

Appeal Decision

Site visit made on 8 May 2017

by Thomas Bristow BA MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7 June 2017

Appeal Ref: APP/D0840/W/17/3168774

Valley View, Callington Road, Callington PL17 8AZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs P Becker against the decision of Cornwall Council.
 - The application Ref PA16/08752, dated 20 September 2016, was refused by notice dated 9 December 2016.
 - The development proposed is described on the application form as the 'erection of detached dwelling with associated parking and landscaping'.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. Application Ref PA16/08752 follows withdrawn application Ref PA15/08890. For the sake of clarity, I have determined the appeal on its particular merits.¹

Main issue

3. The main issue is the effect of the proposal on the Cornwall and West Devon Mining Landscape World Heritage Site in which the appeal site falls (the 'WHS').

Planning context

4. Policy 12 'Design' of the Cornwall Local Plan Strategic Policies 2010-2030 adopted on 22 November 2016 (the 'Local Plan') requires that all development maintains Cornwall's distinctive historic character. Similarly policy 24 'Historic Environment' of the Local Plan sets out that all development must protect the significance of designated heritage assets, which includes World Heritage Sites.
5. Likewise the National Planning Policy Framework (the 'Framework') establishes that great weight should be given to the conservation of designated heritage assets, and that the harm resulting from development should be weighed against the public benefits of the proposal.
6. Whilst the appeal site is at the edge of the WHS, it is nevertheless within it. The WHS is an area accorded particular recognition and protection on account of the legacy of historic mining activities and the landscape in which they occurred. The WHS Management Plan published in 2013 (the 'WHS Plan')

¹ As illustrated on plans C624-P01, C624-P02 and C624-L01.

identifies mining settlements as an attribute which contributes towards the Outstanding Universal Value of the WHS.

7. Harrowbarrow falls within landscape character area CA26 as defined via the Cornwall and Isles of Scilly Landscape Character Study published in 2008. It is identified as a 'mining-related village', the surrounding area featuring remains of mining activity.
8. The Cornwall and West Devon Mining Landscape World Heritage Site SPD adopted by the Council in 2016, the Planning Practice Guidance (the 'Guidance'),² and Historic England's Historic Environment Good Practice in Planning Note 2 all variously explain how buildings and their surroundings may contribute towards the value of heritage assets.
9. I note that the appeal site also falls within the area covered by the emerging Calstock Neighbourhood Development Plan. However the Council have explained that this plan is at a 'very early' stage of preparation, and no specific policies thereof have been brought to my attention in this context.

Reasons

10. The appeal site is part of the corner plot of the dwelling Valley View. It is part gravelled, part laid to grass, and I understand used primarily for parking. The appeal site falls southwards of Harrowbarrow and is adjacent to the junction of Callington Road, Longacre, and the apparently unnamed carriageway which runs centrally through the village. Nevertheless the Council do not oppose the principle of development here.³
11. There are no other dwellings adjacent to the appeal site south of Callington Road (on the same side of the carriageway running centrally through Harrowbarrow as the appeal site). The land here is instead predominantly characterised by fields which slope gently downwards towards the distant undulating landscape. Although in part bounded by established hedging, development at the appeal site would in my view be readily apparent, particularly when approaching the village from Callington to the west or from the south.⁴
12. Valley View is a bungalow of understated form and design, apparently of relatively modern construction. The appellants have explained that its maximum ridge height at approximately 6.1 metres is similar to that of its associated detached garage. Buildings comprising Harrowbarrow vary from historic dwellings of varied design to more modern properties of plainer standardised appearance.
13. Directly opposite the appeal site is a run of several traditional terraced cottages, at their closes point approximately 11 metres away from the appeal site. Although a number these properties have been somewhat altered in the

² Reference ID: 18a-013-20140306.

³ Determining that it constitutes the 'rounding off' of the settlement with reference to policy 3 of the Local Plan.

⁴ I note that the appeal site falls outside of the settlement boundary for Harrowbarrow defined within the former Caradon District Local Plan adopted originally in December 1999. Whilst this settlement boundary no longer forms part of the statutory development plan, it nonetheless reinforces my finding that the appeal site is at an extremity of the established built form of Harrowbarrow.

course of time, their overall form, modest scale, proportions and materials are nevertheless strongly reflective of a modest rural vernacular. Given that Harrowbarrow arose as a mining village, I have hereafter referred to these properties as mineworkers' cottages.

14. As with the appeal site, the mineworkers' cottages occupy a prominent position being at the fringe of the village adjacent to a number of carriageways. I observed that there are few similarly prominent historic properties around this area of the village. As such, and on account of their appearance as described above, they clearly contribute towards the historic integrity of the village and by consequence to the Outstanding Universal Value of the WHS.
15. The proposal is to erect a two storey dwelling within the appeal site. Whilst smaller in footprint than Valley View, the dwelling proposed would nevertheless be positioned in closer proximity to the mineworkers' cottages.⁵ With a maximum ridge height of approximately 6.7 metres, the appellants contend that the height of the dwelling would be approximately 0.5 metres greater than the maximum height of the Valley View. However the Council contest this latter figure, and suggest that it should instead be 2.3 metres.⁶
16. The absence of clear topographical data of the area prevents me reaching a view as to which measurement is more accurate, and indeed the precise relationship in terms of height of the dwelling proposed with the mineworkers' cottages. Nevertheless in either scenario the dwelling proposed would be of substantial height, exceeding that of Valley View.
17. The height of the dwelling proposed combined with its proximity to the mineworkers' cottages would in my view result in a detrimental inter-relationship. The dwelling proposed would in the first instance obscure certain views of the mineworkers cottages when approaching the village from the south. The dwelling proposed would also appear excessively close, bulky and incongruous in comparison to the mineworkers' cottages and thereby appear unduly visually dominant.
18. Consequently I conclude that the proposal would be detrimental to the appreciation of the mineworkers' cottages, harming to the historic integrity of the WHS. Therefore the proposal conflicts with the relevant provisions of policies 12 and 24 of the Local Plan, and with relevant elements of the Framework and the Guidance as cited above.
19. However the extent of this harm would be relatively limited and less than substantial; only a small element of the WHS would be affected, and the contribution of the mineworkers' cottages to the WHS compromised rather than negated. I now turn to consider the benefits of the proposal in order to establish whether, considered as a whole, the proposal is appropriate.

Planning balance

20. If implemented the proposal would result in the creation of a new home in Cornwall, consistent with the support for new housing given in general terms

⁵ Particularly what is annotated as the 'family room' on plan C624-P01.

⁶ As set out in paragraph 5.1.2 of their appeal statement and with reference to an appended section plan.

within the Local Plan, where the housing requirement is expressed as a minimum level, and with that of the Framework. However the benefit in this respect would be confined to a numerical addition rather than in terms of appropriate design.

21. Neither the support in the Local Plan or Framework for housing is at the expense of ensuring that all development integrates appropriately with its surroundings. I also acknowledge that the delivery of a new home would result in social and economic benefits in supporting employment during construction and as future occupants would make use of nearby services and facilities. However such benefits would inevitably be modest in respect of one new home.
22. I have considered the representations made by nearby residents before me including in respect of the potential effects of the proposal on traffic generation, living conditions, and in respect of design. However there is nothing in the information before me or from my site visit observations to indicate that unacceptable effects would arise in these regards, particularly as certain matters such as landscaping could be secured via condition were the proposal otherwise acceptable. Moreover these matters do not form part of the Council's case at appeal.
23. For the above reasons neither the benefits of the proposal, nor any other matters, are sufficient to alter my reasoning as set out in respect of the main issue in this case, or to outweigh the harm that would result.⁷ There is some discussion in the information before me as to whether the effect of a dwelling here would be improved were the proposal reduced in height, set back further within the plot, or for affordable housing as defined in Annex 2 to the Framework. However this is not the proposal before me, and there is no way in which I can legitimately render it such.⁸

Conclusion

24. For the above reasons, and having taking all other relevant matters into account, the proposal conflicts with the development plan taken as a whole and with the approach in the Framework. I therefore conclude that the appeal should be dismissed.

Thomas Bristow

INSPECTOR

⁷ For the sake of clarity I would note that this position stands irrespective of whether or not the Council are presently able to demonstrate a five year land supply of deliverable sites relative to housing needs with reference to the approach in paragraphs 47, 49 and 14 of the Framework, in relation to which there is no substantive evidence before me in this case.

⁸ With reference to the approach set out in Guidance Reference ID: 21a-012-20140306.