

PLANNING APPEAL: APP/U1105/W/19/3221978

LAND EAST OF TWO BRIDGES ROAD, SIDFORD

STATEMENT OF COMMON GROUND

**THE EFFECT OF THE DEVELOPMENT PROPOSED ON HERITAGE
ASSETS**

Prepared on behalf of OG Holdings Retirement Benefit Scheme

Date: 17 June 2019

1. INTRODUCTION AND SUMMARY

1.1. This Statement of Common Ground ('SoCG') has been prepared to support a Planning Appeal made on behalf of OG Holdings Retirement Benefit Scheme ('the Appellant') pursuant to Section 78 of the Town and Country Planning Act 1990 (as amended).

1.2. This SoCG sets out the particular areas of common ground in terms of the effect of the development proposed on heritage assets between East Devon District Council ('EDDC') as local planning authority, and the Appellant.

2. AREAS OF COMMON GROUND

2.1. It is agreed that, as set out in the main statement of common ground for the appeal signed by the Appellant and EDDC:

2.1.1. Sidford is designated as a Conservation Area. Sidford also contains a number of listed buildings (all Grade II listed), the nearest of which is Country House which is also the only listed building to have visual connectivity with the Site.

2.1.2. The application the subject of this appeal was refused by EDDC, citing a single reason for refusal which does not concern the effect of the development proposed on heritage assets

2.1.3. Relevant policies concerning heritage against which the application were assessed, contained in the EDDC local plan were:

2.1.3.1. Policy EN9 (Development Affecting a Designated Heritage Asset);


2.1.3.2. Policy EN10 (Conservation Areas);

- 2.1.3.3. Strategy 49 (the Historic Environment);
- 2.1.4. The archaeological desk-based assessment submitted with the 2018 Application identified that the potential for below-ground archaeological remains to be present within the Site to be low.
- 2.1.5. Paragraph 7.36 of the main statement of common ground signed by the parties made reference to paragraph 99 of the NPPF (July 2018). The parties agree this was a reference to the wrong paragraph in that version of the NPPF, but in any event it is agreed that:
 - 2.1.5.1. any impact on archaeological heritage assets can be mitigated by appropriately-worded condition; and
 - 2.1.5.2. the July 2018 version of the NPPF has been superseded by the February 2019 version referenced below.
- 2.1.6. The potential for harm has been assessed, and it is agreed that the proposed development would not harm any designated heritage assets or non-designated heritage assets, observing Policy EN9 and paragraph 190 of the NPPF (February 2019).
- 2.1.7. The Appeal Site is not located in a Conversation Area and it is agreed that the proposed development would not (subject to receiving reserved matters approval) affect any Conservation Area, nor the setting of a Conservation Area, meaning Policy EN10 is not engaged.
- 2.2. It is agreed that the significance of heritage assets and their setting has been established by the applicant in line with expectations of Policy EN8 and the environmental statement ('ES') that accompanied the 2016 Application. Further requirement for assessment was screened out from requirements of the ES associated with the appeal scheme.
- 2.3. It is agreed that the appeal scheme does not propose alternation, extension or change of use within Conservation Area.

2.4. It is agreed that the appeal scheme would not result in substantial harm, nor less than substantial harm, to a heritage asset. The appeal scheme is not contrary to Policy EN9 of the Adopted Local Plan.

2 SIGNATURES

2.1 This statement of common ground is submitted jointly by the Appellant and EDCC. It sets out the areas of common ground between the parties in respect of the effect of the development proposed on heritage assets.

Signed on behalf of the Appellant: 	Signed on behalf of EDCC:
Name: DAVID RICHARDSON	Name: DARREN ROBERTS
Position: PARTNER, ASHFORDS LLP	Position:
Date: 17 June 2019	Date: