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# Appeal Decision

Site visit made on 21 September 2022

**by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC**

**an Inspector appointed by the Secretary of State**

**Decision date: 29 September 2022**

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**Appeal Ref: APP/D0840/W/21/3284321**

**Land adjacent to Rame Cottages, Rame Head, Torpoint PL10 1LH**

- 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 Mr Wilton against the decision of Cornwall Council.
  - The application Ref PA20/03747, dated 4 May 2020, was refused by notice dated 13 July 2021.
  - The development proposed is a detached two storey agricultural dwelling with garage and parking.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The appeal follows the quashing by the Courts of a previous decision by the Council to approve the application subject of this appeal. The previous decision must therefore be treated as being incapable of ever having had any legal effect. Though I acknowledge that it is nonetheless capable of being a material consideration, given that it was found to be flawed in terms of both reasoning and policy interpretation, it lends nothing to my assessment. I have accordingly considered the appeal on its own merits.

## Main Issue

3. The main issue is the effect of the development on the Cornwall Area of Outstanding Natural Beauty (AONB).

## Reasons

4. The site is also located within the AONB, within which I have a statutory duty to have regard to the purpose of conserving and enhancing natural beauty. Paragraph 176 of the National Planning Policy Framework (the Framework) further states that great weight should be given to conserving and enhancing landscape and scenic beauty within AONBs, and that within this context cultural heritage is an important consideration. The area is additionally defined as Heritage Coast, which further highlights its importance.
5. Within this context the site is located in the exposed southwest section of the Rame Peninsula, which itself forms a narrow projection terminating in Rame Head, a prominent rocky outcrop on top of which a chapel is strikingly positioned. Approached from the northwest above Whitsand Bay, attractive views are provided of this section of the coast from Military Road. From here

the principal landmarks on the skyline are the chapel and the spire of the Church of St Germanus at Rame, which have each been present for several centuries, together with a more recent coastguard station. Whilst a row of former coastguard cottages can also be partially seen, the landscape otherwise appears open, rugged edged and sparsely vegetated.

6. Upon passing the church on the approach to Rame Head, the openness of the landscape becomes increasingly appreciable, as too does a growing sense of remoteness and tranquillity. This is accentuated by the surrounding sea and cliffs, by far-reaching views along the adjacent coast, and it is ultimately emphasised by the isolated position of the chapel on Rame Head.
7. The context is one in which coastguard cottages and a coastguard station might typically be anticipated. However, their existing presence nonetheless erodes the sense of both openness and remoteness. So too does a dwelling which lies close to the church. All lack the historic scenic value and interest of the chapel and church.
8. The proposed 2-storey dwelling would be positioned close to the former coastguard cottages, but on higher ground, and on the opposite, northwest side of Ramehead Lane. In this position it would form an exposed feature visible on the skyline from Military Road, thus perceptibly increasing the presence of built form within the view, and adding nothing of scenic value. Viewed in combination with other development, it would instead further erode the open character and visual quality of the landscape.
9. Approached along Ramehead Lane in both directions the dwelling would appear prominent. Though distinctly separate from the former coastguard cottages, the dwellings would again be viewed in combination given both their proximity, and the necessity to pass between them travelling along Ramehead Lane. Whilst built form would thus dominate the view close at hand, the scheme would entail a perceptible creep of development across the landscape. This would again have a harmfully erosive effect on the openness of the landscape at a particularly sensitive point close to Rame Head.
10. Similar would be true of the way in which the development would be perceived from the currently unmarked footpath which runs across the field immediately to the north of the site. This forms a direct extension of Ramehead Lane towards Rame Head. From the footpath the development would appear far more physically and visually prominent than the former coastguard cottages. It would be particularly intrusive when viewed moving northeast from Rame Head towards the church, whose spire currently forms a solitary landmark and destination point on the horizon.
11. In each of the above regards the adverse impacts of the development would be accentuated by its size and insensitive design. The 'contemporary' approach taken would not obviously seek any linkage to context, but insofar as a substantial wraparound balcony and glazed gable are detailed, an emphasis has clearly been placed on providing access to views. Here the design would have less affinity with modest, traditional rural agricultural dwellings, than it would with holiday accommodation above Whitsand Bay. This would cause the dwelling to appear both conspicuous and intrusive within its immediate setting. The fact that other modern dwellings of similar design can be found within the wider area makes no difference to my findings.

12. It appears inevitable that some light spillage and reflection would occur from the windows and balcony, thereby increasing the apparency of the dwelling. It is likely that the effects would be far more significant than arise from the small 'streetlight' adjacent to the former coastguard cottages, and this could not be effectively controlled by condition.
13. Planting atop earth banks have been identified as a means by which the dwelling could be screened. This is notwithstanding such enclosure appearing at odds with a dwelling design focussed on external views. The sparse wind blasted vegetation nearby otherwise indicates that the exposed conditions are not well suited to creation of substantial vegetative screens of the type proposed. Whilst it is therefore unlikely that such screening could become quickly or effectively established, its long term retention could not be secured. Such screening would in any case be at odds with the character of the surrounding landscape setting of the site, and so would appear obtrusive in itself.
14. The site currently contains a range of agricultural machinery amongst other items. This provides a degree of visual clutter, albeit of transient nature. The same is true of parking nearby, including of caravans. The effects are thus different from that of a dwelling. It is otherwise unclear where the machinery and other items would be stored if the site was developed. If simply displaced nearby this could amplify the adverse effects identified above.
15. Benefits to biodiversity and the landscape of Rame Head, which forms part of the Rame Head to Whitsand Bay SSSI, currently arise from grazing by Dartmoor Ponies. This has been enabled by funding from a Higher Level Stewardship Agreement (HLS). Though the appellant states that these benefits should be taken into account in assessing the appeal scheme, they cannot be considered to have any connection with the proposed dwelling.
16. The appellant has nonetheless sought to link the future continuity of these benefits with the appeal scheme, claiming that this will decide whether or not the HLS is renewed. However, there is no certainty that allowing the appeal would secure continuity of the HLS, nor any certainty of how long into the future the related benefits of this either would or could last. Potential future benefits to the landscape and biodiversity relating to the HLS cannot therefore be considered to attract weight in favour of the development.
17. Though the development has been promoted as providing accommodation for an additional worker, it would in fact accommodate the appellant, who already works on the farm, and has apparently done so for around 20 years. That a 'need' exists for accommodation is not otherwise in dispute, and nor is the essential need for the appellant to live on the farm. Each need is currently served by residence of the appellant and his family with parents in the farmhouse. In this regard, though the County Land Agent states that a 'good case' can be made for an additional unit of accommodation, the proposed dwelling has not been identified as essential. Nor would it in fact be located on the farm. Though it is stated that the appellant would have to move a greater distance away if the appeal was dismissed, I have not been provided with any firm evidence to support this claim. Nor, taking account of my findings above, can I attach weight to the claimed adverse environmental impacts of such a move. The identified needs do not therefore justify or otherwise outweigh the harm that the development would cause to the AONB. Nor does it therefore indicate overall compliance with Policy 23 of the Cornwall Local Plan 2016 (the

Local Plan), which, whilst providing for housing to serve identified local needs within the AONB, in all cases requires proposals to conserve and enhance its landscape character and natural beauty.

18. The appellant has sought to place greater weight upon Policy 7 of the Local Plan. However, insofar as this sets out circumstances in which development will be permitted in the countryside, it does not account for all considerations, including those set out within Policy 23 in relation to AONB. The fact that the development would comply with Policy 7 does not therefore override or outweigh the conflict that would arise in relation to Policy 23.
19. A number of appeals and a court case involving developments in the AONB, agricultural workers dwellings, and the justifications for them have been brought to my attention. However, based on the details presented and the evidence before me, none of these cases directly reflects the circumstances involved in the current appeal. Those within the AONB were also in other locations and involved development of different type whose impact also clearly differed. The cited evidence does not therefore alter my findings above.
20. For the reasons outlined above I conclude that the development would have an unacceptable effect on the AONB, failing to conserve and enhance its natural beauty. It would therefore conflict with Policy 23 of the Local Plan as outlined above, and Policy 5 of the Rame Neighbourhood Plan 2017-2030 which seeks to secure development consistent with the character of the area.

### **Other Matters**

21. If the appellant and his family moved out of the farmhouse space would be made available to run it as a bed and breakfast. The scale of the operation is unclear, but it appears unlikely that this would generate more than negligible benefits for the local economy. These benefits would not therefore justify or outweigh the harm that would be caused to enable them.
22. Historic England (HE) and interested parties have additionally raised strong concerns in relation to the effects of the development on the settings of nearby designated heritage assets. These comprise the Chapel of St Michael on Rame Head, which is listed at Grade II\*, and the Church of St Germanus which is listed at Grade I. The chapel, together with the promontory fort and radar station on Rame Head, is furthermore a Scheduled Ancient Monument. These are therefore all assets which the Framework identifies as holding the 'highest significance'. Whilst HE's concerns are not shared by the Council, given its role as advisor to Secretary of State on matters concerning the historic environment, I attach great weight to its views. It otherwise remains my statutory duty to have special regard to the desirability of preserving the settings of nearby listed buildings.
23. Insofar as it is relevant to this appeal the special interest and significance of the chapel resides in its modest form, medieval construction in stone, and its both dramatic and isolated siting on Rame Head. In this regard the surrounding landscape forms the context within which the significance of the chapel is appreciated. As established above, its landmark quality, remoteness and seclusion are all apparent in long views and are experienced upon approaching it through the peninsula by vehicle or on foot. I have already established the adverse way in which the landscape context would change. In this regard the fact that the proposed dwelling would not be visible from the chapel, is less

relevant than the fact that the development would seriously erode the positive contribution that the sense of remoteness and seclusion make to appreciation of the significance of the chapel. By diminishing each the development would fail to preserve the setting of the chapel.

24. Again, insofar as it is relevant to this appeal the special interest and significance of the church resides in its C13th origin and fabric, including its spire, and its likely historic association with the chapel. Indeed, as noted above, the two are directly linked by Ramehead Lane and the connecting footpath, and appreciable as key historic landmarks on the skyline from Military Road. Again, based on my findings above, increased development along the route between would diminish and detract from the sense of connection, and appreciation of the historic character of their linkage. This would very modestly detract from the significance of the church whilst further detracting from the significance of the chapel. Again therefore, the development would fail to preserve the settings of each.
25. I find therefore that the development would cause less than substantial harm to the significance of each listed building. Such harm attracts considerable importance and weight. In accordance with paragraph 202 of the Framework it is necessary to weigh this harm against the public benefits of the scheme.
26. The development would provide an additional dwelling. However, the unacceptable harm this would cause to the AONB would not be publicly beneficial. I have otherwise already established that claimed environmental benefits of the development do not weigh in its favour. Whilst some negligible economic benefits might indirectly arise in relation to operation of a B&B as noted above, the development would not otherwise provide any distinct public benefit. As such, the harm caused by the development would not be outweighed by public benefits. This finding lends considerable weight in favour of dismissing the appeal. However, given that harm in relation to the AONB already provides sufficient grounds for dismissal, it is not determinative.
27. The site is located in the zone of influence of the Plymouth Sound and Estuaries Special Area of Conservation, and the Tamar Estuaries Complex Special Protection Area, the integrity of which is sensitive to increases in recreational pressure associated with increases in population. Whilst it does not appear that the development would entail any local increase in population, the need for mitigation has been identified by the Council, and a Unilateral Undertaking has been submitted to secure a financial contribution in line with local policy. Had I been minded to allow the appeal, and the circumstances existed in which planning permission could be granted, it would have been necessary for me to examine this matter in much greater detail. However, as I am dismissing the appeal for other reasons, no further consideration is required.

## **Conclusion**

28. For the reasons set out above the effects of the development in relation to the AONB would be unacceptable, giving rise to conflict with the development plan. There are no other considerations which alter or outweigh these findings. I therefore conclude that the appeal should be dismissed.

*Benjamin Webb*

INSPECTOR