
Appeal Decision

Site visit made on 23 April 2025

by **S Harrington MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6th May 2025

Appeal Ref: APP/D0840/W/24/3355437

Rear of 21 Trevenson Road, Pool, Camborne, Cornwall TR15 3PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr and Mrs A Baker against the decision of Cornwall Council.
 - The application Ref is PA24/06922.
 - The development proposed is permission in principle for the erection of dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Planning Practice Guidance advises that permission in principle is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or 'permission in principle' stage) (PIP) establishes whether a site is suitable in-principle, and the second ('technical details consent' stage) (TDC) is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent TDC application if PIP is granted.
4. During the course of the appeal the revised National Planning Policy Framework (the Framework) was published. The main parties have had the opportunity to comment on the implications of this change and no parties will have been prejudiced by my having regard to the latest version in reaching my decision.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use, and the amount of development.

Reasons

6. The appeal site is located within the Cornwall and West Devon Mining Landscape World Heritage Site (WHS). The Framework states that World Heritage Sites are heritage assets of the highest significance, which are internationally recognised to be of Outstanding Universal Value (OUV).
7. The Cornwall and West Devon Mining Landscape World Heritage Site Management Plan 2020-2025 (WHSMP) describes the WHS as a series of ten areas comprising the distinctive patterns of buildings, monuments and sites which

together form the coherent series of distinctive cultural landscapes created by the industrialisation of hard-rock mining processes in the period 1700 to 1914.

8. The Statement of OUV outlines 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. Mining settlements and social infrastructure is identified as one of seven attributes through which the OUV of the WHS is expressed.
9. The appeal site lies to the rear of a historic terrace of dwellings, which whilst having been extended by the construction of an end of terrace dwelling, is recorded on the Historic Environment Record as an 'extant mid 19th Century row, defining well the road that leads into the heart of Pool'. This terrace largely features long rear gardens which help provide an understanding of the functional relationship of the gardens to the historic dwellings and assists in understanding the relationship of the dwellings to the mining settlement and the settlements historic layout.
10. Anecdotal evidence indicates that the appeal site was not historically associated with 21 & 23 Trevenson Road, but accommodated farm outbuildings which formed part of a former farm opposite. However, although not conclusive due to what appears to be a boundary around outbuildings in later mapping¹, earlier historical mapping² does indicate a historical association of the appeal site with the terrace of dwellings. This is emphasised by the common planted boundary to the area beyond along the rear of gardens of the terrace properties shown within the earlier mapping.
11. The site is now subdivided from the terrace at Trevenson Road due to change in ownership and boundary treatments. However, due to its spatial relationship with the terrace, and despite the presence of outbuildings in other gardens, other permissions and development outlined by the appellant, and recent residential development at Woolf Place, the historic layout of the terrace and associated relationship with outdoor space is maintained. This is especially the case from viewpoints at Woolf Place.
12. The existence of other sites where historic plots may have been altered, does not provide a reason to allow any further harmful erosion, and that the historic functional relationship of the terrace with gardens remains legible despite parts of the surrounding area being developed emphasises its historical importance.
13. Consequently, I find that the appeal site contributes to the integrity and character of the area, being part of a legible historic layout of this part of a mining settlement and its associated social infrastructure, and therefore positively contributes to the OUV of the WHS.
14. The Cornwall Design Guide 2021 provides guidance to ensure that, amongst other things, new developments enhance their historic context and character and respond to historical landscape context. The proposal would inevitably introduce an additional residential dwelling onto a site, which whilst it is put to me has been used for dumping of household items, would interrupt the historic pattern of

¹ 1906-1908

² 1875-1901

development and diminish the historic legibility of the area, harmfully reducing the contribution that the appeal site makes as part of the historic landscape.

15. As a result, there would be harm to the OUV of the WHS. In view of the localised impact of the proposal, this harm would be less than substantial within the meaning of the Framework. The Framework sets out great weight should be given to the conservation of heritage assets and notes that less than substantial harm should be weighed against any public benefits associated with the development.
16. The dwelling would contribute towards the areas housing supply, in a location close to services, facilities and transport links. There would also be short term economic benefit due to employment during construction, and an ongoing benefit from future occupants supporting local businesses and services. However, due to the modest scope and scale of the proposal, these benefits in combination attract only modest weight and would not outweigh the harm that I have identified to the WHS.
17. Accordingly, I conclude that the site is not suitable for residential development, having regard to its location, the proposed land use, and the amount of development. The proposal would conflict with policies 1, 2, 12 and 24 of the Cornwall Local Plan Strategic Policies 2010-2030, policies H1 and D1 of the Carn Brea Parish Neighbourhood Development Plan 2024-2030, and Policy C1 of the Climate Emergency Development Plan Document 2023. These policies seek, amongst other matters, to ensure that proposals respond to and are demonstrably informed by historic landscape character and to avoid harm to the authenticity and integrity of the OUV of the WHS. The proposal would also conflict with policies P3, C2 and C9 of the WHSMP, which seek, amongst other things to protect, maintain and enhance the historic character and distinctiveness of the WHS.

Other Matters

18. The Council are unable to demonstrate a five-year housing land supply of deliverable housing sites and have stated that their supply is circa 3.8 years. Where the development plan is considered to be out of date for the policies most relevant to the determination, paragraph 11(d) of the Framework requires that presumption in favour of sustainable development is applied unless the application of policies in the Framework that protect assets of particular importance provides a strong reason for refusing the development proposed. For the purposes of paragraph 11 of the Framework, the WHS is an asset of particular importance as denoted by footnote 7.
19. The proposal would cause less than substantial harm to the WHS, and the application of the policies in Section 16 of the Framework provide a strong reason for refusing the proposal. Consequently, the provisions of paragraph 11d(ii) of the Framework are not engaged in this instance.
20. The proposal's benefits include the provision of a new dwelling in a location close to services, facilities and public transport links. Further benefits include short term economic benefit due to employment during construction, and an ongoing benefit from future occupants supporting local businesses, services, and the community. Notwithstanding, given the scale of the development, I find the benefits would be modest.

21. Even if there were no third-party objections to this development including the Parish Council, my assessment of the effect of the development would be unchanged and a lack of objections is not a reason in itself to allow development that is unacceptable.

Conclusion

22. For the reasons given above, I find that the proposal would conflict with the development plan, read as a whole. No material considerations, individually or cumulatively, indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

S Harrington

INSPECTOR