
Appeal Decision

Site visit made on 4 January 2021

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 January 2021

Appeal Ref: APP/D0840/W/20/3258683

65, Carn Brea Lane, Pool, Redruth, Cornwall, TR15 3DS.

- 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 Messrs Eccles, Roberts and Moyle against the decision of Cornwall Council.
 - The application Ref. PA20/04210, dated 20/5/20, was refused by notice dated 22/7/20.
 - The development proposed is the erection of a single storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the likely effect upon the significance of the Cornwall and West Devon Mining Landscape World Heritage Site (WHS).

Reasons

3. This 0.01 ha site forms part of the long, narrow rear garden to 65 Carn Brea Lane. 65 and 67 Carn Brea Lane are a pair of circa mid-late 19th century stone and slate roof semi-detached dwellings that form part of a row¹ of traditional built houses within this road. This row of houses have garages / outbuildings within their rear gardens² and access onto a private rear service lane.
4. The appeal site lies within Area 5 'Camborne and Redruth Mining District', as defined within the Cornwall and West Devon Mining Landscape World Heritage Site³ Management Plan 2013-2018 (MP)⁴. This area includes the remains of mines, their transport infrastructure, ancillary industries and important mining settlements such as Redruth.
5. The site forms part of the historic plot size and layout to 65 Carn Brea Lane. Together with the house and others in the row, it is a surviving record of the pattern of settlement and growth within this part of the mining town of Redruth. The appeal site provides a modest garden setting that befits the Victorian semi-detached houses along this section of the street. It assists in affording an appreciation and understanding of the relationship between these

¹ Comprising Nos. 61-75 Carn Brea Lane.

² An outbuilding on the appeal site has been demolished, with permission for a new garage (ref. PA20/00673).

³ This is a very large area that is divided into 10 areas comprising the distinctive patterns of buildings, monuments and sites which together form a coherent series of distinctive cultural landscapes created by the industrialisation of hard rock mining processes over the period 1700 to 10914. These 10 areas and their landscape attributes comprise the Outstanding Universal Value (OUV) of the WHS.

⁴ The MP does not form part of the development plan (this includes the Cornwall Local Plan Strategic Policies 2010-2030 [LP]) but it is an important material consideration that carries moderate weight in determining this appeal.

- 19th century houses and their rear 'service land'. The site makes a very small, but positive, contribution to the significance (historic interest) of the WHS.
6. The proposed development would entail the more efficient use of urban land for housing and would add to the choice and supply of housing available within this part of Cornwall. This would accord with aspects of the LP and national planning policies⁵ and would amount to public benefits, albeit rather limited, that weigh in favour of granting planning permission. However, local and national planning policies also include a requirement for new development to conserve and enhance the historic environment. Great weight should be given to conserving designated heritage assets and the more important the asset, the greater the weight should be. The WHS is of international importance.
 7. The proposed dwelling would be of a similar scale and massing to the garage which has been approved on the appeal site. It would also be largely hidden from public view. However, unlike the permitted garage, the appeal proposal would function and appear as a separate and independent entity to the existing dwelling. Moreover, the proposal would subdivide the existing rear garden and sever part of the historic curtilage to this Victorian property, including access to the rear service lane.
 8. I agree with the comments made by the Cornish Mining World Heritage Site Office that the subdivision of this plot would reduce the primacy of the host dwelling and introduce 'backland' housing into this row of Victorian houses where development has been historically reserved for outbuildings to serve the host dwellings. There would be harm to the OUV of the WHS through the loss of curtilage and disruption to the original form and layout of 65 Carn Brea Lane. This would diminish the ability to understand and appreciate the contribution this site makes to the significance of the WHS and would conflict with the provisions of MP policies P3 and P6.
 9. In the context of the Framework, the proposed development would amount to less than substantial harm to the significance of the WHS. If there is a sliding scale of harm within this category, the impact of the proposal would be towards the lower end. However, this does not amount to a less than substantial objection in the heritage/planning balance. The above noted public benefits would be insufficient to outweigh this harm and the proposal would conflict with LP policy 24.
 10. The appellants' agent has drawn my attention to developments that have been approved by the Council elsewhere within the WHS. These include the dwellings nearby at 77 and 77A Gwel Carn, as well as the dwelling permitted within the rear garden of a house in Portreath and where the Cornish Mining World Heritage Site Office expressed concerns. The information before me tends to support the argument that there is some inconsistency in the Council's decision-making. However, this does not justify approving development that I have found to be harmful to a very important designated heritage asset.
 11. Given all of the above, I conclude that the proposal would be likely to harm the significance of the WHS and the appeal should not therefore succeed.

Neil Pope

Inspector

⁵ The National Planning Policy Framework (the Framework).