
Appeal Decision

Site visit made on 27 July 2020

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 August 2020

Appeal Ref: APP/Q1153/W/19/3241348

Land adjacent to Butland Meadow, Buckland Monachorum, Yelverton, Devon, PL20 7NF.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs H D Butland against the decision of West Devon Borough Council.
 - The application Ref.1739/19/OPA, dated 21/5/19, was refused by notice dated 24/7/19.
 - The development proposed is the erection of five detached dwellings including access and turning.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Other than the means of access, all other details have been reserved for subsequent consideration.

Main Issues

3. The two main issues are: the effect upon the character and appearance of the area, which forms part of the Tamar Valley Area of Outstanding Natural Beauty (AONB)¹ and; whether the public benefits of the proposal would outweigh any harm to the settings² of the Grade II* listed Cuxton Farmhouse and the Grade II listed barn approximately 10 metres north west of Cuxton Farmhouse.

Reasons

Planning Policy and Other Documents

4. The development plan includes the Plymouth & South West Devon Joint Local Plan 2014-2034 (JLP) that was adopted in 2019. My attention has been drawn to many policies. The most relevant ones to the determination of this appeal are TTV1 (growth/settlement hierarchy), TTV26 (countryside), DEV21 (historic environment) and DEV25 (nationally protected landscapes).
5. The Landscape Character Assessment for South Hams and West Devon 2018 was produced as part of the evidence base for the JLP. The LPA has informed me that the appeal site lies within the River Valley Slopes and Combes Landscape Character Type (LCT). The key characteristics of this LCT include:

¹ I am mindful of the duty under section 85 of the Countryside and Rights of Way Act 2000.

² The appeal site forms part of the settings of these designated heritage assets and the provisions of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged.

rounded hills and undulating slopes overlooking narrow river courses, a farmed landscape with pasture fields, dispersed farmhouses nestled in dips in the landscape. The valued attributes include intact historic settlement pattern of small nucleated villages and dispersed farmhouses, with distinct Devon vernacular, many settlements designated as conservation areas, and with distinctive rural and riverside settings. The overall Landscape Strategy includes protecting the peaceful character of the valley slopes. This Assessment is a material consideration that can be given moderate weight.

6. Whilst not part of the development plan, the Tamar Valley AONB Management Plan 2019-2024 (MP) is a material consideration that can be given moderate weight. Amongst other things, it identifies the special qualities³ of the AONB.
7. My attention has also been drawn to the emerging Buckland Monachorum Neighbourhood Plan (NP). I understand that the appeal site forms part of an area of land that was originally considered as a candidate site for housing. However, it appears that this was removed from the NP following permission for 22 dwellings on land at Crapstone (APP/Q1153/W/17/3177360) and the argument that local housing growth could be met elsewhere in the area. The NP has yet to reach a stage where it can be given any significant weight.
8. The National Planning Policy Framework (the Framework) is an important material consideration that carries considerable weight. Its aims include: significantly boosting the supply of homes; affording great weight to the conservation and enhancement of landscape and scenic beauty in AONBs and; conserving heritage assets in a manner appropriate to their significance.

Character and Appearance

9. This 0.3 ha appeal site comprises part of a larger field (pasture) that slopes downwards in a northerly direction towards Cuxton Farmhouse, below which flows a stream at the bottom of a valley. There is housing to the south (Butland Meadow) and east (Cuxton Meadows) of the site.
10. As I saw during my visit, the appeal site forms part of the attractive open countryside that surrounds Buckland Monachorum. Although adjacent to Butland Meadow, this field is an integral part of the largely unspoilt valley side along the western edge of the settlement. Its green open qualities and agricultural use assist in retaining the pleasing rural character and setting of the village. From some gateways along the public road and public right of way on the opposite (northern) side of the valley the site's countryside attributes contribute to the high scenic qualities of this part of the AONB.
11. The appeal site, with Cuxton Farmhouse below, forms part of a rural landscape that exhibits some of the key characteristics and valued attributes of the River Valley Slopes and Combes LCT.
12. The proposed development would markedly erode the unspoilt green open qualities of the site and extinguish the agricultural use from this part of the field. The new buildings and extension to the estate road would have an urbanising effect on this part of the landscape and would detract from the rural character of the area and the countryside setting of the village. In

³ These include the unspoilt valley and water landscape, the high visual qualities of the landscape and its unspoilt pattern of settlement.

public views from the north, the new dwellings would create the impression of development spilling down the valley side and intruding into this attractive rural scene. The proposal would fail to protect the special characteristics and valued attributes of this part of the countryside and would detract from the special qualities of the AONB.

13. I conclude on the first main issue that the proposed development would harm the character and appearance of the area and conflict with the provisions of JLP policies TTV26 and DEV25. Harm to this nationally important landscape carries considerable weight in the overall planning balance. The proposal would also be at odds with the Landscape Strategy for this LCT.
14. Whilst my decision does not turn on it, if approved, the development would be likely to make it difficult for the LPA to resist pressure for future development in the remainder of the field. This would result in further cumulative harm to the landscape and scenic qualities of the AONB and the key characteristics of the River Valley Slopes and Combes LCT.

Settings of Listed Buildings

15. The significance of the late 16th century/early 17th century Cuxton Farmhouse is derived primarily from its special architectural interest, which include its unaltered late 17th century façade and as an example of classical influence in vernacular architecture in Devon, as well as its historic interest, which include much of its fabric and its role/association with agricultural activities in this part of West Devon. The significance of the circa late 18th century listed barn alongside is primarily derived from its special architectural interest, which include its robust granite and slate rubble walls and rectangular plan, as well as its historic interest, which include much of its fabric and its role/association with agricultural activities.
16. The appeal site forms part of the attractive countryside settings to Cuxton Farmhouse and the listed barn. The green, unspoilt open qualities of the site assist in affording an appreciation and understanding of the historic links between this farmhouse, the associated barn and the surrounding rural landscape within which these buildings sit. I agree with Historic England that the site contributes to the significance (historic interest) of these buildings.
17. The proposed development would be set back from the domestic curtilage to the farmhouse and would be sited away from the listed barn. The remnant of the field would lie between the northern edge of the site and the trees and hedgerow growing along the southern curtilage of the farmhouse. Whilst this narrow gap would remain in agricultural use, the proposal would affect the settings and significance of these designated heritage assets.
18. The development would markedly erode the green open qualities of the field and the new buildings would seriously intrude into and disrupt the historic landscape setting of the listed farmhouse and barn. This would be especially evident when seen from the opposite side of the valley and in particular, the public right of way to the north west of Netherton Manor. However well sited and designed, the proposed dwellings would loom large above these listed buildings and comprise a prominent and discordant incursion into their rural and green settings. In the context of the Framework, this would amount to

less than substantial harm to the significance of these important buildings. However, this does not amount to a less than substantial planning objection. It weighs heavily against an approval when undertaking the heritage balance.

19. Although Buckland Monachorum is not one of the 'Sustainable Villages' to which JLP policy TTV1 applies, the appeal site lies within an area that has convenient access to a range of services and facilities, including a limited bus service. Occupiers of the proposed dwellings would help support these local services and facilities and the new properties would increase the stock of housing available within the district. The building works would support the construction industry. These public benefits weigh in favour of an approval. However, they would be insufficient to outweigh the harm to the settings of the listed buildings that I have identified above.
20. I conclude on the second main issue that the public benefits of the proposal would not outweigh the harm to the settings/significance of Cuxton Farmhouse and the listed barn alongside and the development would conflict with policy JLP policy DEV21.

Other Matters

21. I agree with the appellants' agent that matters relating to surface water and drainage could be dealt with by way of a planning condition if permission was granted. Whilst 'Draft Heads of Terms' for planning obligations under the provisions of section 106 of the Town and Country Planning Act 1990 (as amended) have been submitted there is no completed undertaking before me. There is evidence to demonstrate that the proposal would be likely to increase the pressure on nature conservation interests within an internationally important site⁴ and scarce educational resources⁵. My decision does not turn on this matter but I would be unable to grant planning permission in the absence of a completed undertaking.

Overall Conclusion

22. Give my findings above, I conclude that the proposal would not amount to sustainable development and would also conflict with the provisions of JLP policy TTV1. The appeal should not therefore succeed.

Neil Pope

Inspector

⁴ The Plymouth Sound and Estuaries Special Area of Conservation (including the Tamar Estuaries Special Protection Area).

⁵ Transport costs to Tavistock College.