

MEMORANDUM / COFNOD

The Vale of Glamorgan Council
Development Services
Dock Office, Barry Docks, Barry, CF63 4RT



To / I:	Rob Lankshear
Dept / Adran:	Development Management
Date / Dyddiad:	26 October 2020

From / Oddi Wrth:	Conservation and Design
Tel / Ffôn:	(01446) 704628

Application: 2020/01170/OUT
Location: Land at Upper Cosmeston Farm, Lavernock Road, Penarth
Proposal: Outline application for residential development, a primary school, community space and public open space with all matters reserved other than access

Recommendation

- | | |
|--|--|
| <input type="checkbox"/> No objection | <input type="checkbox"/> Notes for applicant |
| <input checked="" type="checkbox"/> Object (holding objection) | <input type="checkbox"/> Request for further information |
| <input type="checkbox"/> Object and recommend refusal | <input type="checkbox"/> Recommend planning conditions |

Main Issue

The issues considered by me are:

- Whether the proposed development preserves the listed building, its setting or any features of architectural or historic significance it possesses;
- Whether the proposed development preserves or enhances the character or appearance of the conservation area;
- Whether the proposed development respects the special character and qualities of the historic park and garden, their setting and historic views and vistas;
- Whether the proposed development preserves or enhances a locally listed 'County Treasure', its setting and any features of architectural or historic significance it possesses.
- Whether the proposed development preserves or enhances the architectural and or historic qualities of buildings.

Please note the primary consideration for any development affecting a listed building or its setting or a conservation area are the statutory requirements to have special regard to the desirability of preserving the historic asset.

Legislation and Policy

The Planning (Listed Buildings and Conservation Areas) Act (1990)

The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) sets out the principal statutory instruments which must be considered in the determination of any application affecting either listed buildings or conservation areas.

Section 66 of the Act states that 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 possesses.

The Courts have made it clear that the duty imposed in the Act means that in considering whether to grant permission for development that may cause harm to a designated asset and/or its setting, the decision maker should give particular weight to the desirability of avoiding that harm. There is still a requirement for a planning balance, but it must be informed by the need to give weight to the desirability of preserving the asset and its setting.

Planning Policy Wales

Chapter 6 of Planning Policy Wales (PPW) sets out the Welsh Government's planning guidance on the conservation and enhancement of the historic environment.

Paragraph 6.1.6 sets out the Welsh Government's specific objectives for the historic environment. These seek to:

- protect the Outstanding Universal Value of the World Heritage Sites;
- conserve archaeological remains, both for their own sake and for their role in education, leisure and the economy;
- safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved;
- preserve or enhance the character or appearance of conservation areas, whilst the same time helping them remain vibrant and prosperous;
- preserve the special interest of sites on the register of historic parks and gardens; and
- protect areas on the register of historic landscapes in Wales.

Paragraph 6.1.9 makes clear:

“Any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place.”

In relation to listed buildings Paragraph 6.1.10 states:

“There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses.”

Technical Advice Note 12: Design

TAN 12 seeks to promote sustainability through good design. Paragraph 2.2 states:

“The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales – from householder extensions to new mixed use communities.”

Technical Advice Note 24: The Historic Environment

Local Development Plan

The Vale of Glamorgan LDP policies reflect the national policy for the strict control of development affecting conservation areas. Policy SP10 (Built and Natural Environment) and Policy MD8 (Historic Environment) set out the preserve or enhance the character or appearance of the Vale of Glamorgan’s Conservation Areas.

<p>POLICY SP 10 - BUILT AND NATURAL ENVIRONMENT DEVELOPMENT PROPOSALS MUST PRESERVE AND WHERE APPROPRIATE ENHANCE THE RICH AND DIVERSE BUILT AND NATURAL ENVIRONMENT AND HERITAGE OF THE VALE OF GLAMORGAN INCLUDING:</p> <ol style="list-style-type: none">1. THE ARCHITECTURAL AND / OR HISTORIC QUALITIES OF INDIVIDUAL BUILDINGS OR CONSERVATION AREAS, INCLUDING LOCALLY LISTED BUILDINGS;2. HISTORIC LANDSCAPES, PARKS AND GARDENS;3. SPECIAL LANDSCAPE AREAS;4. THE GLAMORGAN HERITAGE COAST;5. SITES DESIGNATED FOR THEIR LOCAL, NATIONAL AND EUROPEAN NATURE CONSERVATION IMPORTANCE; AND6. IMPORTANT ARCHAEOLOGICAL AND GEOLOGICAL FEATURES.
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Policy MD8 (Historic Environment) deals specifically with the protection of the qualities of the built historic environment and in particular the preservation and enhancement of conservation areas character or appearance:

POLICY MD 8 - HISTORIC ENVIRONMENT

DEVELOPMENT PROPOSALS MUST PROTECT THE QUALITIES OF THE BUILT AND HISTORIC ENVIRONMENT OF THE VALE OF GLAMORGAN, SPECIFICALLY:

1. WITHIN CONSERVATION AREAS, DEVELOPMENT PROPOSALS MUST PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE AREA;
2. FOR LISTED AND LOCALLY LISTED BUILDINGS, DEVELOPMENT PROPOSALS MUST PRESERVE OR ENHANCE THE BUILDING, ITS SETTING AND ANY FEATURES OF SIGNIFICANCE IT POSSESSES;
3. WITHIN DESIGNATED LANDSCAPES, HISTORIC PARKS AND GARDENS, AND BATTLEFIELDS, DEVELOPMENT PROPOSALS MUST RESPECT THE SPECIAL HISTORIC CHARACTER AND QUALITY OF THESE AREAS, THEIR SETTINGS OR HISTORIC VIEWS OR VISTAS;
4. FOR SITES OF ARCHAEOLOGICAL INTEREST, DEVELOPMENT PROPOSALS MUST PRESERVE OR ENHANCE ARCHAEOLOGICAL REMAINS AND WHERE APPROPRIATE THEIR SETTINGS.

Supplementary Planning Guidance

Criteria for the selection and review of County Treasures is contained within the SPG.

These criteria are as follows:

1. Architectural interest – buildings which are of importance to the Vale of Glamorgan for the interest of their architectural design, decoration and craftsmanship; also important examples of particular building types and techniques;
2. Historic Interest – this includes buildings which illustrate important aspects of the Vale of Glamorgan’s social, economic, cultural or military history;
3. Close Historical Association – with the Vale of Glamorgan’s important people or events;
4. Group Value – especially where local buildings comprise an important architectural or historic unity;
5. Old or rare local buildings that have been altered too much to warrant being included on the national statutory list, but nonetheless retain character.

Assessment of Proposal

Assesment of Proposal

I note the submission of Archaeology and Heritage Assessment (“the AHA”) which provides a detailed assessment of historic assets within 1km of the site and notes additional historic assets within 2km of the site.

Cadw must be consulted on all applications for development which is likely to be visible from a scheduled monument and is within a distance of 5 kilometres from the perimeter of a scheduled monument and has an area of 1 hectare or more. This site meets these criteria, and you should consult Cadw if you haven’t already.

Whilst the AHA has chosen a study area smaller than that used by Cadw for considering scheduled monuments; I consider this an appropriate model given the local topography and existing development limiting intervisibility between the site and designated assets.

The AHA makes an assessment of the significance of these buildings (Paras 4.110 – 4.128 refer). It concludes that one of the barns has 'moderate' value with the others having 'limited' value.

A desktop assessment, based on the available evidence, has been carried out to assess whether the farmstead meets the criteria for inclusion in the County Treasures local list. This is included at Appendix A and concludes that the farmstead does meet the criteria for inclusion.

There are no designated historic assets within the application site. There will not, therefore, be any direct impact on any designated historic asset.

I note the findings of the AHA regarding the setting of listed buildings and locally listed County Treasures and agree with those findings. I have not assessed the impact on the setting of any scheduled monument.

The demolition of the farmstead will result in the total loss of these historic buildings which, as noted in the application, are of some significance albeit not of national significance.

Conclusion

There will not be any direct impact on any designated historic asset or locally listed 'County Treasure'.

I agree with the findings of the AHA in relation to the impact of the proposed development on the setting of listed buildings and locally listed County Treasures. Cadw should provide you with a view on the impact on the setting of scheduled monuments.

I am satisfied that the overarching statutory duty imposed by s66 of the Planning (Listed Building and Conservation Areas) Act 1990 can be met in this regard. I am also satisfied that the proposal complies with Policies SP10 and MD8 of the LDP in this regard.

However, the proposal will result in the demolition of a historic farmstead of some significance which will, in my opinion, be contrary to Policy SP10 of the LDP.

You will, of course, need to carry out a balancing exercise weighing any harm against any benefits and reach your own conclusion.

Peter Thomas
Senior Planner (Conservation and Design)

Appendix A Assessment of Farmstead against County Treasures criteria

- Architectural interest – buildings which are of importance to the Vale of Glamorgan for the interest of their architectural design, decoration and craftsmanship; also important examples of particular building types and techniques;
- Historic Interest – this includes buildings which illustrate important aspects of the Vale of Glamorgan’s social, economic, cultural or military history;
- Close Historical Association – with the Vale of Glamorgan’s important people or events;
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Upper Cosmeston Farm comprises a group of farm buildings including a farmhouse dating from the 17th century noted by the Royal Commission on Ancient and Historic Monuments of Wales which identifies the building as an example of a ‘*single-unit, end entry house*’. The remaining buildings are later.

The group of buildings form an inward-facing courtyard and demonstrate the evolution of agrarian management in the area over a prolonged period.

The significance of the group primarily derives from the evidential and historic values contained in its physical form and fabric. The buildings also have some aesthetic value arising from their use of local stone although they are functional in their form with architectural detailing limited to the brick window and door dressings.