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## Appeal Decision

Site visit made on 31 August 2021

**by Neil Pope BA (Hons) MRTPI**

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

**Decision date: 08 September 2021**

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**Appeal Ref: APP/W1145/W/20/3262774**

**Land at Blagdonmoor Wharf, Holsworthy, Devon, EX22 6NZ.**

- 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 Michael Grimm against the decision of Torridge District Council (the LPA).
  - The application Ref. 1/0575/2020/FUL, dated 5 July 2020, was refused by notice dated 17 September 2020.
  - The development proposed is the erection of a 1.5 storey detached single family house.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The LPA has informed me that there is an error in its first reason refusal. The heritage asset, namely the section of the Bude Canal that lies within and adjacent to the appeal site, is not a designated heritage asset.

### Main Issues

3. The two main issues are: firstly, the likely effect of the proposal upon the significance of the section of The Bude Canal in and adjacent to the appeal site and whether the scale of any harm or loss of significance would be outweighed by any benefits and; secondly, whether the proposal would comprise a sustainable form of development, having particular regard to established national and local planning policies relating to the location of new housing.

### Reasons

#### *Planning Policy*

4. The development plan includes the North Devon and Torridge Local Plan 2011-2031 (LP). The most relevant policies to the determination of this appeal are: DM07 (historic environment) and; ST07 (spatial development strategy).

#### *First Main Issue - The Bude Canal*

5. The Bude Canal was constructed over the period 1819-1825 to the plans made by the engineer James Green. The main line (approximately 35.5 miles long) ran from Bude to Blagdonmoor Wharf on the Holsworthy arm of the canal. It was constructed for agricultural purposes, transporting lime rich sand from Bude beach to the rural hinterland. Much of the canal was abandoned in late 19<sup>th</sup> century. Many surviving remnants, including some land and buildings

formerly associated with operation of the canal, provide a record of 19<sup>th</sup> century activity within this part of Devon and Cornwall and are heritage assets.

6. Although the appeal site is not a designated heritage asset, it forms part of the terminus of the canal at Blagdonmoor Wharf. The site straddles the remains of the canal, the line of which can still be discerned, with the southern portion sitting between the edge of the canal and a cluster of former canal workers houses. The open qualities of the site assist in maintaining the separation/set-back of these former cottages from the canal side. It also allows a former warehouse/barn (now adapted for residential use) that was previously used in connection with the operation of the canal to remain the dominant feature along this section of the canal. The site assists in affording an appreciation and understanding of the significance of Blagdonmoor Wharf and the evolution and former roles of this cluster of canal side buildings.
7. The proposed dwelling would be designed to a good standard and would be finished using materials that reflect distinctive qualities in the local built environment. It would add to the stock of housing within the district and would make a very small contribution towards addressing the shortfall in the supply of housing within the district. Some builders rubble appears to have been deposited on the site in the past and is now covered by scrub. However, the Council does not appear to have found that the condition or appearance of the site warrants taking action<sup>1</sup> to remedy any harm to the amenity of the area. The benefits to be derived from the proposal would be very limited.
8. The proposed development would considerably erode the open qualities of the site. It would intrude into the space between the former canal workers cottages and the canal and would usurp the former warehouse/barn as the dominant building in this wharf side setting. I concur with the Council's Conservation Officer that the proposal would obscure the evolution of this unusual cluster of buildings and would detract from the significance of this section of the Bude Canal. There would be a moderate scale of harm to the heritage interest of this non-designated heritage asset.
9. I conclude on the first main issue that the scale of harm to this section of the Bude Canal would not be outweighed by the above noted benefits of the proposal. This in turn leads me to find conflict with LP policy DM07.

#### *Second Main Issue - Sustainable Form of Development*

10. LP policy ST07 is broadly consistent with the provisions of the National Planning Policy Framework (the Framework) in seeking to locate new rural housing where it would enhance or maintain the vitality of rural communities without compromising the character of the countryside.
11. The appeal site lies outside the confines of any recognisable settlement or any recognised group of small settlements. The proposal would add to an existing cluster of buildings within the countryside and would be located away from any services and facilities, including public transport, upon which future occupiers of the dwelling are likely to be dependent. The proposed development would be unlikely to assist in supporting services in the nearest village or recognised small settlement, with occupiers instead being dependent upon the use of a private motor vehicle to access main services. The proposal would amount to

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<sup>1</sup> Power available under section 215 of The Town and Country Planning Act 1990 (as amended).

the undesirable consolidation of an existing cluster of buildings within the countryside, would increase the need to travel by car and would be unlikely to maintain or enhance the vitality of the local rural community.

12. I conclude on the second main issue that the proposal would not comprise a sustainable form of development and would be at odds with the provisions of the Framework and LP policy ST07.

Other Matters

13. I note the Council's concerns regarding the discharge from the proposed package treatment plant. However, I consider that this matter could be addressed by way of a suitably worded planning condition.

*Overall Conclusion*

14. Given my findings above in respect of the main issues and having regard to all other matters raised, I conclude that the appeal should not succeed.

*Neil Pope*

Inspector