



Appeal Decision

Site visit made on 8 November 2022

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2022

Appeal Ref: APP/D0840/W/22/3292785

The Queens Arms Inn, Land South Of The Queens Arms, St Aubyns Square, Breage 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 Stuart Smith & Ray Odendaal against the decision of Cornwall Council.
 - The application Ref PA21/01511, dated 13 February 2021, was refused by notice dated 26 October 2021.
 - The development proposed is erection of 2 x detached dwellings and creation of new vehicular accesses.
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Decision

1. The appeal is dismissed.

Main Issue

2. The site comprises an area of open land in the Breage Conservation Area (the BCA) and the setting of the Grade I listed Church of Saint Breaca (the Church). The main issue therefore is the effect of the proposal on the character and appearance of the area bearing in mind the special attention that should be paid to the desirability of preserving the setting of the Church, and the extent to which it would preserve or enhance the character or appearance of the BCA.

Reasons

3. The BCA has developed around two focal points: the Church at its east side and a triangular wedge of open space, perhaps once common land, at its heart. Its highest-status building is the Church, the most prominent external feature of which is its fine 15th century, three stage tower. The Church draws significance from its elevated, principal position in Breage, and it is imperative that the primacy of its tower is not in any way challenged by development around it.
4. The appeal site fronts a street near to the Church but also creeps westwards into the open space. It carries extant permission under Ref PA19/07966 for two semidetached dwellings that would adopt a traditional cottage style (the Extant Scheme). The site is also identified by the Breage Conservation Area Appraisal and Management Strategy (the Appraisal) as a redevelopment opportunity.
5. Imitating traditional architecture is not necessarily essential and this is especially so in the BCA, which draws its significance from its varied and informal yet coherent collection of discrete buildings with differing orientations and relationships to the public realm. Indeed, the Appraisal spells out that a new building in the BCA need not be historic in style. Contemporary buildings designed creatively could make an attractive contribution to the BCA.

6. Nonetheless, there are issues in relation to the two proposed dwellings which would prevent their successful assimilation into this historic environment. Firstly, is their symmetrical design, with the detached dwellings effectively mirroring each other and therefore bound to read as a uniform pair. In my view, this would introduce a degree of formality which would depart from the piecemeal granularity of the BCA. On this point, I note that the Appraisal highlights that the variation in appearance between adjacent and semi-detached properties is an important element of the village's character.
7. Despite the variety of dwellings in the BCA, they have a shared restraint in their proportions, including small, modest and usually rectangular window openings. The large size and angular shape of the proposed front windows would offer an assertive frontage at odds with the humbleness of the dwellings gathered differentially around the Church. The wide, glazed doorways and adjacent balconies would present a strident first floor arrangement to the rear which, when viewed from within and/or across the open space, would distract one's attention from the Church tower. Given that it is the upper profile of the dwellings that would be conspicuous, their insensitive introduction would not be mitigated by the provision of a Cornish hedge to the rear of the site.
8. The use of cladding takes reference from a previous guise of Wheel House, which once served as the village joiners. However, whilst there is a notable mixture of residential and service buildings in the BCA, their separate identities tend to remain legible. This is not true of Wheel House; it is extended, largely rendered, reads wholly as a dwelling and it is not an obvious design precedent within the BCA. The extent of wood cladding proposed at first floor level, together with the deep A-frame style profile of the dwellings and the provision of unenclosed metal flues, lends them an uncertain, almost pseudo agricultural or utilitarian aesthetic, which would appear confused in the context of the BCA.
9. Lastly is the vehicle parking arrangement. Whilst there are instances of off-street parking within the BCA, it is not always welcome, but it is fairly sporadic and appears hemmed in wherever possible, again in piecemeal fashion. The formalised parking areas proposed, leading to the likely scenario of four vehicles parked correspondingly within the front garden spaces, would result in an element of visual clutter, harmful to the street's historic informality.
10. Consequently, there would be respective harms to the setting of the listed building and the character and appearance of the BCA. However, I would depart from the Council's assessment as to the extent of those harms. In my view, the harm in both cases would be less than substantial. Even so, Paragraph 199 of the National Planning Policy Framework (the Framework) explains that great weight should be given to the conservation of designated heritage assets. Paragraph 202 goes on to require decision makers to weigh any less than substantial harm to a designated heritage asset against the public benefits of the scheme, including securing its optimum viable use.
11. That balancing exercise must take place in the context of s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which set a strong presumption against a grant of planning permission for development that would cause harm to the setting of a listed building and fail to preserve or enhance the character or appearance of a conservation area. In this case the social and economic benefits of the dwellings would be modest and would fall short of outweighing the harms to the Church and the BCA.

12. Consequently, I conclude that the proposal would have an unacceptable effect on the character and appearance of the area bearing in mind the special attention that should be paid to the desirability of preserving the setting of the Church and the extent to which it would preserve or enhance the character or appearance of the BCA. It would conflict with the heritage and design aims of Policies 1, 2, 12 and 24 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (adopted 2016) and the Framework.

Other Considerations

13. I have little reason to doubt that the Extant Scheme would come forward if this appeal is dismissed. The Extant Scheme would also be symmetrical. It would be taller under a single roof and may logically obscure views of the lower areas of the Church tower to a greater extent. That said, it would also be less strident in its fenestration and so would be less incongruous in the street scene and in views of the tower. Its closer proximity to the Church would likely reduce its imposition in some views from the west. Whilst it would provide parking to the rear, partly in the open space, there would be no parking in the more publicly prominent forward section of the site, nor vehicular accesses. Instead, the site would have open garden spaces substantially enclosed by a boundary wall, characteristic of the BCA. For these reasons, the Extant Scheme would not have a more harmful impact upon the BCA than the proposal and as a fallback position does not serve to weigh decisively in its favour.

Other Matters

14. I find no reason to divert from the reasoning of a previous appeal decision¹ nor the appellant's heritage evidence insofar as they regard the area around the site to retain only a semblance of any former use as a smallholding associated with mining. On this basis, I am satisfied that the proposal would not harm the Outstanding Universal Value of the Cornwall and West Devon Mining Landscape World Heritage Site.
15. The site is within influence of the Fal and Helford Special Area of Conservation and likely significant effects on the integrity of this European site through increased recreational use cannot be ruled out in the first instance. Had I been in a position to allow this appeal, it would have been necessary to consider this matter within an Appropriate Assessment. As I am not, I have not done so.

Planning Balance

16. The proposal would conflict with the development plan when read as a whole. There are no other considerations, including the aforementioned public benefits of the scheme and the fallback position, which serve to outweigh this conflict.
17. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones
INSPECTOR

¹ Appeal Ref: APP/D0840/W/19/3233534