



Appeal Decision

Site visit made on 7 March 2022

by Neil Pope BA(HONS) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2022

Appeal Ref: APP/D0840/W/21/3283523

Land east of Plen an Merther, Radnor Road, Radnor, Redruth, Cornwall TR16 5EL.

- 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 & Mrs Hancock against the decision of Cornwall Council.
 - The application ref. PA21/04082, dated 12/4/21, was refused by notice dated 28/7/21.
 - The development proposed is the construction of a dwelling.
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Decision

1. The appeal is dismissed.

Preliminary/Background Matters

2. This 0.13 ha appeal site lies within the settings of the Cornwall and West Devon Mining Landscape World Heritage Site¹ (WHS) and the 'Part of the mining complex at Wheal Peevor' Scheduled Monument (SM). It also lies within the settings of three Grade II listed buildings² at the former Wheal Peevor Mine. These are all important designated heritage assets.
3. A appeal³ against a refusal of outline planning permission for two dwellings on land that included the appeal site was dismissed in 2019. A subsequent application for a single dwelling on the site was recommended for approval by the Council's officers but was refused planning permission (ref. PA19/05872).

Main Issue

4. The main issue is the likely effect upon the settings of the WHS and SM, and whether the proposal would preserve the settings of the Grade II listed buildings at Wheal Peevor.

Reasons

Planning Policy/Other Relevant Published Documents

5. The development plan includes the Cornwall Local Plan Strategic Policies 2010-2030 (LP). LP policy 24 (historic environment) is the most important policy to the determination of this appeal.
6. I have also had regard to the provisions of the National Planning Policy Framework (the Framework). This is an important material consideration that

¹ The WHS extends to about 19,710 hectares and is spread over ten areas. The appeal site is adjacent to part of the Camborne and Redruth Mining District with Wheal Peevor and Portreath Harbour area of the WHS – Area 5ii.

² These comprise a winding engine house, a pump engine house and a stamps engine house.

³ APP/D0840/W/18/3200639.

carries substantial weight. Although it must be read as a whole, section 16 (Conserving and Enhancing the Historic Environment) is of particular relevance.

7. Whilst not forming part of the development plan, my attention has also been drawn to the Cornwall and West Devon Mining Landscape World Heritage Site Management Plan 2020-2025 (MP). Amongst other things, the MP seeks to protect the Outstanding Universal Value (OUV) of the WHS. This includes protection from development outside the boundary of the WHS that could have an adverse impact on attributes within the WHS⁴. The MP has been adopted by the Council and can be given moderate weight in this appeal.

Heritage Interest (Significance) of the Various Designated Heritage Assets

8. The OUV of the WHS includes the remains of mines and engine houses that reflect an extended period of industrial expansion and prolific innovation associated with deep hard-rock mining during the 18th and 19th centuries. The substantial remains are a prominent reminder of the contribution Cornwall and West Devon made to the Industrial Revolution in Britain. These include the three tall elegant and distinctive engine houses at Wheal Peavor. These buildings are a rare survival of a once common triple arrangement of stamps, pumping and winding engine houses along with their associated dressing floors.
9. The significance of the SM also includes the three above noted engine houses and dressing floors. These impressive remains are an important example / evidence of past deep mining of copper, tin and pyrite in this part of Cornwall and a visible focus of historic mining activities within the local landscape. The SM also provides a record of the economic and social impact of deep mining ventures and the effects upon the local population. These matters are aptly described in the various interpretation boards in and around the SM.
10. The significance of the above noted Grade II listed 19th century engine houses is derived primarily from their special architectural and historic qualities. These include their rectangular plans, granite and rubble walls, including bob walls, distinctive tapered cylindrical brick chimneys, window arches and surviving 19th century fabric. As I saw during my visit, these three buildings form a prominent and very pleasing row and are a visible record of the influence of past mining activity in the local landscape.
11. At its nearest point, the appeal site is approximately 80 metres south of Area 5ii of the WHS and the boundary of the SM⁵. It forms part of the garden of the appellants' dwelling and the open foreground setting of the mining remains at Wheal Peavor when viewed from the south and south east. This includes views from sections of Radnor Road as well as filtered views from the road to the east of the appeal site that serves the public/visitor car park adjacent to the SM.
12. As noted within the MP, the setting of the WHS includes those sites which provide additional historical, visual or spatial context. The same is true for the SM and the listed engine houses. There is no single spot to or from the WHS from where it can be appreciated as a single entity. Views of parts of the WHS, including some glimpsed views of rare surviving remains of past mining activity, are important in affording an appreciation and understanding of its significance. The same applies for the SM and the three listed engine houses.

⁴ MP policies P3 and P8.

⁵ It is slightly further south of the nearest Grade II listed building, the winding engine house.

13. Over time, there have been changes to the settings of the above noted designated heritage assets. These include the appellant's existing dwelling and development nearby at Pryor's Shaft. I note that since the previous appeal a soil bund has been constructed near the entrance gateway to the appeal site and boundary fencing erected. Some shipping containers are also being stored on part of the appeal site and those acting on behalf of the appellants have informed me that it is a builder's yard. From the gateway, these works disrupt the "*striking and uninterrupted views across the open appeal site of much of the central of the 3 engine houses*" noted by the previous Inspector.
14. Notwithstanding the changes within the settings of these designated heritage assets, the largely open qualities of the appeal site assists in retaining and appreciating the historic landscape setting of these assets and the impact of this deep mining activity upon the local population and economy. As I saw during my visit, the northern part of the appeal site affords a filtered/glimpsed view of parts of the three engine houses from the road to the east. Whilst this is one of many of the views of these heritage assets it provides a different perspective of this row of important buildings and, in so doing, is a reminder of the presence of these buildings within the landscape and the role and influence of past mining activity. This view assists in revealing these heritage assets in their landscape setting for those visiting this mine complex, as well as others walking along this section of the road. The appeal site makes a small but positive contribution to the significance of these designated heritage assets.

Likely Effect Upon the Settings of the Various Designated Heritage Assets

15. The proposed four bedroom dwelling would be sited in the north eastern corner of the site and would be served by a long entrance driveway off Radnor Road. This new 1½ storeys building would have stone walls, timber framed windows and a natural slate roof. It would reflect some traditional buildings within the local landscape and would accord with aspects of the Council's Design Guide.
16. However, this new building would erode the largely open qualities of the appeal site and a part of the historic landscape settings of the WHS, SM and Grade II listed engine houses. In time, there could also be pressure for additional buildings and structures to serve the house, such as a garage/car port and/or garden sheds and conservatory. The Council could have difficulty in resisting this and such development would further erode the open qualities of the site and part of the settings of the WHS, SM and three listed engine houses.
17. Whilst in the previous appeal it was found that housing on this site would comply with development plan policies for rounding off of a settlement, the proposal before me would encroach into the open landscape settings of important designated heritage assets. The new house would also be likely to obstruct the glimpsed view of the three engine houses from the road to the east. In so doing, it would detract from an appreciation or understanding of the significance of this part of the WHS, SM and the listed buildings, as well as the historic role of these buildings within this part of Cornwall.
18. In the context of the Framework, the likely effect of the proposal would amount to less than substantial harm to the significance of these designated heritage assets. If there is a sliding scale within this category of harm, the proposal would be towards the lowest end in respect of the WHS when considered as a whole, and towards the low end in respect of the SM and the listed buildings. However, less than substantial harm to the significance of a designated

heritage asset does not amount to a less than substantial planning objection. Great weight should be given to an asset's conservation and the more important the asset, the greater the weight should be. The harm that I have identified weighs considerably against granting permission.

19. I must weigh the harm with any public benefits of the proposal. In this regard, the development would add to the choice and supply of housing within this part of Cornwall. It would help to support local services, increase Council Tax receipts and provide a very small amount of support to the construction industry. However, these matters are insufficient to outweigh the harm to the significance of the various designated heritage assets that I have found above.
20. I conclude on the main issue that the proposal would be likely to harm the settings of the SM and WHS, and would fail to preserve the settings of the Grade II listed buildings at Wheal Peevor. The proposal would conflict with LP policy 24, MP policies P3 and P8 and the provisions of the Framework that are aimed at conserving and enhancing the historic environment.

Other Matter

21. The appeal site lies within the 12.5km buffer zones of both the Penhale Dunes Special Area of Conservation (SAC) and the Fal & Helford SAC. The proposal, in combination with other projects and plans, could increase recreational pressure on these protected wildlife sites and have a significant adverse effect upon natural habitats and species of wild fauna and flora. The Council's suggestion that this matter could be addressed by way of a suitably worded planning condition accords with its adopted European Sites Mitigation Supplementary Planning Document. However, this does not overcome or outweigh my findings in respect of the main issue above.

Overall Conclusion

22. Given all of the above, I conclude that the appeal should not succeed.

Neil Pope

Inspector