



Appeal Decision

Site visit made on 12 November 2024

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2024

Appeal Ref: APP/D0840/W/24/3343448

Land rear 12 Enys Road, Camborne TR14 8TN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr T Michell against the decision of Cornwall Council.
 - The application Ref is PA23/07815.
 - The development proposed is replacement garage with workshop.
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Decision

1. The appeal is allowed and planning permission is granted for replacement garage with workshop at Land rear 12 Enys Road, Camborne TR14 8TN in accordance with the terms of the application, Ref PA23/07815, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos 4265 01C – Proposed Plans, elevations and Location Plan; 4265 02B – Existing and Proposed Site Plans, Existing garage plans and elevations and Location Plan.
 - 3) The garage/workshop hereby approved shall only be used for domestic storage, including the parking of a vehicle. The building and its associated curtilage shall not be used for any trade or business.

Applications for costs

2. An application for costs was made by Mr T Michell against Cornwall Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The appellant submitted a revised plan numbered 4265 01C with the appeal. It corrects a discrepancy between the floor plan and elevations on the original drawings. It reduces the size of the building depicted on the elevations to accord with the floor plan, so does not fundamentally alter the proposed development. The Council has had the opportunity to comment, and my consideration of the corrected plan would not prejudice the interests of those who were consulted on the original application.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area, including whether the development would preserve or

enhance the Outstanding Universal Value (the OUV) of the Cornwall and West Devon Mining Landscape World Heritage Site (the WHS).

Reasons

5. 12 Enys Road is one of a long, straight row of early 20th Century semi-detached houses. Although the pairs of houses vary in detail, their street elevations are all of high-quality period design, and share similar architectural features, such as bay windows, decorative window surrounds, quoins, and ornate porch canopies. The rear elevations of the houses are, however, more mundane in character. They have relatively long back gardens, and nearly all of them have utilitarian outbuildings close to the service lane that runs behind. The appeal site was originally the rear part of the garden of No 12, but it is now in separate ownership. The proposal is to replace the existing garage on the site with a larger building that would include workshop space.
6. The appeal site lies within the WHS, which was inscribed in 2006, and comprises ten areas across Cornwall and West Devon that were heavily influenced by copper and tin mining in the period 1700 to 1914. The Statement of OUV states that the remains of mines, engine houses, smallholdings, ports, harbours, canals, railways, tramroads, and industries allied to mining, along with new towns and villages reflect an extended period of industrial expansion and prolific innovation. It adds that the ten areas form a unified, coherent cultural landscape and share a common identity. Paragraph 195 of the National Planning Policy Framework (the Framework) says that World Heritage Sites are heritage assets of the highest significance, which are internationally recognised to be of OUV.
7. The appeal site lies within Area A5 of the WHS, the Camborne and Redruth Mining District. This was the most heavily industrialised mining district in the WHS. It contains its most significant urban centres of mining population, including Camborne, which contains the best example of large-scale urbanisation associated with the Industrial Revolution in metal mining and engineering. The row of houses in Enys Road were developed in this period, so are of significance to the OUV of the WHS.
8. Paragraph 205 of the Framework says that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Policy 24 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (November 2016) (the Local Plan) says that proposals that would result in harm to the authenticity and integrity of the OUV of the WHS should be wholly exceptional.
9. The proposed replacement building would only be readily visible from the rear service lane. It would therefore have no impact on the characterful street scene of Enys Road, which is reflective of the era of urban growth that was fuelled by the mining industry. The long plots provide evidence of the planned nature of the development, but the authenticity of this pattern is no longer readily apparent. The almost continuous row of assorted outbuildings abutting the service lane means that the rear elevations of the houses, and their associated gardens, are largely hidden. There is no obvious visual relationship between the outbuildings and the houses, as they all appear to be of more recent construction. Consequently, there is no historic functional relationship either.

10. The Council has raised concerns about the severance of the historic curtilage. However, the evidence indicates that the appeal site is already functionally and physically separated from the garden of No 12. As the rear gardens are almost entirely hidden by the row of outbuildings, I saw that this division has been achieved without any discernible impact on the pattern of development. Consequently, the OUV of the WHS would not be harmed in this regard.
11. The proposed building would have a larger footprint, and a higher ridge than the existing garage. Nevertheless, it would be undeniably single-storey in scale, so would remain subservient in form to the two-storey houses. The ridge would be higher than the adjacent outbuildings, but there is no consistency in the height and roof design of the assorted structures along the row. Whilst it would occupy more space than the existing garage, the widest part would be set well back, so there would be space between the buildings adjacent to the service lane. I saw that many of the other buildings along the row occupy the full width of their plots, right up to the rear boundary. The proposal would not, therefore, appear uncharacteristic in its height or plot coverage.
12. The line of outbuildings contains a range of utilitarian structures of varying form, size, and design. The only unifying theme is their general alignment, and single-storey scale. The proposed building would conform with these characteristics, so it would not be an incongruous addition. It would not, therefore, be harmful to the character and appearance of the area, and the OUV of the WHS would be preserved.
13. For these reasons, I conclude that the proposal would accord with Policies 1, 2, 12 and 24 of the Local Plan and Policy C1 of the Climate Emergency Development Plan Document (February 2023) which, taken together, seek to ensure, amongst other things, that development is suitably designed and does not result in harm to the authenticity and integrity of the WHS.
14. I have also had regard to the WHS Management Plan 2020-2025, and find that there would be no conflict with its aim to protect, conserve and enhance the historical authenticity, integrity, and historic character of the WHS for current and future generations. Furthermore, I see no conflict with the advice in the Cornwall Design Guide (December 2021) that building designs and densities should respect the character of the surrounding area.

Other Matters

15. Concerns have been raised in representations regarding the impact of the proposal on the living conditions of existing residents, and on highway safety. However, the location and single storey scale of the building means that it would have little impact on the light, outlook, or privacy enjoyed by the occupants of surrounding dwellings. There is no evidence to indicate that the replacement of the existing garage would result in any significant change to the vehicular use of the service lane or the road leading to it, so there would be no effect on highway safety.
16. It has also been suggested that the building could easily be converted to a dwelling. However, this would be a change of use that would require a separate grant of planning permission. I have considered the appeal on the basis of the proposal that was submitted.

Conditions

17. In accordance with the legislation, I have imposed a condition limiting the period within which the development must commence. I have also included a condition specifying the relevant plans, as this provides certainty. The Council has suggested two additional conditions – one relating to boundary treatments, and the other limiting the use of the building. The site is already enclosed to the rear, and to both sides. The plans do not propose any alterations to these existing boundaries, nor do they propose any additional means of enclosure. Consequently, a condition requiring details of boundary treatments to be submitted for approval would be unnecessary.
18. In view of the location of the site in a residential area, I have imposed a condition preventing the building from being used for commercial purposes, to safeguard the living conditions of existing occupants.

Conclusion

19. For the reasons given above, I conclude that the appeal should be allowed.

Nick Davies

INSPECTOR