significance.

Historic Environment Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets, 2017

2.27 The Historic England Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets (2017) provides the base framework for the assessment of proposed changes to the setting of a heritage asset. This Good Practice Advice was published on 25th March 2015, and updated December 2017, both superseding The Setting of Heritage Assets (2011).

2.28 A relevant extract from the Advice Note includes:

“Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.” (Paragraph 9).

Historic England Advice Note 12: Statements of Heritage Significance, 2019

2.29 To assess the heritage significance of the identified heritage asset, this assessment has drawn guidance from Historic England which recommends making assessments under the categories of: Archaeological interest, Architectural and artistic interest, and Historic interest. These interests together contribute to the overall significance of a place or site.

2.30 These attributes of significance are described as:

Archaeological interest

2.31 There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

Architectural and artistic interest

2.32 These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design,

construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.

Historic Interest

- 2.33 An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.
- 2.34 The Advice Note sets out a 5 point 'staged approach' to decision making in applications affecting heritage assets.

Grand Western Canal Conservation Area (2024)

- 2.35 The Conservation Area Appraisal and Management sets out the special interest of the designated heritage asset and its significance.
- 2.36 Tidcombe Hall is identified as a positive contributor and the surrounding countryside is identified in Section 4.5 as an important aspect of the setting to the Conservation Area.

3. Methodological approach used in this proof of evidence

3.1. The impacts of the proposed development upon the significance of the heritage assets are both direct and indirect by reason of part of the appeal site lying within the Grand Western Canal Conservation Area and part without. As such, there are two relevant pieces of guidance that have been consulted.

3.2 With regards to direct impacts, these have been assessed using 'Historic England Advice Note 12: Statements of Heritage Significance' and the impact of the proposals on the following attributes:

- Archaeological interest;
- Architectural and artistic interest; and
- Historic interest.

3.3 The assessment of the impact on the Conservation Area has also had regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

3.4 With regards to indirect impacts, the Historic England guidance document 'Historic Environment Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets' (2017) sets out a methodology for assessing harm to the setting of heritage assets as part of the planning process, comprising a five-step process that applies proportionally to complex or more straightforward cases as follows:

- Step One: identifies which heritage assets and their settings are affected;
- Step Two: assesses whether, how and to what degree these settings make a contribution to the significance of the heritage assets;
- Step Three: assesses the effects of the proposed development on that significance;
- Step Four: explores ways to minimise harm;
- Step Five: is the making and documenting of the decision.

3.5 Steps One to Three of this assessment process have been used to determine the impact of the proposed development on the setting and significance of designated and non-designated heritage assets which will be affected by the proposed development.

Assessment of Harm

3.6 Section 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 states that special regard should be given to the desirability of preserving the building or its setting. With regards to the NPPF, case law has established that there are three categories of harm recognised in the Framework³. There is 'substantial harm', 'less than substantial harm' and no harm. It shall be a matter of planning judgement of at which degree of harm moves from 'substantial' to 'less than substantial'.

³ **CD7.8** (2019) EWHC 2899 (Admin), 2019 WL 05864885, James Hall and Company Limited v City of Bradford Metropolitan District Council v Co-Operative Group Limited, Dalehead Properties Limited

- 3.7 It is widely accepted that ‘less than substantial harm’ can cover a wide spectrum of impacts, which requires a careful case-by-case analysis. The spectrum of ‘less than substantial harm’ can cover a range of impacts from minor to more substantial but still below the threshold of ‘substantial harm’ (or total loss of significance)⁴. A key principle is that harm in the ‘less than substantial’ category should not be assumed as relatively minor and should not be trivialized⁵. When harm is ‘less than substantial’, it must still be weighed in the planning balance. Case law such as the Barnwell Manor case and others clarifies that ‘less than substantial harm’ requires serious consideration in planning decisions.
- 3.8 In order to better understand the degree of harm to the significance of the heritage assets, the spectrum of ‘less than substantial harm’ comprises low levels of harm (at the bottom), to a very significant degree of harm or high levels (at the top), yet below the substantial category of harm.

⁴ **CD7.9** (2019) EWHC 3437 (Admin), City & Country Bramshill Ltd v SSHCLG (2021) EWCA Civ 320

⁵ **CD7.10** Palmer v Herefordshire Council & Anor (2016) EWCA Civ 1061

4. Assessment of Heritage Assets Affected

- 4.2. 4.1 Historic England Good Practice Advice Note on the Setting of heritage Assets (2017) indicates that the setting of a heritage asset is the surroundings in which the asset is experienced. 'Where that experience is capable of being affected by the proposed development (in any way) then the proposed development can be said to affect the setting of that asset' (p9, para 20).
- 4.3. As identified within Reason for refusal 2, the designated heritage assets identified as being affected by the proposed development are:
- Grade II listed, Tidcombe Farmhouse (List Entry ID: 1384974);
 - The Grand Western Canal Conservation Area; and
 - Tidcombe Hall (Non-Designated Heritage Asset).

Tidcombe Farmhouse

- 4.4. In Statutory terms, the significance of the heritage asset has been recognised by its designation as a Grade II Listed Building which reflects the 'special interest' of the structure. The principal significance of the designated heritage asset is derived from its architectural and historic interest as a good example of an early rural farmhouse
- 4.5. Interior inspection of the building was not undertaken. The designation information provides a description:

Farmhouse. Probably C16. Rendered stone rubble; steep asbestos slate roof; 2 brick lateral stacks at rear, brick end stack on left. PLAN: overall T-shaped plan including early C19 rear stair wing plus later service wing rebuilt late C20. Original house is part of the 5-room range at the front. The original probable hall is the second room from the left, the left-hand room also part of the original house. Right of the hall is a cross passage leading to stair hall and right of the passage are 2 more rooms, the room on the right being a later addition, originally unheated. EXTERIOR: 2 storeys. Overall 6-window range with 2 doorways, each doorway central to a 3-window range. Late C20 3-light casements in old openings. INTERIOR: retains 6 of the principal rafters and most of the purlins of the original jointed-cruck roof structure with no sign of smoke-blackening. The roof structure at the right-hand end of the house is much later, probably C18 with lapped collars. The best feature of the house is a fine quality oak ceiling structure with triple-ovolo moulded crossbeam and similar moulded perimeter beams as cornices and with bead-moulded joists between. There are 2 original fireplaces but these are partly blocked. Later features of interest include: 2 x C18 2-panel doors flanking the entrance hall, some similar doors to cupboard in 2nd chamber from right; several C18 planked doors at the left-hand end of the house, one with studded nails behind the strap hinges; a large fireplace in the left-hand room; some early C19 6-panel doors with inner beads to the panels, an L-plan bench built in by the window of the left-hand room and an open-well

staircase with stick balusters. Most of the rooms have old plaster ceilings and old wall surfaces. Like many early Devon farmhouses, Little Tidcombe Farmhouse has a modest external appearance but internally retains evidence of an important earlier status as is proven by the very high quality of its hall ceiling.

- 4.6. Tidcombe Farmhouse is a good example of an early farmhouse within Devon. The rendered stone rubble walling and the historic plan form of the house, including cross-passage typify the style seen throughout much of Devon. The current asbestos slate roof likely replaced the earlier thatch roof.
- 4.7. Tidcombe Farmhouse is accessed from Warnicombe Lane to the south, with a long access drive to the historic farmstead. Historic maps evidence the farmstead and Tidcombe Farmhouse being located in a rural and isolated position. The residential curtilage of Tidcombe Farmhouse is apparent upon historic mapping and remains visible today. Tidcombe Farmhouse is a good example of a large farmhouse with associated farmstead, in an isolated and rural location and surrounded by the agricultural land it farmed.
- 4.8. The building is shown on the 1842 Tithe Map and the First Edition OS Map of 1888.
- 4.9. The Tithe Apportionment, which accompanies the map, shows much of the appeal site historically in the ownership to Tidcombe Farmhouse. The Tithe Apportionment lists the owners of the Appeal Site in 1841 and these details are reproduced in the table below. It is known that James Butter was both the owner and occupier of Tidcombe Farmhouse in the mid-nineteenth century.

Plot	Landowner	Occupier	Date	Land Use / Description
2717	The Right Honorable Earl of James Butter & The Right Honorable Earl of Egremont	James Butter	18 th November 1841	Pasture
2718	The Right Honorable Earl of James Butter & The Right Honorable Earl of Egremont	James Butter	18 th November 1841	Willows
2719	The Right Honorable Earl of James Butter & The Right Honorable Earl of Egremont	James Butter	18 th November 1841	Pasture

2720	The Right Honorable Earl of James Butter & The Right Honorable Earl of Egremont	James Butter	18 th November 1841	Pasture
2721	The Right Honorable Earl of James Butter & The Right Honorable Earl of Egremont	James Butter	18 th November 1841	Nursery
2722	The Right Honorable Earl of James Butter & The Right Honorable Earl of Egremont	James Butter	18 th November 1841	Pasture
2723	The Right Honorable Earl of James Butter & The Right Honorable Earl of Egremont	James Butter	18 th November 1841	Orchard
2724	The Right Honorable Earl of James Butter & The Right Honorable Earl of Egremont	James Butter	18 th November 1841	Orchard
2725	The Right Honorable Earl of James Butter & The Right Honorable Earl of Egremont	James Butter	18 th November 1841	House, Homestead, Garden & Plantations

4.10. As is evident from historic maps and the Tithe Apportionment, the land use of much of the appeal site in the nineteenth-century was predominantly agricultural. Other areas of the appeal site are shown to share historic ownership and land uses associated to Tidcombe Hall which shall be discussed separately below.

Contribution made by Setting

4.11. Tidcombe Farmhouse is located to the south east of Tiverton, in a rural and isolated position. There has been limited development to the south along Warnicombe Lane, of a few dwellings. The immediate setting of the asset is formed by its own residential curtilage and the appeal site to the west, which is historically the agricultural land associated to the farmhouse and farmstead. Beyond this is the wider agrarian landscape, the Grand Western Canal, Tidcombe Hall and the later twentieth-century development of Tiverton.

4.12. The setting of the heritage asset contributes to its significance. With regard to Step 2 of the Checklist in the Historic England Guidance, I consider the following attributes to contribute to the setting and significance of this heritage asset:

The asset's physical surroundings

- Topography;
- Definition, scale and 'grain' of surrounding streetscape, landscape and spaces;
- Green space, trees and vegetation;
- Openness, enclosure and boundaries;
- Functional relationships and communications; and
- History and degree of change over time

Experience of the asset

- Surrounding landscape or townscape character;
- Views from, towards, through, across and including the asset;
- Diurnal changes;
- Sense of enclosure, seclusion, intimacy or privacy; and
- Land use.

4.13. Many of the aspects included above overlap and can be considered in conjunction.

4.14. It is evident that the appeal site shares a functional link to Tidcombe Farmhouse, as seen upon the 1842 Tithe Map and later OS mapping which shows the farmstead in greater detail. Twentieth century development in the form of Lower Branscombe, Oaklea and The Daffodils has occurred to the south along Warnicombe Lane, however the agricultural use of the appeal site and the existing grain of surrounding development allows one to understand the historic functional relationship between the heritage asset and the site, within its rural and historically isolated position. There has been a little degree of change over time as show by the historic mapping.

4.15. Local character is principally expressed by the surrounding rural landscape with few detached dwellings within a large residential curtilage. The appeal site and the agricultural use of the site contributes to the rural character and our understanding of the significance of the adjacent farmhouse, Tidcombe Farmhouse.

- 4.16. As set out in the Historic England Guidance *The Setting of Heritage Assets* (2017), the setting of a heritage asset is likely to include a variety of views that can be important contributors to understanding and appreciating an asset's significance. Important views can include those from, towards, through, across and including an asset.
- 4.17. Views across the rural landscape from and towards the heritage asset are appreciable. The absence of built form allows for the heritage asset to be experienced in its historically isolated position. This further contributes to the visual prominence of the heritage asset.
- 4.18. The setting of Tidcombe Farmhouse makes a positive contribution to its significance by reinforcing its rural character, expressing the historic functional link and importance of the surrounding rural landscape to the uses and significance of the historic farmhouse and farmstead.

The Grand Western Canal Conservation Area

- 4.19. The Grand Western Canal Conservation Area was designated by Mid Devon District Council in October 1994. The Grand Western Canal Conservation Area Appraisal and Management Plan was adopted on the 18th December 2024. The conservation area boundary was reviewed and extended to include the Limekilns at Canonsleigh and the boundary was rationalised in other areas. No changes have been made to the area concerning the appeal site.
- 4.20. The Grand Western Canal Conservation Area comprises a number of areas of differing character and appearance and the Appraisal provides an overview of the special interest of the area:

"The historic and architectural special interest of the Grand Western Canal Conservation Area is mainly derived from its historic importance as an early form of transportation within the industrial era. The canal has a notable body of historic buildings, this largely being that of the surviving bridges, as well as other buildings and structures associated to the canal along its length."

- 4.21. The appeal site is partly located within Character Area One, Tiverton Basin, the description of which reads:

"Character Area One represents the western portion of the Conservation Area within Tiverton and its immediate environs. The Tithe Map of 1842 shows that construction of the canal to Tiverton was complete, with several buildings and limekilns built. There is otherwise sparse development along the canal and views across the open countryside would have been appreciable, including towards prominent buildings such as Tidcombe Rectory, also known as Tidcombe Hall. Today the canal has seen significant development along its length within Tiverton."

4.22. The Appraisal goes on to state:

“Tidcombe Hall is a large house to the south of the Grand Western Canal, historic maps show it is on the site of St. Lawrence’s Chapel. It is a prominent building and makes an important contribution to the architectural and historic special interest of the Conservation Area. The building is highly distinctive within the rural landscape.”

Furthermore...

“Adjacent to Tidcombe Bridge and Tidcombe Hall, views in an easterly direction across the rural landscape are appreciable. Tidcombe Hall is a prominent building set within the rural landscape and views are appreciable across the undeveloped setting of the Conservation Area, providing the travelling observer with an experience of the changing historic character (View 2).”

4.23. The appeal site is understood to positively contribute to the character and appearance of the Grand Western Canal Conservation Area. The appeal site contains Tidcombe Hall, a positive contributor and Non-Designated Heritage Asset.

Furthermore, the appeal site contributes to the character and appearance of the area through its open setting adjacent to the Grand Western Canal which significantly contributes to its rural character, with views across the rural landscape. Tidcombe Hall is a prominent building and landmark which has historically been experienced within a rural setting and this prevailing rural character is appreciable. This is of particular importance given the increasingly developed areas adjacent to the canal in Tiverton.

4.24. The appeal site lies part within and outside of the conservation area boundary therefore it is also the impact on the setting and significance which must be considered.

4.25. The significance of the Grand Western Canal Conservation Area derives from its special architectural and historic interest. Architecturally, the conservation area contains a variety of building types and ages illustrating the development of the area, whilst also contributing aesthetically to the variety of building materials, styles, scale, design and detailing.

4.26. The historic functions of the buildings also contribute to an understanding of the development of the area and is historic land use. The surviving historic building stock contributes to the area’s significance in permitting an understanding and appreciation of the Grand Western Canal, its development and expansion in Devon, and the changing construction techniques, architectural styles and use of materials.

4.27. Of particular interest is the development of the Grand Western Canal as an early nineteenth-century form of transportation and its route through the rural landscape which reinforces its character.

Contribution made by Setting

4.28. The appeal site is located to the east of, and accessed from, Tidcombe Lane, Tiverton. The appeal site is partly within and outside of the Grand Western Canal Conservation Area boundary. The majority of the proposed development to the south of the Grand Western Canal is located in a large field outside of and immediately adjacent to the conservation area boundary with the proposed access from Tidcombe Lane, within the conservation area.

4.29. The setting of the heritage asset contributes to its significance. With regard to Step 2 of the Checklist in the Historic England Guidance, I consider the following attributes to contribute to the setting and significance of this heritage asset:

The asset's physical surroundings

- Topography;
- Definition, scale and 'grain' of surrounding streetscape, landscape and spaces;
- Green space, trees and vegetation;
- Openness, enclosure and boundaries; and
- History and degree of change over time

Experience of the asset

- Surrounding landscape or townscape character;
- Views from, towards, through, across and including the asset;
- Diurnal changes;
- Sense of enclosure, seclusion, intimacy or privacy; and
- Land use.

4.30. Many of the aspects included above overlap and can be considered in conjunction.

4.31. The significance of the conservation area is principally derived from the architectural interest of its varied historic building stock, and its historic interest from the historic functions and land uses.

4.32. The appeal site and the rural landscape to the south of the Grand Western Canal makes a positive contribution to its setting, enhancing the understanding of the development of the heritage asset and its relationship to the local area from its construction within the early nineteenth-century. Although areas along the canal have since been developed, the rural landscape positively contributes to the character of the conservation area, with views across to the appeal site appreciable from within the conservation area.

4.33. It is acknowledged that much of the proposed development from the illustrative layout is to the field furthest to the south of the Grand Western Canal, however the topography of the appeal site results in there being far reaching views across to the site. This is evidenced by **Figure 5** within Appendix B of this proof which shows the natural gradient of the appeal site with both Tidcombe Hall and Tidcombe Farmhouse visible. **Figure 6** shows a view across to the appeal site and onto the most southerly portion of the appeal site from the Grand Western Canal.

- 4.34. It is evident from historic maps that the appeal site has been subject to a little degree of change over time and as identified above it positively contributes to the setting and significance of the conservation area.

Tidcombe Hall (Non-Designated Heritage Asset)

- 4.35. Tidcombe Hall was built in the early nineteenth-century on the site of an earlier structure, the Tithe Map states that this was the site of St Lawrence's Chapel. Non-designated heritage assets may be identified by the local planning authority during the decision-making process, as evidence emerges. Any such decisions to identify non-designated heritage assets should be consistent with the identification of non-designated heritage assets for inclusion in a local list.
- 4.36. Tidcombe Hall is not locally listed and has been identified during the decision-making process. Mid Devon District Council has an adopted Local List (2015) which applied criteria by English Heritage, now Historic England. The relevant advice note is Local Heritage Listing: Identifying and Conserving Local Heritage (Advice Note 7). The Mid Devon District Council Local List sets out that a Non-Designated Heritage Assets should be of local significance. The Historic England guidance provides criterion such as Archaeological Interest, Architectural and Artistic Interest and Historic Interest.
- 4.37. The principal significance of Tidcombe hall is expressed by its architectural and archaeological interest, as a nineteenth-century building built upon an earlier structure. The archaeological interest is predominantly derived from the building's surviving historic fabric which permits and understanding of nineteenth-century construction techniques. Tidcombe Hall is a representative example of a large nineteenth-century house set within large grounds, indicating the status of the building. Whilst there have been alterations to the building, the distinct architectural style, layout and relationship to the ancillary buildings remains legible. The age, architectural style and layout including its historic grounds is of historic interest and contributes to the significance of the asset.
- 4.38. The Tithe Map of 1842 and later OS mapping evidences that the appeal site has been subject to a little degree of change over time, of what is in part the historic grounds associated to Tidcombe Hall. The Tithe Apportionment details the plots, their description and owner to evidence the close association of part of the appeal site as the grounds to Tidcombe Hall. These details are shown in the table below.

Plot	Landowner	Occupier	Date	Land Use / Description
2643	Reverent William Rayer (Glebe)	Reverent William Rayer (Glebe)	18 th November 1841	Meadow
2644	Reverent William Rayer (Glebe)	Reverent William Rayer (Glebe)	18 th November 1841	Orchard

2648	Reverent William Rayer (Glebe)	Reverent William Rayer (Glebe)	18 th November 1841	House, Offices, Pleasure Ground, Garden & Orchard
2649	Reverent William Rayer (Glebe)	Reverent William Rayer (Glebe)	18 th November 1841	Meadow

Contribution made by setting

4.39. The appeal site contains Tidcombe Hall, its grounds and the adjacent fields to the east and southeast. The illustrative layout for 24/00045/MOUT places much of the proposed development within the field to the southeast however there is development proposed immediately to the east and adjacent to Tidcombe Hall. Access for the proposed development is from Tidcombe Lane and this is immediately adjacent to Tidcombe Hall along its existing drive.

4.40. The setting of the heritage asset contributes to its significance. With regard to Step 2 of the Checklist in the Historic England Guidance, I consider the following attributes to contribute to the setting and significance of this heritage asset:

The asset's physical surroundings

- Topography;
- Definition, scale and 'grain' of surrounding streetscape, landscape and spaces;
- Green space, trees and vegetation;
- Openness, enclosure and boundaries; and
- History and degree of change over time

Experience of the asset

- Surrounding landscape or townscape character;
- Views from, towards, through, across and including the asset;
- Diurnal changes; and
- Visual dominance, prominence or role as a focal point.

4.41. Many of the aspects included above overlap and can be considered in conjunction.

4.42. It is evident from historic mapping and the Tithe Apportionment, part of the appeal site shares a close historic link to Tidcombe Hall through being its associated grounds.

4.43. The rural landscape to the south and east of Tidcombe Hall positively contributes to the prevailing rural character of the asset and its grounds. There has been a little degree of change over time which allows for Tidcombe Hall to be experienced as a prominent building on the periphery of Tiverton. The setting of Tidcombe Hall makes a positive contribution to its significance by reinforcing its visual dominance, enhancing its prominence as a large nineteenth-century house of architectural quality and local significance.

4.44. The absence of any visible built form behind the heritage asset, when viewed from the north and along the Grand Western Canal towpath, provides for an open-sky backdrop which allows the silhouette of the heritage asset to be appreciated in isolation and without intrusion from other buildings. This further contributes to its visual prominence within the street-scene.

5. Assessing the effect of the proposed development on the setting and significance of the heritage assets

5.1 In this section the assessment a summary of the specific effects of the proposed development on attributes of setting is provided in order to establish the degree, if any, of harm caused. This approach broadly equates to Step 3 of the advice on assessing impacts on setting provided in the guidance from Historic England, *The Setting of Heritage Assets* (2017).

5.2 The impacts I have identified are either visual impacts on the setting of the heritage asset, impacts removing an important characteristic, or impacts that affect people's experience of the asset and the ability to appreciate its significance. In arriving to any conclusions about the impact that the proposed development would have on the heritage assets, their significance and setting, I have had regard to the relevant legal provisions, statutory duties, and local and national heritage policy and guidance.

Tidcombe Farmhouse (Grade II listed)

5.3 With regard to the non-exhaustive checklist of potential attributes of a development affecting setting, included in Historic England's guidance, I consider the following broad headings to be relevant in assessing this heritage asset:

Location and siting of development

- Proximity to asset;
- Position in relation to key views to, from and across;

Form and appearance of development

- Prominence, dominance, or conspicuousness;
- Competition with or distraction from the asset;
- Introduction of movement or activity;
- Diurnal or seasonal change;

Wider effects of development;

- Change to built surroundings and space;
- Noise, odour, vibration, dust, etc;
- Lighting effects and 'light spill';
- Change to general character;
- Changes to land use, land cover and tree cover

Permanence of the development

- Reversibility

5.4 Many of the aspects included above overlap and can be considered in conjunction. To avoid repetition, this statement has addressed the application of the elements under the headings below.

The position of the proposed development

5.5 The proposed development will replace the historic functionally associated agricultural land to the farmstead of Tidcombe Farmhouse, with a large residential development of a distinctly urban character. The proposed development shall be highly visible from the designated heritage asset with residential development proposed immediately to its west and south-west (see **Figure 4**). The proximity and density of the proposed development to Tidcombe Farmhouse would result in the designated heritage asset being experienced as part of the urban environment of Tiverton rather than as an isolated rural farmhouse. Views of the appeal site are appreciable from Warnicombe Lane to the south, on the approach to the asset, these open views would be replaced with that of a large residential development. It is considered that the proposed development would have a negative impact on the ability to appreciate Tidcombe Farmhouse within its setting and context as an isolated rural farmstead. The proposed development would result in the loss of historically and functionally associated agrarian land to the farmhouse which contributes to our understanding of its special interest and significance.

Competition with or distraction from the heritage asset

5.6 The proposed development by reason of its proximity immediately adjacent to Tidcombe Farmhouse, for a large development up to 100 dwellings, would compete with, detract and distract from the heritage asset and our ability to appreciate and understand its significance within its context. The proposed development would remove the attractive agrarian setting of the asset for a large residential development which also poses several wider environmental issues such as noise and lighting effects, being urbanising in character.

5.7 The proposed development of up to 100 dwellings immediately adjacent to the heritage asset to its west and south-west would have a negative enclosing impact upon the historically isolated farmstead and would subsume the farmstead into the urban environment of Tiverton. Views to and from Tidcombe Farmhouse from across the appeal site, including from the west and south-west, provide an attractive rural setting which would be replaced by that of a large residential development.

Changes to land use

5.8 The proposed development will result in the change in use of the land in the environs of the heritage asset, Tidcombe Farmhouse,

5.9 The existing land use as agricultural land is considered to contribute to the experience of the asset, its tranquillity and sense of seclusion as an isolated farmhouse, as well as to the understanding of the historic use and function of the farmhouse and its farm buildings. The approach unto the heritage asset from Newtes Hill and Warnicombe land is of importance towards the visual and physical separation from the urban development of Tiverton and the prevailing rural character of the appeal site, as one approaches the farmstead. This visual and physical separation can also be appreciated in wider views such as from the Grand Western Canal towpath.

- 5.10 Whilst the setting of the asset has undergone change, the rural character of the appeal site can still be appreciated. The proposed development would densely infill the area between the farmstead and Tiverton, resulting in Tidcombe Farmhouse being experienced as a part of a residential development. This would invariably result in harm to the significance of the asset and this harm is found in the principle of the proposed scheme to this extent, being considerably urbanising.
- 5.11 The change of land use will add built form, light spill and noise which is intrusive to the significance of the heritage asset as it will adversely affect how the asset is experienced. This will irreversibly remove elements of its rural setting.

Permanence of the development

- 5.12 The development will result in irreversible and permanent change to the setting of the heritage asset which contributes positively to its significance and the ability to appreciate its significance. Given the permanence of the adverse effects arising from the development, the proposal is considered harmful.

The Grand Western Canal Conservation Area

- 5.13 With regard to the Grand Western Canal Conservation Area, this section considers both the direct and indirect impacts of the proposed development on the significance of the heritage asset.
- 5.14 The site is accessed from within the Grand Western Canal Conservation Area and the northern extent of the appeal site containing Tidcombe Hall and its grounds is located within the conservation area. For the following reasons, the proposed development on this part of the site will have a direct adverse impact on the character and appearance of the Grand Western Canal Conservation Area.
- 5.15 This section of the appeal site contributes positively to the significance of the conservation area as it contains the large nineteenth-century house of Tidcombe Hall and its grounds. Tidcombe Hall permits an understanding and appreciation of the architectural and historic interest of the conservation area and this extends to its grounds. Tidcombe Hall is experienced in an isolated position on the periphery of Tiverton and the open and rural landscape contributes to the prevailing rural character of this section of the conservation area. In particular, the views across to Tidcombe Hall and the rural landscape beyond are of importance given the presence of existing development to the north of the canal.
- 5.16 The proposed development would result in the access to Tidcombe Hall being widened and this access would continue pass the principal elevation of Tidcombe Hall, with residential development also proposed to the north, and in front of the established building line of Tidcombe Hall (closer to the Grand Western Canal). This would result in the proposed development being prominently viewed and would compete with and distract from Tidcombe Hall, which would be viewed and experienced as within a modern residential development, including from the access within Tidcombe Lane. The loss of the prominence and the visual dominance of Tidcombe Hall in the street scene and from the kinetic views along the canal towpath, which makes a positive contribution to the special architectural and historic interest of the conservation area, will have a negative impact upon its significance and the character and appearance of the area.
- 5.17 With regard to the non-exhaustive checklist of potential attributes of a development affecting setting, included in Historic England's guidance, I consider the following broad headings to be relevant in assessing this heritage asset:

Location and siting of development

- Proximity to asset;
- Position in relation to key views to, from and across;

Form and appearance of development

- Prominence, dominance, or conspicuousness;
- Competition with or distraction from the asset;
- Diurnal or seasonal change;

Wider effects of development;

- Change to built surroundings and space;

- Noise, odour, vibration, dust, etc;
- Lighting effects and 'light spill';
- Change to general character;
- Changes to land use, land cover and tree cover

Permanence of the development

- Reversibility

5.18 Many of the aspects included above overlap and can be considered in conjunction. To avoid repetition, this statement has addressed the application of the elements under the headings below.

The position of the proposed development

5.19 This portion of the appeal site and the proposed development is located to the south of Tidcombe Hall and the Grand Western Canal Conservation Area boundary. The existing rural landscape has been found to contribute to the significance of the conservation area by aiding the ability to experience and appreciate the rural character and the development of the Grand Western Canal.

5.20 The proposed development of up to 100 dwellings is considered incongruous to local character and distinctiveness and would represent an inappropriate form of development, of a distinctly urban character. The proposed development would undermine the ability to understand and experience the rural character of the site and would intrinsically result in several adverse impacts, being urbanising in effect.

Competition with or distraction from the heritage asset

5.21 The density of the proposed development would not be in keeping to local character, and whilst I acknowledge there had been recent modern development to the north and west of the appeal site, the proposals would result in the further cumulative effect of intrusive urban development, detracting from the character of the conservation area. The proposed development also presents diurnal and environmental (noise, scent and lighting) issues. The environmental conditions and paraphernalia associated with the proposed development will be vastly different from the current use of the appeal site. As such, this change can only be considered harmful to the significance of the heritage assets identified. This harm is found in the principle of a scheme of this extent.

Changes to land use

5.22 The existing land use as the historic grounds associated to Tidcombe Hall, a Non-Designated Heritage Asset and a positive contributor to the conservation area, contributes to our understanding of the historic and architectural interest of the conservation area, as well as to the development of the Grand Western Canal. Furthermore, the historic agricultural use of the land contributes to the prevailing rural character of this part of the conservation area and to our experience of the asset within its context.

5.23 The change in land use will add built form, light spill and noise which is intrusive to the significance of the heritage asset as it will adversely affect how the asset is experienced. This will irreversibly remove elements of its rural setting.

Permanence of the development

- 5.24 For the reasons stated above, the development will result in irreversible and permanent change to the setting of the heritage asset, both direct and indirect, to the significance of the Grand Western Canal Conservation Area. Given the permanence of the adverse effects arising from the development, the proposal is considered harmful.

Tidcombe Hall (Non-Designated Heritage Asset)

5.25 The heritage significance of Tidcombe Hall is discussed in Section 4. The nineteenth-century building is of architectural, artistic, archaeological and historic interest. The historic grounds associated to Tidcombe Hall and the surrounding rural landscape is found to contribute to the significance of the heritage asset.

5.26 With regard to the non-exhaustive checklist of potential attributes of a development affecting setting, included in Historic England's guidance, I consider the following broad headings to be relevant in assessing this heritage asset:

Location and siting of development

- Proximity to asset;
- Position in relation to key views to, from and across;

Form and appearance of development

- Prominence, dominance, or conspicuousness;
- Competition with or distraction from the asset;
- Diurnal or seasonal change;

Wider effects of development;

- Change to built surroundings and space;
- Noise, odour, vibration, dust, etc;
- Lighting effects and 'light spill';
- Change to general character;
- Changes to land use, land cover and tree cover

Permanence of the development

- Reversibility

5.27 Many of the aspects included above overlap and can be considered in conjunction. To avoid repetition, this statement has addressed the application of the elements under the headings below.

The position of the proposed development

5.28 The proposed development is for up to 100 dwellings adjacent to and south of Tidcombe Hall, using the existing access from Tidcombe Lane. It is acknowledged that much of the proposed development is to the field to the south however development is also proposed immediately adjacent to Tidcombe Hall, with access from the existing drive. The proposed development would have an adverse impact to Tidcombe Hall as it would be experienced within, and subsumed by, a large residential development.

Competition with or distraction from the heritage asset

- 5.29 The proposed development would intrinsically result in several adverse impacts in consideration of the proposed scale, layout and density. The proposals would remove positive elements of the assets setting resulting in a distinctly more urban character. Furthermore, the prominence of the heritage asset would be greatly reduced as it would be experienced within a residential development and views towards the heritage asset would be interrupted. The wider environmental effects (noise and light spill) of the proposed development also presents issues.

Changes to land use

- 5.30 The existing land use as the historic grounds associated to Tidcombe Hall, a Non-Designated Heritage Asset and a positive contributor to the conservation area, contributes to our understanding of the Non-Designated Heritage Asset's historic, architectural and artistic interest as a large nineteenth-century house.
- 5.31 The change in land use will add built form, light spill and noise which is intrusive to the significance of the heritage asset as it will adversely affect how the asset is experienced. This will irreversibly remove elements of its rural setting and functionally associated land to the asset such as its historic grounds. The proposed development would also detract from the landmark status of the asset, with prominent development in front of, and adjacent to the asset.

Permanence of the development

- 5.32 Given the permanence of the above mentioned adverse effects arising from the development, the proposals are considered harmful to the significance of the Non-Designated Heritage Asset.

The wider impact of the development

- 5.33 In writing this Proof of Evidence it has become apparent that the development would also have an effect upon the setting of the heritage assets as a group, due to their overlapping settings. A conservation area is likely to include the settings of listed buildings and have its own setting, as will the village or urban area in which it is situated. Therefore, the proposed development must be viewed also in the wider context of the urban area of Tiverton and the rural landscape in which it is situated.
- 5.34 I accept that it is agreed as common ground that the appeal proposals would affect only the above mentioned heritage assets. However, the harm to landscape as demonstrated by Ms Fowles presents compelling evidence for the wider effects of the proposed development. Other nearby heritage assets may share much of the same elements of setting as those identified above, such as Tidcombe Bridge (Grade II, NHLE: 1384969).

Heritage Asset	Impact identified
Tidcombe Farmhouse (Grade II, NHLE: 1384974)	Medium level of less than substantial harm
The Grand Western Canal Conservation Area	Low level of less than substantial harm
Tidcombe Hall (Non-designated heritage asset)	Harm to the significance of the Non-designated heritage asset

6. Summary and Conclusions

6.1 The evidence prepared relates to the effect the proposed development will have on the significance of the identified heritage assets including the contribution to significance made by their settings. The following heritage assets have been assessed with harm identified to their significance:

- Grade II Listed, Tidcombe Farmhouse (List entry ID: 1384974);
- The Grand Western Canal Conservation Area; and
- Tidcombe Hall (Non-Designated Heritage Asset).

6.0 The significance of Tidcombe Farmhouse derives from its special architectural and historic interest, as an early rural farmhouse. Tidcombe Farmhouse is a fine example of a historic farmhouse and farmstead within Devon, within the rural landscape. In its current state, the appeal site proves part of an appropriate agrarian setting for the designated heritage asset, Tidcombe Farmhouse, which contributes to the ability of people to appreciate and understand its significance. The proposed development would impact the rural setting of Tidcombe Farmhouse and would consequently erode our appreciation of the functional and historic relationship between the appeal site and the asset. The extent of the proposed development is considered to invariably result in harm and this harm is found in the principle of this form of development. The harm to the designated heritage asset would be less than substantial as referred to in the NPPF, and therefore Paragraph 215 would apply. If we consider this in the scale of lower, middle and upper, I consider the harm lies in the middle section of this scale.

6.1 The significance of the Grand Western Canal Conservation Area derives from its special architectural and historic interest. Architecturally, the conservation area contains a rich variety of building types and ages illustrating the development of the area, whilst contributing aesthetically to the variety of building materials, styles, scale design and detailing. The Grand Western Canal is a nineteenth-century structure and the surviving historic building stock within the area contributes to an understanding of the development of the canal and the historic land use in response to social changes over time. The setting of the conservation area makes a positive contribution to its significance by reinforcing its prevailing character, allowing the asset to be appreciated within its context, and providing important views of the heritage asset from within and outside of the conservation area.

6.2 The proposed development would result in harm to the character and appearance of the conservation area and also harm to its significance through change in its setting. The proposed development would result in prominent built form of a distinctly urban character which would detract from and adversely impact the ability to appreciate and understand the significance of the conservation area and the character and appearance of the conservation area. The harm with regard to the NPPF would be 'less than substantial' and if we consider there to be a scale or spectrum, I suggest the harm lies within the low section of this scale. While the harm is agreed to be classified as 'less than substantial', the NPPF makes it clear that 'great weight' should be given to the conservation of the asset.

6.3 The significance of Tidcombe Hall is predominantly derived from its architectural, archaeological and architectural interest as a large nineteenth-century house. The setting of the heritage asset is found to positively contribute to the experience and understanding of the asset's significance. The appeal site includes Tidcombe Hall, its grounds and the fields adjacent to the asset. The proposed development would compete with and detract from the sense of prominence and visual dominance of Tidcombe Hall, reducing the ability to appreciate the heritage asset within its historic context, and have a detrimental visual impact on the views of the heritage asset from within, and outside of, the conservation area and its historic grounds. The proposed development would fail to preserve the significance of the heritage asset due to change in its setting. The extent and layout of the proposed development also represents significant missed opportunities to enhance the Grand Western Canal Conservation Area and Tidcombe Hall. The harm to the Non-Designated Heritage Asset would engage Paragraph 216 of the NPPF.

7. Appendices

A. Designation Descriptions

Tidcombe Farmhouse⁶

Heritage Category: Listed Building

Grade: II

List Entry Number: 1384974

Date first listed: 10-Apr-2000

List Entry Name: Tidcombe Farmhouse

Statutory Address: Tidcombe Farmhouse, Warnicombe Lane

County: Devon

District: Mid Devon (District Authority)

Parish: Tiverton

National Grid Reference: SS 97684 12045

Details:

TIVERTON

SS91SE WARNICOMBE LANE, Tidcombe 848-1/7/99 Tidcombe Farmhouse

II

Farmhouse. Probably C16. Rendered stone rubble; steep asbestos slate roof; 2 brick lateral stacks at rear, brick end stack on left. PLAN: overall T-shaped plan including early C19 rear stair wing plus later service wing rebuilt late C20. Original house is part of the 5-room range at the front. The original probable hall is the second room from the left, the left-hand room also part of the original house. Right of the hall is a cross passage leading to stair hall and right of the passage are 2 more rooms, the room on the right being a later addition, originally unheated. EXTERIOR: 2 storeys. Overall 6-window range with 2 doorways, each doorway central to a 3-window range. Late C20 3-light casements in old openings. INTERIOR: retains 6 of the principal rafters and most of the purlins of the original jointed-cruck roof structure with no sign of smoke-blackening. The roof structure at the right-hand end of the house is much later, probably C18 with lapped collars. The best feature of the house is a fine quality oak ceiling structure with triple-ovolo moulded crossbeam and similar moulded perimeter beams as cornices and with bead-moulded joists between. There are 2 original fireplaces but these are partly blocked. Later features of interest include: 2 x C18 2-panel doors flanking the entrance hall, some similar doors to cupboard in 2nd chamber from right; several C18 planked doors at the left-hand end of the house, one with studded nails behind the strap hinges; a large fireplace in the left-hand room; some early C19 6-panel doors with inner beads to the panels, an L-plan bench built in by the window of the left-hand room and an open-well staircase with stick balusters. Most of the rooms have old plaster ceilings and old wall surfaces. Like many early Devon farmhouses, Little Tidcombe Farmhouse has a modest external appearance but internally retains evidence of an important earlier status as is proven by the very high quality of its hall ceiling.

⁶ [TIDCOMBE FARMHOUSE, Tiverton - 1384974 | Historic England](#)

Tidcombe Bridge⁷

Heritage Category: Listed Building

Grade: II

List Entry Number: 1384969

Date first listed: 12-Feb-1952

List Entry Name: Tidcombe Bridge

Statutory Address: Tidcombe Bridge, Tidcombe Lane

County: Devon

District: Mid Devon (District Authority)

Parish: Tiverton

National Grid Reference: SS 97348 12216

Details:

TIVERTON

SS91SE TIDCOMBE LANE, Tidcombe 848-1/7/98 Tidcombe Bridge 12/02/52

II

Road bridge over canal. Probably 1810-14 contemporary with the construction of the Great Western Canal. Volcanic agglomerate ashlar with parapet string and hogs-back parapet. Single span with elliptical arch, the bridge as 2 opposing segmental arches on plan and with the walls slightly battered.

Listing NGR: SS9734812216

⁷ [TIDCOMBE BRIDGE, Tiverton - 1384969 | Historic England](#)

B. Figures (Document 2 of 2)