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## Appeal Decision

Site visit made on 10 December 2019

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

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

**Decision date: 18 December 2019**

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**Appeal Ref: APP/D0840/W/19/3233534**

**The Queens Arms Inn, Pellor Road, Breage, Helston, Cornwall, TR13 9PD.**

- 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 Punch Partnerships (PML) Limited against the decision of Cornwall Council.
  - The application Ref. PA18/07530, dated 10/8/18, was refused by notice dated 23/1/19.
  - The development proposed is the erection of 5 new dwellings, reconfiguration of public house car park and beer garden and amended access to allotments.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The appeal site lies within the Breage Conservation Area (BCA) and the Cornwall and West Devon Mining Landscape World Heritage Site (WHS). It also lies within the settings of the grade II listed Queens Arms Inn and the grade I listed St. Breaca Church.
3. Prior to the Council's determination of the application amended plans were submitted to the Council. These showed an amended layout and house types. I have determined the appeal on the basis of the details shown on these plans.

### Main Issue

4. The main issue is whether the proposals would preserve or enhance the character or appearance of the BCA, preserve the settings of The Queens Arms Public House and the Church of St. Breaca and adversely affect the Outstanding Universal Value (OUV), authenticity or integrity of the WHS.

### Reasons

5. The development plan includes the Cornwall Local Plan Strategic Policies 2010-2030 (LP). My attention has been drawn to numerous policies. The most relevant policies to the determination of this appeal are: LP policies 3 (role and function of places), 12 (design) and 24 (historic environment).
6. The Council's Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning Document (SPD) that was published in 2017. Amongst other things, this includes a framework for considering impacts on authenticity and emphasises that in assessing these impacts on the WHS the Site needs to be considered as a whole<sup>1</sup>.

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<sup>1</sup> The WHS comprises a series of ten areas, which total about 19,710 hectares.

7. Whilst not planning policy, my attention has also been drawn to the Cornwall and West Devon Mining Landscape World Heritage Site Management Plan 2013-2018 (MP). It includes the Statement of OUV and significance and identifies the attributes of the OUV. Amongst other things, the MP seeks to protect, conserve and enhance the WHS. The appeal site lies within area A3 'Tregonning and Gwinear', as defined within the MP. The MP has been subject to a process of stakeholder consultation and can be given moderate weight.
8. I have also had regard to the Breage Conservation Area Appraisal & Management Strategy (CAA) that was published by the Council in 2010. Amongst other things, the CAA identifies the special character of the BCA. This includes: the Church of St. Breaca, which is on an elevated site within the village, and forms the focus of local and distant views; the rows of miners' cottages and; green space within the heart of the village ("*green wedge*"), which affords open views across the settlement, as well as the fields that surround the village and play an important role as landscape setting. Part of the appeal site lies within an area identified as "*agricultural land*" within the CAA and is within key views. This document also carries moderate weight.
9. This 0.4 ha appeal site lies at the centre of the village of Breage, with development on three sides. The site includes the Queens Arms Inn and its tarmacked car park, as well as the beer garden, play area and an overspill car park/temporary campsite. The proposed development would be of a scale appropriate to the size and role of the settlement. I note the appellant's argument that it would comprise rounding off as provided for by LP policy 3.
10. However, to my mind, the low stone wall and limited vegetation along the south western boundary of the site would be unlikely to act as an effective barrier to further growth as envisaged in the supporting text to LP policy 3. Even if it was, the development plan must be read as a whole. In this regard, LP policy 12 includes a requirement for development to maintain and enhance the distinctive natural and historic character of the area, including being an appropriate response to the landscape and townscape setting. Furthermore, LP policy 24 requires development to protect, conserve and where appropriate enhance the significance of designated heritage assets.
11. As I saw during my site visit, much of the appeal site forms part of the attractive "*green wedge*" within Breage. There are views across the site towards the Church of St. Breaca, as well as views from the churchyard across the site towards the row of former miners cottages at Troon Row and the surrounding countryside. The appeal site assists in affording an appreciation of the historic interest of the BCA, including the prominence of the Church within the landscape and in maintaining views (visual links) from the centre of the village of the surrounding countryside and an outlying row of former miners' cottages. It makes a positive contribution to the significance of the BCA.
12. The significance of the circa 18<sup>th</sup> century, two storey Queens Arms Inn is derived primarily from its special architectural interest, which include its 'L'-shaped plan, stuccoed walls, sash windows and chimneys, as well as its historic interest, which include its role as a public house within the villages for many years and much of its fabric. The open land within the appeal site, especially the car park to the west, assists in affording an appreciation of the special qualities of this designated heritage asset. The site makes a small, but positive, contribution to the significance of this listed building.

13. The significance of the granite and slate Church of St Breaca, which dates from before the 15<sup>th</sup> century, is derived primarily from its special architectural and historic qualities. These include its pre 15<sup>th</sup> chancel, nave, aisles, Perpendicular doors and windows and tower, as well as much of the building fabric, such as the late medieval wall paintings and Roman milestone, and its role as the parish church and centre for religious worship in this part of Cornwall. The open qualities of the appeal site provide views of the church from the south west, as well as views from the churchyard over the village and the surrounding countryside. These views assist in affording an understanding of the presence and historic role of the church within this rural area, as well as an appreciation of its special architectural qualities. The appeal site makes a positive contribution to the significance of this important building.
14. I note from the Statement of OUV and significance for the WHS that the shaping of the Cornish and West Devon landscape in pursuit of metalliferous minerals and the remains of deep mining activities are of considerable importance and value. Moreover, incompatible development could erode the integrity of the WHS and if insufficient regard is given to surviving features the authenticity of the WHS could be reduced. Mining settlements and mineworkers' smallholdings form part of the attributes of the WHS. I note from the consultation response from the Cornish Mining World Heritage Site Office that part of the appeal site was part of a smallholding. The open qualities of much of the site retain only a semblance of a former smallholding and make a negligible contribution to the attributes/significance of the WHS.
15. The proposed dwellings by virtue of their siting, height and mass would considerably erode the open qualities of much of the appeal site and diminish the integrity of the "*green wedge*". These new buildings would detract from a cherished local scene and adversely affect the special qualities of the BCA. In the context of the National Planning Policy Framework, this would amount to less than substantial harm to the significance of this designated heritage asset.
16. These new buildings would also intrude into important views of the church and settlement from the south west, as well as disrupting views of Troon Row and the surrounding countryside from the churchyard. Whilst the upper section of the church tower would continue to be seen, the proposal would diminish the ability to appreciate and understand the significance of a building which is of exceptional interest. This would also amount to less than substantial harm.
17. Views of The Queens Arms Inn would remain across the reconfigured car park. I concur with the appellant's assessment that the proposal would result in a negligible level of less than substantial harm to this listed building. The disruption of views to Troon Row would diminish the ability to experience 19<sup>th</sup> century mining related development within the settlement. However, when the WHS is considered as a whole, this would also comprise negligible harm.
18. Less than substantial harm to designated heritage assets does not equate to a less than substantial planning objection in the planning balance. Great weight must be given to an asset's conservation and the more important the asset, the greater the weight should be.
19. The proposed development would increase the choice and supply of housing within this part of Cornwall and occupiers of the new houses would help support local services and facilities, including the pub. The development would also improve some facilities at the pub, help to support the construction

industry and could attract a New Homes Bonus. However, when these public benefits are weighed with the harm that I have identified above the balance tips very firmly against granting planning permission. Even if the proposal comprises the optimum viable use for the site, given the harmful impact, it would not be appropriate to secure this.

20. The proposed development would harm the character and appearance of the BCA and harm the setting of the Church of St. Breaca. There would be conflict with the provisions of LP policies 12 and 24 and the development plan, when considered overall. There would also be conflict with the objectives of the CAA.
21. Having regard to all other matters raised, I conclude that the appeal should not succeed.

*Neil Pope*

Inspector