



Appeal Decision

Site visit made on 9 March 2022

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 April 2022

Appeal Ref: APP/D0840/W/21/3285799

Land South East Of 8 Wesley Terrace, Bodmin Road, Bilberry, Bugle PL26 8QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by O'Mahoney Construction Ltd against the decision of Cornwall Council.
 - The application Ref PA20/07150, dated 20 August 2020, was refused by notice dated 4 May 2021.
 - The development proposed is the erection of three detached dwellings and the formation of new vehicular access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on the character and appearance of the area.

Reasons

3. The site is an overgrown former paddock at the settlement edge of Bugle. The A391 passes the site along its east boundary, with a field to the south. Directly to the west is a short row of houses forming Wesley Terrace, which the appellant's Landscape and Visual Appraisal (LVA) identifies to be circa 1930s worker cottages, and which have a traditional appearance redolent of such.
4. Pockets of development and signage to the north indicate the start of the A391's transition from the countryside into Bugle but there remains a rurality on its west side around the site; the urbanity of Bugle does not fully take hold of one's senses until the railway bridge has been crossed travelling south.
5. The site is within Landscape Character Area LCA20¹. LCA20 is noted as open plateau with industrial influences, comprising the remnants of the poorly drained wildland/moorland which combine with areas of rough grazing with pastoral farmland. LCA20 provides extensive views to higher land around the china clay area to the south. Residential development tends to be scattered.
6. The landcover of the site lends it to the rough character of LCA20. Views across the site connect to the semiwild, pastoral field system and frame it with Wesley Terrace against a dramatic backdrop of china clay tips. Wesley Terrace steps back from Bugle's linear pattern as a distinct set piece, and its identification as former worker housing suggests a functional connection to the land. Thus, in spite of its position inside Bugle's modern fringe, the site is the foreground to an attractive rural composition evocative of several key attributes within LCA20.

¹ Of the Cornwall and the Isles of Scilly Landscape Character Study (2008)

7. The proposal, with its layout and scale, would sully this scene and diminish the public perception of these attributes to the detriment of the landscape character. That this would be viewed briefly on the part urban journey along the A391 does not diminish the weight I attach to the harm that would arise.
8. Indeed, the LVA addresses multiple viewpoints but not from the A391 directly to the northeast. This is where the value of the site, and the interplay between it, Wesley Terrace and the china clay tip skyline is most evident, as I observed myself from the pavement opposite the curved entrance splay aside the site. As such, whilst I have had due regard to the methodology of the LVA, I find its conclusions to have underestimated the negative effects of the proposal.
9. Permission has been granted for housing on the opposite side of the highway². However, the east side of the A391 is more developed, and I note that the site in question is previously developed land and does not interact with the positive attributes of the appeal site. Likewise, the scheme to the north has only permission in principle for a dwelling on the site of a garage³, and would not be likely to greatly influence how this proposal would be read in the landscape.
10. I have been referred to pre-application advice given by the Council regarding development of the site. The Council is not beholden to this advice, nor the recommendation of the planning officer that permission be granted for the scheme. These matters have therefore had little influence in my assessment.
11. Consequently, I conclude that the proposal would have an unacceptable effect on the character and appearance of the area. It would conflict with the relevant aims of Policies 1, 2, 12, 21 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030 (adopted 2016) and the National Planning Policy Framework (the Framework).

Planning Balance

12. The harm to the character and appearance of the area leads the proposal to fall into conflict with the development plan when read as a whole.
13. In its favour, the Government is seeking to significantly boost the supply of housing and the scheme would contribute three houses to the local supply. There would be economic benefits through the construction phase and likely benefits to local services through increased footfall. Considering the scale of the development, these benefits would be small. Given the housing supply situation in the area, I attribute little weight to the somewhat speculative suggestion that the scheme would alleviate pressure to develop active agricultural land. Overall, there are no other considerations, including the Framework, which outweigh the conflict with the development plan in this case.

Conclusion

14. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR

² Ref PA20/03283

³ Ref PA19/06586