



Appeal Decision

Site visit made on 15 March 2024

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2024

Appeal Ref: APP/D0840/W/23/3329337

Land north of Reppersfield Row, Breage, Helson, TR13 9PG

- 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 Ken Babbage against the decision of Cornwall Council.
 - The application Ref PA23/04146, dated 19 May 2023, was refused by notice dated 27 July 2023.
 - The development proposed is described demolition of existing two barns and construction of replacement steel portal frame agricultural storage barn.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. Since the appeal application was refused the National Planning Policy Framework 2021 has been replaced. Within the National Planning Policy Framework December 2023 (Framework), paragraphs 130, 174, 189, 197, 199 and 202 of the Framework 2021 have been renumbered 135, 195, 201, 203, 205 and 208, although their content is unchanged. For the avoidance of any doubt, I confirm that in this decision I have referred to the new numbering.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding countryside, the Tregonning and Gwinear Mining District World Heritage Site (WHS) and the setting of the Breage Conservation Area (BCA).

Reasons

4. Policy 1 of the Cornwall Local Plan Strategic Policies 2010-2030 (CLP), policy C1 of the Cornwall Climate Emergency Development Plan Document 2023 (DPD) and paragraph 8 of the Framework all promote sustainable development. This includes helping to build a strong, competitive and responsive economy; protecting and enhancing the natural, built and historic environment; and making effective use of land.
5. The appeal site is located within an area of countryside within the WHS and adjacent to the northern boundary of the BCA. The landscape in this part of the WHS is characterised by flat-bottomed valleys, distinctive natural hills at Godolphin and Tregonning, a mixture of medieval and ancient landscape patterns and well vegetated hedgerows. The 2022 Landscape Cornish Character description describes the area having a rich tapestry of fields, hedgerows and woodland.

6. The area is part of the Cornish landscape that is recognised for both shaft and level mining and the Cornish mining industry has been referred to as the vanguard of the English Industrial Revolution. This reflects its designation as Gwinear Mining District World Heritage Site World Heritage Site.
7. The BCA includes most of the historic settlement of Breage, which formed part of the Godolphin estate from the Reformation to the twentieth century. Most of the buildings within the village are residential and this includes the distinctive rows of miner's cottages on the northern edge of the village, which are identified in the BCA Appraisal (BCAA), as one of the main characteristics of BCA. Another is the agricultural fields around the village which play an important role in its landscape setting. The BCAA identifies a number of significant views into and out of the village. This includes across the field immediately to the north of the village from the field entrance located adjacent to the junction of Reppersfield Row and the rural lane leading out of the village. The existing buildings on the appeal site fall within the panoramic view from the field entrance. The predominant building materials in the village include stone, granite, killas and slate.
8. These features, materials and historic background all make a valuable contribution to the character, appearance and significance of the BCA, its setting and make a small contribution to the international significance of the WHS.
9. The appeal site is situated in the countryside at the northern end of the village, adjacent to the northernmost row of miner's cottages. The appeal site comprises two metal clad storage sheds and an overgrown area of hardstanding that project into a small field which extends to some 0.5 hectares. To the southwest of these sheds a low stone fronted barn that is within the appeal site and borders the northern side of Reppersfield Row. This narrow rural access road serves the adjacent row of miner's cottages, the appeal site and the field. To the southeast of the appeal site is a larger metal clad building and yard area which falls outside the appeal site and is shown as outside the ownership of the appellant.
10. From Reppersfield Row there are panoramic views over the open countryside to the north and east, although these views are constrained at the eastern end of the lane by the existing buildings on and to the southeast of the appeal site.
11. Paragraphs 88 & 89 of the Framework states that decisions should enable the sustainable development and growth of all types of rural businesses. It will be important to ensure that development is sensitive to its surroundings. CLP Policy 5 allows for business development in the countryside where it of a scale appropriate to or demonstrates an overriding locational and business need to be in that location.
12. Together the Cornwall and West Devon Mining Landscape World Heritage Site Management Plan 2020 – 2025 (MP) and the Cornwall and West Devon Mining Landscape World Heritage Site - Supplementary Planning Document 2017, explain that the Cornwall and West Devon Mining Landscape World Heritage Site (WHS) is a designated heritage asset of the highest significance. It is an outstanding example of a landscape which illustrates a significant stage in human history - the development and global spread of industrialisation.

13. Sections 7.1 & 7.2 of the MP, including policies C2 & C9, state that new development should protect, conserve and enhance the WHS, adding to its quality and distinctiveness. Collectively, BNP Policies E2, E3 & E4 and DPD Policy C1 seek to conserve and enhance the natural and historic environment according to its international, national and local significance. Development within the World Heritage Site will only be supported if it accords with the World Heritage Management Plan and supplementary Planning Document and does not harm the ability of the attribute to express its outstanding universal value.
14. Amongst other things CLP Policy 2 seeks to protect and enhance the natural, built and historic environment. Policy E4 of the Breage Neighbourhood Plan (BNP), states that proposals that affect the setting of the BCA should pay special attention to the desirability of preserving and enhancing the appearance and character of the area. Development should be sympathetic in size, scale, height and materials to the historic character of the BCA and the vernacular tradition of its architecture.
15. Together paragraphs 203, 205 and 208 of the Framework, state that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to its conservation. This is irrespective of whether any potential harm amounts to substantial or less than substantial harm to its significance. Any harm to a heritage asset requires clear and convincing justification. Where a proposal would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal. CLP Policy 24 is consistent with this.
16. Together and amongst other things CLP Policies 2, 12 and 23 seek to ensure that proposals maintain and sustain local character and enhance Cornwall's distinctive natural and historic character. Paragraphs 135 & 180 of the Framework similarly require development be sympathetic to local character and history, including the surrounding built environment and landscape setting. Decisions should contribute to and enhance the natural and local environment.
17. The appellant has stated that the proposed barn is smaller than the barn previously proposed. It also addresses the concerns raised relating to the impact of a commercial use in this rural location and the pastoral setting of the nearby historic row of dwellings within the BCA.
18. The appellant has stated in their Planning, Design and Access Statements that the proposed building would be used for the storage of 4 tractors owned by the appellant and equipment used for the maintenance of the land. On the basis of the information provided, it has not been demonstrated that an agricultural enterprise is operating on the site. As such, paragraphs 88 & 89 of the Framework and CLP Policy 5, which deal with the rural economy and businesses, are not relevant to the proposal.
19. The proposed building would accommodate necessary machinery and equipment to maintain the land. This would help ensure that the land is appropriately maintained and is a clear benefit of the proposal. It would therefore, in principle, be reasonable to provide storage for the machinery necessary to maintain the field, subject to its environmental and other potential impacts.

20. In this instance, having regard to the modest size of the field, I agree with the council that the size of the proposed building is disproportionately large. Although the proposal includes the demolition of two of the three existing buildings on the site, they do not necessarily dictate the size of building that would be reasonably necessary to provide for the maintenance of the land. Also, as the existing buildings have a detrimental visual impact on the site and its surroundings, they do not set a good precedent for the siting of a larger building in this location.
21. The proposed building would be materially larger than the two buildings that would be removed. In particular, the building would be deeper and taller and more visible within the surrounding area. The taller roof of the building would be visible from Reppersfield Row, the field gate adjacent to the entrance to Reppersfield Row and at points along the rural lane to the west and northwest. The greater depth of the building would also be visible from Reppersfield Row and parts of the lane. The proposed building would be utilitarian in appearance and seen as encroaching into the open countryside beyond the settlement.
22. For these reasons the proposed building would detract from the character and appearance of and would have a degrading impact on the surrounding open countryside, the setting of the adjacent row of former miners cottages and the BCA.
23. Taking into account that the proposed building would be sited partially on the site of two other buildings, its harm to the to the significance of the WHS and the setting of the BCA would be relatively modest and so less than substantial. However, as required by paragraph 208 of the Framework, this harm needs to be weighed against any public benefits resulting from the proposal.
24. During its construction, the proposed barn would provide direct and indirect employment and so would contribute to the local economy. In addition, the proposed building would be used in connection with the maintenance of a modest sized field. Whilst I give a modest amount of weight to both of these benefits, both individually and together they would clearly fail to outweigh the harm that would be caused to the international significance (Outstanding Universal Value) of the WHS and the significance of the BCA.
25. Whilst I acknowledge that there is a utility pole in this location, utility infrastructure is necessary and generally has specific locational requirements. Irrespective of this, they have a negative impact on the character and appearance of the surrounding landscape and the setting to the BCA and do not set a precedent for additional development.
26. Finally, whilst the council's heritage consultees made some favourable comments regarding the proposal they also commented on its size; that any harm to the attributes of the international significance of the WHS risks the loss of status for the entire designated property across Cornwall and West Devon; and that this sensitive area should not be negatively impinged upon by any more future cumulative development of this nature. This highlights their concerns for this sensitive location.
27. I conclude on the main issue that the proposed barn would unacceptably harm the character and appearance of the surrounding landscape and would fail to preserve or enhance the character and appearance of the WHS, the adjacent row of historic cottages and the BCA as a whole. Whilst the harm that it would

cause to the significance of the WHO and the BCA would be less than significant, it would not be outweighed by any public benefits. Accordingly, the proposal would conflict with CLP Policies 1, 2, 12, 23 & 24, DPD Policy C1, BNP Policies E2, E3 & E4, WHSMP Policies C2 & C9 and paragraphs 8, 135, 180, 195, 201, 203, 205 & 208.

Other matter

28. Whilst not raised in the appeal documents, it appears that due to the depth of the proposed building it would not be possible to access and exit the proposed building with tractors and some farm machinery without encroaching into the field beyond the boundary of the appeal site. Had I found in favour of the appellant on the main issue this is a matter upon which I would have sought further information and comments from the main parties.

Conclusion

29. The conclusion on the main issue amounts to a compelling reason for refusal which the imposition of conditions would not satisfactorily address.

Elizabeth Lawrence

INSPECTOR