

## CHAPTER 10 TOWN / VILLAGE SETTLEMENT INSETS

### OLD CLEEVE

#### 10.54. PARA. 10.12.1

##### Objections

29	Mr F P Cook
1036	Old Cleeve Parish Council

##### Issues

The accuracy of the date references to St Andrew's church and the Memorial Cottages.

##### Inspector's reasoning and conclusion

The reference to St Andrew's church as of 15<sup>th</sup> century date ignores the presence of earlier structures dating from the 12<sup>th</sup> century on the site. The appearance of the church is clearly that of a 15<sup>th</sup> century building but in the interest of accuracy I support the amendment suggested by the LPA, subject to modification of it to avoid ambiguity.

The LPA confirms that, contrary to objection 29, the Memorial Cottages date from 1947. I consider no modification of the text is required.

#### 10.54.1. RECOMMENDATIONS

##### I recommend that:

- (i) Paragraph 10.12.1 be modified by the deletion of the 4<sup>th</sup> sentence and its replacement by:

**The older buildings are generally clustered around St Andrew's church, which dates from the 15<sup>th</sup> century and is on the site of an older church;**

- (ii) No modification be made in response to objection 29.

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#### PARA. 10.12.6

##### Objections

30	Mr F P Cook
1040	Old Cleeve Parish Council

##### Issue

The accuracy of the reference to an amenity orchard.

**Inspector's reasoning and conclusions**

The objection site is the subject of a previous grant of planning permission and subsequent revocation. Under the current agreement between the Crown Estates and the village it is retained as an amenity orchard. I agree with the LPA that reference to its planning history is superfluous and that PC 289 adequately describes its status.

**10.55.1. RECOMMENDATION**

**I recommend that no modification be made in response to these objections.**

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**10.56. PARA. 10.12.7**

**Objection**

1041	Old Cleeve Parish Council
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**Issue**

The accuracy of the reference to the tannery.

**Inspector's reasoning and conclusions**

PC 290, which I support, satisfies the objection by its reference to continuing employment at the tannery.

**10.56.1 RECOMMENDATION**

**I recommend that the Plan be modified by PC 290.**

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**10.57. PARA. 10.12.8.**

**Objections**

31	Mr F P Cook
1042	Old Cleeve Parish Council

**Issue**

The accuracy of the reference to community buildings

**Inspector's reasoning and conclusions**

The LPA agrees that the omission of the Church Room was an oversight (objection 1042). However, the omission is repaired by PC 291. With regard to the condition of the Lysaght Hall (objection 31) it is not appropriate for the Local Plan to comment on the maintenance of buildings

**10.57.1. RECOMMENDATION**

**I recommend that no modification be made in response to these objections.**

**10.58. PARA. 10.12.10.**

**Objection**

874	Government Office for the South West
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**Supporter**

1043	Old Cleeve Parish Council
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**Issue**

Whether paragraph 10.12.10 should be treated as policy or guidance.

**Inspector's reasoning and conclusion**

GOSW asserts it is not clear whether para 10.12.10 contains matters of policy or is setting out guidance for developers. If it is the former, the relevant matters should be set out as a formal policy, rather than in the reasoned justification whereas guidance should be published separately from the Plan (PPG12, para 3.18 and 3.19). In my view the mandatory tone of the paragraph points to policy. However, I consider the general policy background is appropriately set out in Policies LB/1 as changed by PC 87, LB/2 as changed by PC 89 and Policies CA/1-3. The LPA clarifies that it is intended as a reasoned justification indicating the local context. In the circumstances I consider its tone should be clearly informative and advisory. I accordingly propose a slightly different modification from that suggested by the LPA in its PC 292.

**10.58.1. RECOMMENDATION**

**I recommend that paragraph 10.12.10 be modified by the deletion of the second sentence and the preamble in the third sentence and their replacement by:**

**Within this wider policy framework, which also includes Building Design, proposals for new development in Old Cleeve should have regard to the following local characteristics:-**

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**10.59. PARA. 10.12.11**

**Objection**

1044	Old Cleeve Parish Council
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**Issue**

Whether reference should be made to Old Cleeve Orchard.

### **Inspector's reasoning and conclusions**

This land is also the subject of objection 1040. Its citation as an example of public open space in the village reinforces the accuracy of the explanatory text in PC 291 and no further modification is required.

#### **10.59.1. RECOMMENDATION**

**I recommend no modification be made in response to this objection.**

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#### **10.60. PARA. 10.12.12**

##### **Objection**

285	Dr A Groos
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##### **Issue**

The destruction of hedgerows in Old Cleeve in the light of Policy TW/2.

### **Inspector's reasoning and conclusions**

I deal in Chapter 4 of this report with the general issue of safeguarding hedgerows which is the subject of Policy TW/2 and PC 35. In the light of those general considerations I consider Paragraph 10.12.12 of the Plan is adequately relevant to the significance of hedgerows to the visual character of the village and that no change is required.

The 2 hedgerows cited by the objector are outside the purview of Policy TW/2, which is based on the Hedgerows Regulations 1997. I consider that by widening the scope of the protection of hedgerows unless they are considered not to have wildlife or landscape value PC 35 meets the objector's concern which is conditionally withdrawn.

#### **10.60.1. RECOMMENDATION**

**I recommend that no modification be made in response to this objection.**

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#### **10.61. SETTLEMENT MAP 12**

##### **Objections**

176	Council for the Protection of Rural England
873	Government Office for the South West
1048	Old Cleeve Parish Council
1049	Old Cleeve Parish Council

1050	Old Cleeve Parish Council
1051	Old Cleeve Parish Council

## Issues

- (i) Whether the central orchard, the Rectory orchard, and the small triangle of grass opposite 'Timbers' should be defined as Amenity Open Space.
- (ii) Whether the village should be shown as an area of high archaeological interest and not as an SSSI.
- (iii) Whether the area subject to :Policy OC/1 should be shown on the Inset Map..

## Inspector's reasoning and conclusions

### Issue (i)

I accept that the community (central) orchard (objection 176) merits the criteria of amenity open space in paragraph 8.2.21 and merits definition under Policy R/5 on the Inset Map. It is already mentioned in the amendment of the paragraph by PC 293 I consider The Rectory Orchard (objection 1049) also merits definition on the Inset Map. Land to the east of St Christopher's (objection 1050) and land opposite 'Timbers' (objection 1051) are shown as Open Space-Amenity on the Inset Map and no further modification is needed in respect of those sites.

### Issue (ii)

The area of high archaeological potential is already shown on the Inset Map, satisfying objection 176. However the LPA note that the area is incorrectly defined as an SSSI; it should be shown as a Conservation Area. I concur with that change.

### Issue (iii)

Paragraph 7.14 of PPG 12 advises that such policies as OC/1 should be shown on a proposals map. The LPA agrees to and I support this compliance with PPG 12.

## 10.61.1. RECOMMENDATIONS

### I recommend that the Old Cleeve Settlement Inset Map be modified:

- (i) **To show the Community (Central) Orchard and the Rectory Orchard as Amenity Open Spaces under Policy R/5;**
- (ii) **By the deletion of the SSSI notation and its replacement by the Conservation Area notation;**
- (iii) **By the addition of notation for Policy OC/1 to the area subject to that Policy.**