

# Judge slams door on beauty spot homes

**Ben Webster** Environment Editor

A farmer's plan to build a dream home on Cornwall's coast has been thwarted by a High Court ruling that could help to protect other scenic areas.

Mrs Justice Tipples quashed Cornwall council's decision to grant Chris Wilton planning permission for the home with 27 windows, up to six bedrooms, three bathrooms, a wraparound balcony and detached double garage.

The Rame Protection Group, which challenged approval of the home overlooking Whitsand Bay on Rame Head in the Cornwall area of outstanding natural beauty (AONB), said that the ruling would help to protect other AONBs across the country from similar development.

Wilton, who was chairman of the parish council when permission was granted but lost his seat this month, had argued that he needed to build an "agricultural worker's dwelling". The parish council expressed support for his application. Wilton denied being involved in gaining the support of the parish council, which said its decision had been "unbiased".

County councillors voted seven to six to approve the home despite the AONB officer and the council's principal planning officer recommending refusal because of the negative impact on the protected landscape.

The group said Rame Head was "valued for its breathtaking scenery and

tranquillity" and argued at the High Court that Cornwall council had breached its duty to provide adequate reasons for its decision not to follow officer recommendations. It also argued that the council had failed to consider the extent to which the development accorded with planning policies. The judge said in her ruling: "This is a case where the defects in reasons go to the heart of the justification for permission and undermine its validity."

She said that a planning policy that allowed development when there was "essential need" was insufficient to justify granting permission for building in an AONB. She added: "One is completely in the dark as to why the [planning] committee thought the social and economic benefits of the proposed development outweighed the landscape harm. No reasons at all are provided."

The Rame Protection Group said: "This judgment has far-reaching implications for the protection of AONBs in Cornwall and beyond. It means that private 'need' alone would not in itself justify developments inside an AONB. It re-asserts the critical importance of the protective umbrella that the AONB offers when it comes to developments.

"It is the group's hope that this will help prevent similar attempts to undermine protective legislation throughout the county and beyond."

Cornwall council said that it would review the judgment and consider its options.