



Land at Boscoppa Farm, St Austell,
Cornwall
Heritage Impact Assessment



Land at Boscoppa Farm, St Austell, Cornwall

Heritage Impact Assessment

| | |
|--|--|
| Client | Ruth Allen |
| Report Number | 2021R091 |
| Date | November 2021 |
| Status | Final |
| Report author(s) | Antony Angove |
| Checked by | Andy Jones |
| Approved by | Andy Jones |
| Project number | 147173 |
| Data location | \\CAU\Archive\Sites\B\Boscoppa Farm 147173 |
| Historic England / ADS OASIS online reference | cornwall2-433891 |
| Planning reference | PA20/09790 |

The project's documentary, digital, photographic and drawn archive is maintained by Cornwall Archaeological Unit.

Cornwall Archaeological Unit

Cornwall Council

Circuit House, St Clement Street, Truro, Cornwall, TR1 1DT

Tel: (01872) 323603

Email: enquiries@cau.org.uk

Web: www.cau.org.uk

Acknowledgements

This study was commissioned by Ruth Allen and carried out by Cornwall Archaeological Unit, Cornwall Council.

The Project Manager was Antony Angove.

The views and recommendations expressed in this report are those of Cornwall Archaeological Unit and are presented in good faith on the basis of professional judgement and on information currently available.

Freedom of Information Act

As Cornwall Council is a public authority it is subject to the terms of the Freedom of Information Act 2000, which came into effect from 1st January 2005.



Cornwall Archaeological Unit is a Registered Organisation with the
Chartered Institute for Archaeologists

© Cornwall Council 2021

No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means without the prior permission of the publisher.

Contents

| | | |
|----------|--|-----------|
| 1 | Summary | 1 |
| 2 | Introduction | 3 |
| 2.1 | Project background | 3 |
| 2.2 | Methodology | 3 |
| 2.2.1 | Policy and guidance | 3 |
| 2.2.2 | Scope | 3 |
| 2.2.3 | Aims | 3 |
| 2.2.4 | Desk-based assessment | 3 |
| 2.2.5 | Walkover survey | 4 |
| 2.2.6 | Heritage Impact Assessment | 4 |
| 3 | Heritage resource | 4 |
| 3.1 | Location | 4 |
| 3.2 | Historic Landscape Character | 5 |
| 3.3 | Designated heritage assets | 5 |
| 3.3.1 | Scheduled Monuments (SM) | 5 |
| 3.3.2 | Listed Buildings (LB) | 6 |
| 3.3.3 | World Heritage Site (WHS) | 7 |
| 3.4 | Non-designated heritage assets | 8 |
| 3.5 | Chronological summary | 9 |
| 3.5.1 | Prehistoric/Roman (c10,000 BC–AD 43) | 9 |
| 3.5.2 | Early Medieval to Medieval (AD 410–1540) | 9 |
| 3.5.3 | Post-medieval (AD 1540–1900) | 10 |
| 3.5.4 | Modern (AD 1901–present) | 12 |
| 3.6 | Previous archaeological/historical work | 14 |
| 3.7 | Archaeological potential | 14 |
| 4 | Statement of Significance | 15 |
| 5 | Assessment of potential impacts | 16 |
| 5.1 | Summary of proposed works | 16 |
| 5.2 | Summary of potential impacts | 16 |
| 5.2.1 | Visual and other non-physical impacts | 16 |
| 5.2.2 | Physical (direct) impacts | 16 |
| 6 | Concluding remarks | 17 |
| 6.1 | Further assessment | 17 |
| 6.1.1 | Geophysical survey | 17 |
| 6.1.2 | Evaluation trenching | 17 |
| 6.3 | Mitigation by record | 17 |
| 6.3.5 | Watching brief | 17 |
| 6.3.6 | Field boundary recording | 17 |
| 6.3.7 | Analysis and publication | 17 |
| 7 | References | 17 |
| 7.1 | Primary sources (in chronological order) | 17 |

| | | |
|-----|---|-----------|
| 7.2 | Publications | 18 |
| 7.3 | Websites | 18 |
| | Appendix 1: Site inventory | 19 |
| | Appendix 2: Planning Policy and Guidance | 25 |

List of Figures

Fig 1 Location map.

Fig 2 Site extent.

Fig 3 Historic Landscape Character.

Fig 4 Scheduled Monuments with the study area.

Fig 5 Listed Buildings with the study area.

Fig 6 looking east from western perimeter field of site area.

Fig 7 Proximity to the Charlestown Leat, Luxulyan and Charlestown World Heritage Site.

Fig 8 Heritage assets recorded in the Cornwall and Scilly HER.

Fig 9 Tithe Map, c1840.

Fig 10 First Edition of the Ordnance Survey 25 Inch Map, c1880.

Fig 11 Second Edition of the Ordnance Survey 25 Inch Map, c1907.

Fig 12 RAF aerial photo, 1946.

Fig 13 Aerial photo, 1995.

Fig 14 Aerial photo, 2000.

Fig 15 Aerial photo, 2016.

Fig 16 Proposed site location. © ajc architecture.

Abbreviations

| | |
|------|--|
| CAU | Cornwall Archaeological Unit |
| CIfA | Chartered Institute for Archaeologists |
| HE | Historic England |
| HER | Cornwall and the Isles of Scilly Historic Environment Record |
| HLC | Historic Landscape Character |
| LPA | Local Planning Authority |
| MCO | Monument number in Cornwall HER |
| NGR | National Grid Reference |
| OS | Ordnance Survey |

1 Summary

Cornwall Archaeological Unit (CAU) were commissioned by Ruth Allen to carry out a Heritage Impact Assessment of land at Boscoppa Farm.

The proposed development area is adjacent to the Charlestown Leat, which is part of Area VIII of the Cornwall and West Devon Mining Landscapes World Heritage Site: Luxulyan and Charlestown.

The assessment identified one Scheduled Monument (SM) within the wider study area. In addition, 60 non-designated sites were recorded within the broader study area, in the Cornwall and Scilly Historic Environment Record (HER). There were no non-designated assets recorded within the site area.

A former Post-medieval field boundary and potential leat were identified as linear features within the site area during the desk-based assessment.

In addition, there is the potential for the remains of below-ground prehistoric archaeology, recorded by previous excavations within close proximity to extend to the site area.

The development will, however, lead to the permanent loss of the archaeological resource.

Direct impacts upon the potential buried archaeological resource could be further assessed by geophysical survey and potentially subsequently mitigated by an archaeological watching brief. Any further stages of archaeological recording, will however, be set by the Local Planning Authority (LPA).

Land at Boscoppa Farm, St Austell, Cornwall, Heritage Impact Assessment

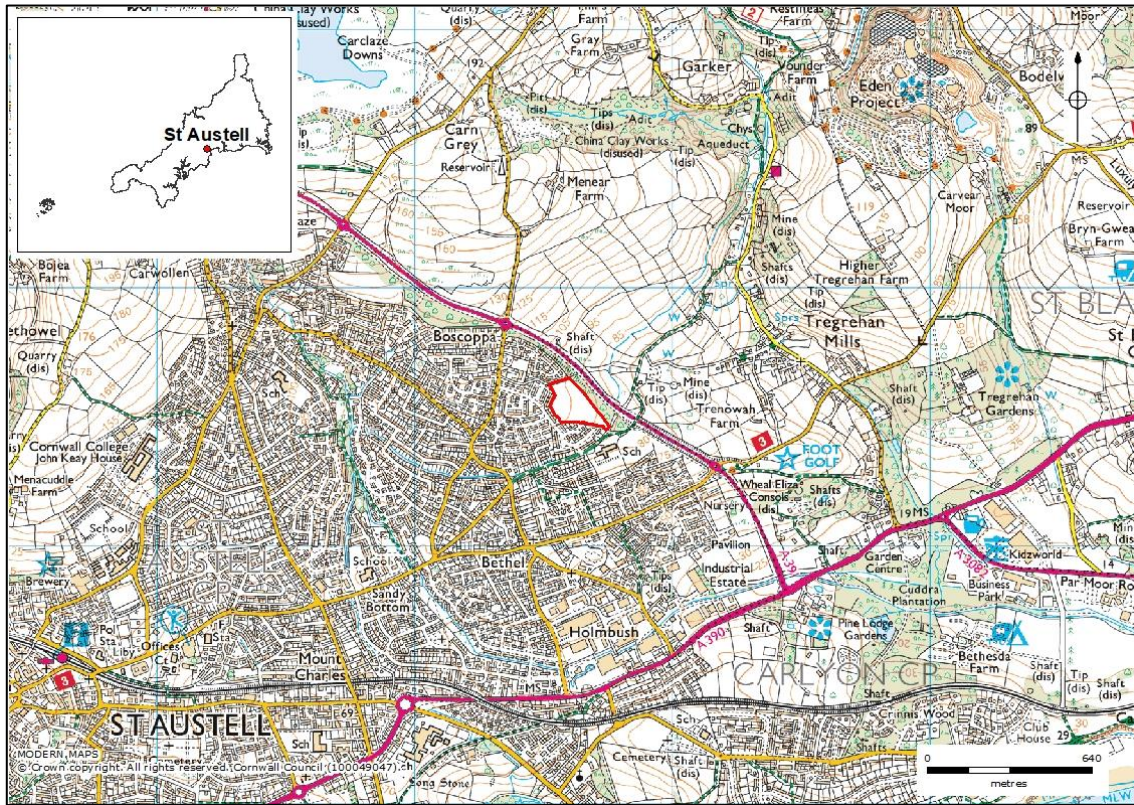


Fig 1 Location map.

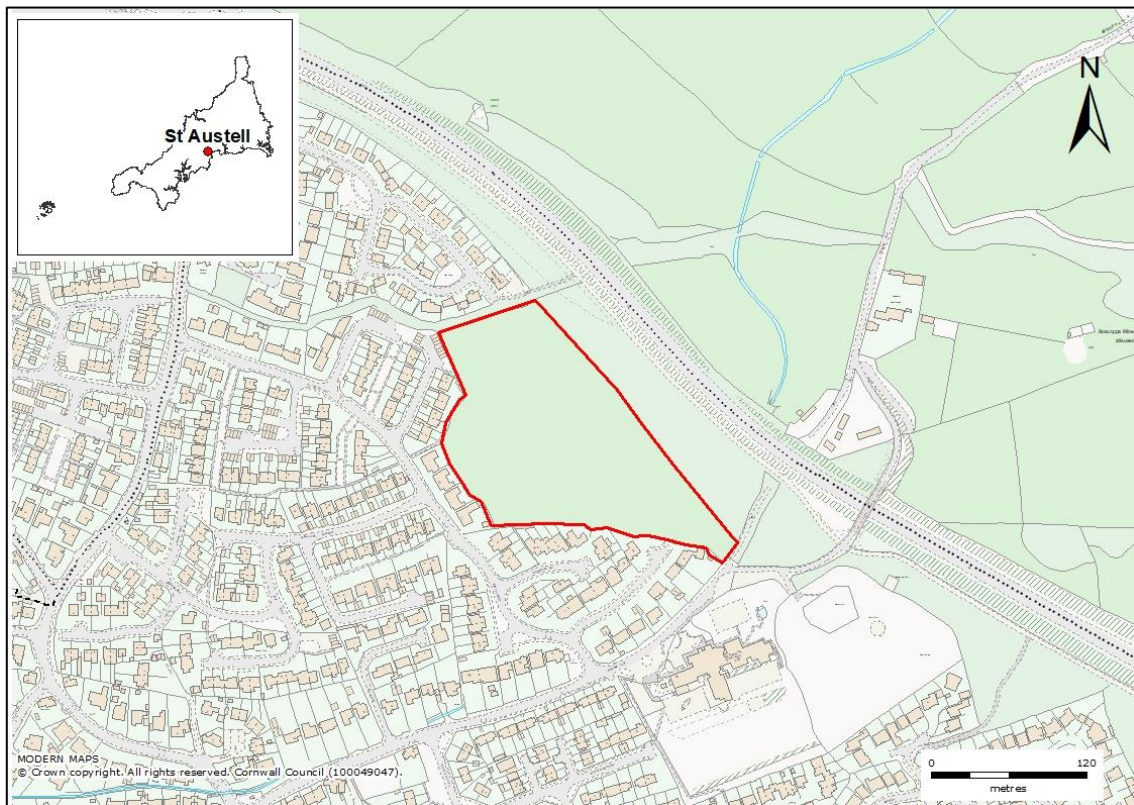


Fig 2 Site extent.

2 Introduction

2.1 Project background

Cornwall Archaeological Unit (CAU) were commissioned by Ruth Allen to carry out a heritage impact assessment (HIA) of land at Boscoppa Farm, St Austell (NGR SX 03608 53546) (Figs 1 and 2). This HIA is to support planning application PA20/09790 for up to 61 residential dwellings. The site lies directly adjacent to the A391, on the north-east side of St Austell.

PA20/09790 provided planning advice on the Historic Environment as follows:

'The application site has the high potential for buried archaeology as an archaeological excavation undertaken during the construction of the distributor road (A391), 180m from the application site revealed multiple phases of prehistoric activity including enclosures, pits and field systems (MCO55250). We note that the submitted documents do not consider the potential for buried archaeology, in accordance with the provisions of NPPF (2019) Chapter 16, paragraph 189 and Cornwall Local Plan policy 24'.

2.2 Methodology

2.2.1 Policy and guidance

This report takes account of various relevant aspects of national and local planning policies and guidance including (Fuller details are given in Appendix 2):

- Government guidance on conserving and enhancing the historic environment.
- The National Planning Policy Framework (NPPF) (2021) – specifically policies for 'conserving and enhancing the historic environment' (paragraphs 189-208).
- The Cornwall Local Plan (2016) – specifically policy 24.
- Neighbourhood plans where these have been adopted.
- The Cornwall and West Devon Mining World Heritage Site Management Plan.
- Ancient Monuments and Archaeological Areas Act (1979).
- Planning (Listed Buildings and Conservation Areas) Act (1990).
- The Hedgerow Regulations (1997).

2.2.2 Scope

This assessment is focussed on heritage assets identified within the proposal area itself (hereafter referred to as the 'site'). The assessment also identifies relevant heritage assets within a wider 1 km buffer around the site and considers potential impacts upon designated heritage assets over a wider area (hereafter referred to as the 'study area').

2.2.3 Aims

The primary aims of this study are to assess the following:

The resource of identified heritage assets, both designated and non-designated, within the study area that are relevant to the site;

- The potential for non-designated heritage assets within the site, including any demonstrably of equivalent significance to designated assets;
- The significance of the identified and potential heritage assets and resource within the site;
- The impacts of the proposal upon the significance of heritage assets and the settings of designated heritage assets within the study area;
- Appropriate measures for mitigating impacts upon the heritage assets and resource within the study area.

2.2.4 Desk-based assessment

This study was undertaken in accordance with the Chartered Institute for Archaeologist's (CIfA) guidance on undertaking desk-based assessment (CIfA 2017).

Significance

In determining the significance of heritage assets CAU have followed guidance issued by Historic England (English Heritage 2008). The following criteria have been used to measure significance:

- Evidential – ‘the potential of a place to yield evidence about past human activity’;
- Historical – ‘derives from the ways in which past people, events and aspects of life can be connected through a place to the present’;
- Aesthetic – ‘derives from the ways in which people draw sensory and intellectual stimulation from a place’;
- Communal- ‘derives from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory’.

Settings

In evaluating aspects of the settings of heritage assets CAU have followed Historic England’s guidance on the subject (2017).

Sources

During the desk-based assessment historical databases and archives were consulted in order to obtain information about the history of the site and study area and the structures and features that were likely to survive. The main sources consulted were as follows:

- Cornwall and Scilly Historic Environment Record (HER), assemble via the Heritage Gateway.
- The National Heritage List for England (a searchable database of designated heritage assets, excluding conservation areas).
- Cornwall Council’s mapping service for Conservation Areas.
- GIS data accessible to CAU.
- Early maps, records, and photographs (see Section 7.1).

2.2.5 Walkover survey

A site visit was undertaken on 11th October 2021 to assess any potential impacts upon designated heritage assets within the site and wider study area. Conditions were sunny and damp.

2.2.6 Heritage Impact Assessment

A Heritage Impact Assessment (HIA) was carried out and is reported on in Section 5.

3 Heritage resource

This section presents a summary of the historical development of the study area, provides detail of designated and non-designated heritage assets that have been identified, identifies potential heritage assets that may lie within the site, and reports on previous archaeological work in the study area.

3.1 Location

The site is located at the eastern end of Boscoppa Road, which is adjacent to the grounds of Bishop Bronescombe School (Figs 1 and 2).

The site lies on a slight south-east facing slope, with residential housing and the A391 adjoining the perimeter.

The underlying geology is of the Trendrean Mudstone Formation, with Hornfelses Slates and Hornfelses Sandstones (BGS, 2021).

3.2 Historic Landscape Character

The Historic Landscape Character (HLC) has characterised the site as Medieval Farmland, a type of Anciently Enclosed Land (AEL) (Fig 3). This type of land tends to be relatively sheltered, not too steep and not too poorly drained, but can extend onto the edges of high downs. Networks of winding lanes and roads often deeply cut by the passage of people, animals and vehicles over centuries or thousands of years. These connect farming settlements whose layouts are typically irregular, often clearly shrunken from hamlets; some are still hamlets. Church towns and a few larger villages are scattered through the Type (Cornwall County Council 1996; Herring 1998). Features of Medieval Farmland were identified during the desk top assessment and walkover, with the western and southern field boundaries demonstrating sinuous characteristics.



Fig 3 Historic Landscape Character.

3.3 Designated heritage assets

3.3.1 Scheduled Monuments (SM)

There are no Scheduled Monuments (SMs) within the site area although one, a standing stone, is located to the north within the wider study area (Fig 4):

Standing Stone 135 north west of Menear Farm (DCO1140; National List no 1007283, SX 03433 54457).

Extract from the Schedule:

Reason for Designation

Standing stones are prehistoric ritual or ceremonial monuments with dates ranging from the Late Neolithic to the end of the Bronze Age for the few excavated examples. They comprise single or paired upright orthostatic slabs, ranging from under 1m to over 6m high where still erect. They are often conspicuously sited and close to other contemporary monument classes. They can be accompanied by various features: many occur in or on the edge of round barrows, and where excavated, associated subsurface features have included stone cists, stone settings, and various pits and hollows filled in with earth containing human bone, cremations, charcoal, flints, pots and pot sherds. Similar deposits have been found in excavated sockets for standing stones, which range

considerably in depth. Several standing stones also bear cup and ring marks. Standing stones may have functioned as markers for routeways, territories, graves, or meeting points, but their accompanying features show they also bore a ritual function and that they form one of several ritual monument classes of their period that often contain a deposit of cremation and domestic debris as an integral component. No national survey of standing stones has been undertaken, and estimates range from 50 to 250 extant examples, widely distributed throughout England but with concentrations in Cornwall, the North Yorkshire Moors, Cumbria, Derbyshire and the Cotswolds. Standing stones are important as nationally rare monuments, with a high longevity and demonstrating the diversity of ritual practices in the Late Neolithic and Bronze Age. The standing stone 135m north west of Menear Farm survives well and will retain archaeological and environmental evidence relating to its erection, longevity, function, territorial significance, social organisation, ritual and funerary practices and overall landscape context.

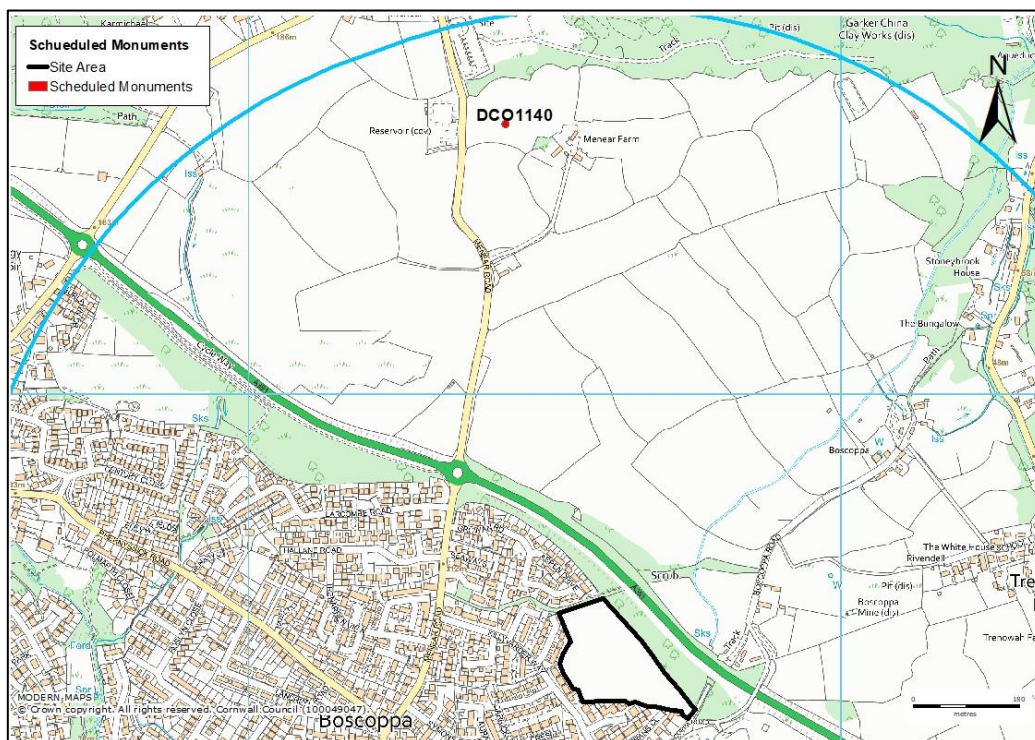


Fig 4 Scheduled Monuments with the study area.

3.3.2 Listed Buildings (LB)

No Listed Buildings (LBs) are located within the site but two are recorded within the study area (Fig 5).

A Farm building (DCO13709) is Grade II, which was likely constructed in the 17th century as a house and is now used as a store.

A building at the former Tregrehan Mills (DCO13766) is Grade II, which was constructed in the early 18th century and now a residential dwelling.

There is no intervisibility with the site, due to dense tree covering and lower topography of the site area (Fig 6).

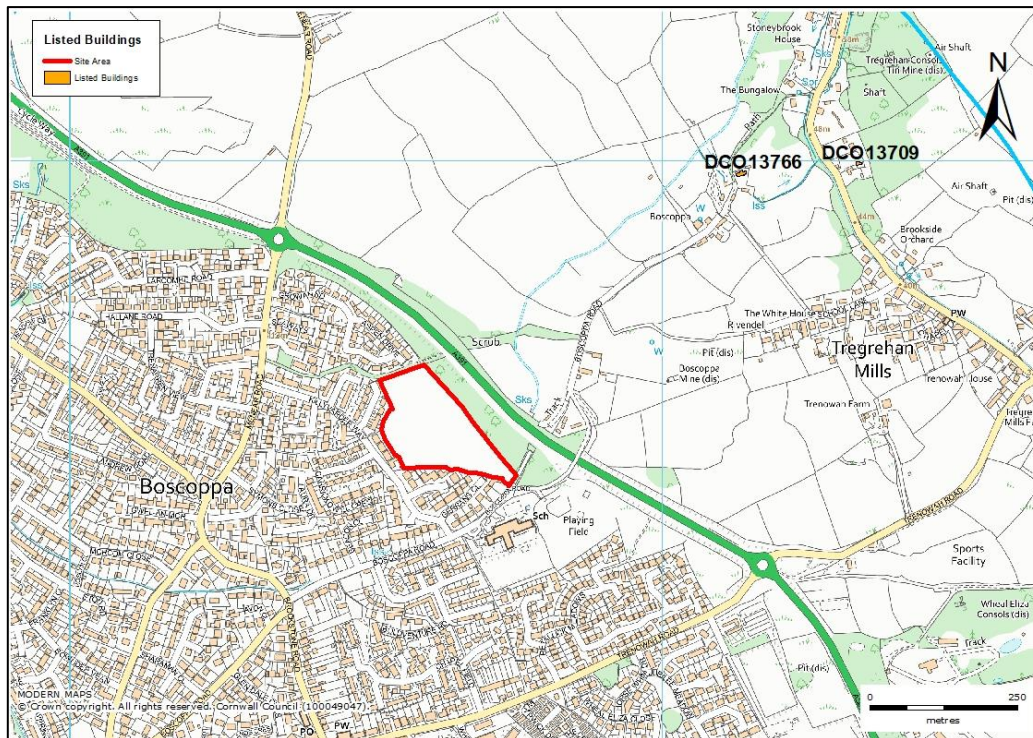


Fig 5 Listed Buildings with the study area.



Fig 6 looking east from western perimeter field of site area.

3.3.3 World Heritage Site (WHS)

The site is located outside of but adjacent to the Charlestown Leat, which forms part of the Luxulyan and Charlestown World Heritage Site (Fig 7). The seven-mile long leat system was created to bring water from the Luxulyan Valley into two reservoir pounds above Charlestown Harbour. This provided a water source to maintain levels at Charlestown Harbour and to power other industrial activities (Cornwall Council 2012). There is limited intervisibility with the site, due to dense tree coverage and elevated topography of the site (Fig 6).

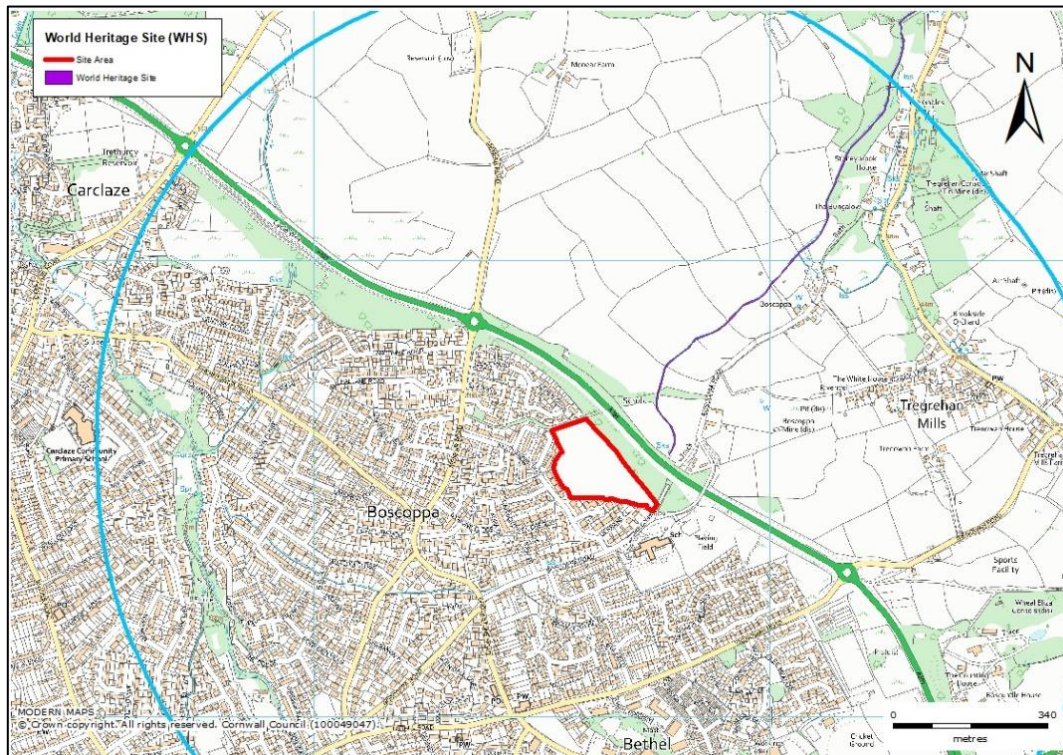


Fig 7 Proximity to the Charlestown Leat, Luxulyan and Charlestown World Heritage Site.

3.4 Non-designated heritage assets

There are no non-designated heritage assets recorded in the Cornwall and Scilly HER within the proposed development area (Fig 8).

The desk-based assessment, however, identified an additional field boundary adjoining the Charlestown Town Leat within the centre of the site area which is not depicted on the 1840 St Austell Tithe Map (Fig 9). However, the field boundary is present on 1880 OS map (Fig 10), 1908 OS map (Fig 11), the 1946 RAF vertical aerial photo (Fig 10), and 1995 vertical aerial photo (Fig 12).

The present site field boundaries are first shown on the 2000 aerial photo (Fig 13), with alterations likely to have been undertaken during the construction of the adjacent A391. The removed central field boundary of the site area is visible as a linear feature running east-west on the 2000 aerial photo (Fig 14) and 2016 aerial photo (Fig 15).

A linear feature is visible on the 1995 vertical aerial photo (Fig 13) running north-south from the pathway of the Charlestown Leat. This is potentially a continuation of the leat which may have been culverted and is shown within the south-east perimeter of the site area.

Within the wider landscape, a large number of post-medieval sites are recorded in the HER, particularly to the north and east of the site (Fig 8). Many of these have been identified from aerial photographs and these records are all summarised by period below.

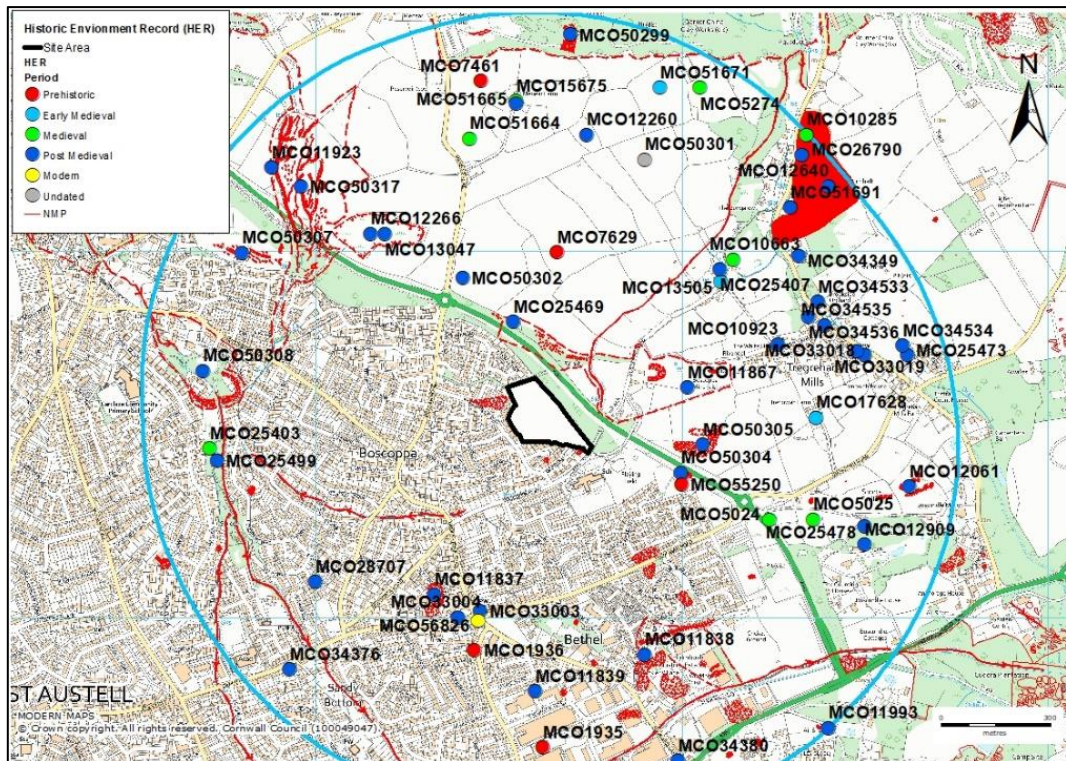


Fig 8 Heritage assets recorded in the Cornwall and Scilly HER

3.5 Chronological summary

3.5.1 Prehistoric/Roman (c10,000 BC–AD 43)

Five records relating to these periods are recorded by the Heritage Gateway within the study area. They have been identified from documentary interpretation of place names and cropmarks visible on aerial photos.

A Bronze Age Barrow (MCO1935) was recorded at Gwallon Downs in 1840, with a further group of three barrows (MCO1936), approximately 550m south of the site area, all of which have been demolished.

A possible prehistoric rectangular structure (MCO55250) comprised of six postholes, sited within a later enclosure. A Bronze Age date is provided by sherds of Bronze Age pottery found within one of the postholes.

A prehistoric menhir (standing stone) (MCO7461) is recorded approximately 800m to the north of the site area.

An Iron Age / Roman period round (MCO7629) is indicated by the recorded field name 'Round Close' approximately 330m to the north of the site area. However, there are no remains or evidence on aerial photographs.

3.5.2 Early Medieval to Medieval (AD 410–1540)

Eleven records relating to these periods are recorded by the Heritage Gateway within the study area. Three sites have origins which are likely to lie in the early medieval period (AD 410–1066).

These include two settlements at Boscoppa (MCO13505), first recorded 1284 and Trenowah (MCO17628) first recorded in 1296.

An enclosure (MCO51671) is recorded at Menear, identified by aerial photography as a circular cropmark, which is not visible from the ground.

Eight records are attributed to the medieval period (AD 1066–1540).

A possible medieval strip field system (MCO51664) is recorded at Menear approximately 600m from the site area.

Two Crosses (MCO5024) and (MCO5025) have been recorded by field-name at Boscundle, however, there are no remains.

One further cross (MCO5274) is documented at Garker, however, there are no remains.

A Settlement at Menear (MCO15675), is first recorded 1525 and is still occupied.

A Corn Mill (MCO25403) is recorded, which potentially dates back to 1360.

A Holy well (MCO10285) is recorded on the 1850 Tithe Map, with reference Mary Maudlin's Well.

A Farmhouse (MCO10663) is recorded at Tregrehan Mills, which is still extant.

3.5.3 Post-medieval (AD 1540-1900)

Forty-two records relating to these periods are recorded by the Heritage Gateway within the study area.

Sixteen mines have been identified in the study area. These include Boscoppa (MCO11867) approximately 350m to the east, Wheal Eliza Consols (MCO12909) approximately 750m to the south-east and Bethel (MCO11837) approximately 450m to the south-west.

The remaining mines and associated records have been summarised in (Appendix 1).

Two Streamworks at Boscoppa (MCO50299) and Garker (MCO50299), with remains of visible on aerial photographs.

Two Quarries at Boscoppa (MCO25469) and (MCO50305) which are visible on historic mapping aerial photographs.

Two Mill Ponds at Tregrehan (MCO34535) and (MCO34536) are recorded on historic mapping.

The remaining records have been summarised in (Appendix 1).

The site itself is first shown in detail on the 1840 St Austell Tithe Map (Fig 9), which identified field boundaries of the north-western perimeter, the remaining field boundaries have been altered since 1840 St Austell Tithe Map. The southern field boundary is first shown on the 1880 OS map (Fig 10), with a central field boundary running east-west dividing the site as two separate fields, which has no longer extant.

Land at Boscoppa Farm, St Austell, Cornwall, Heritage Impact Assessment

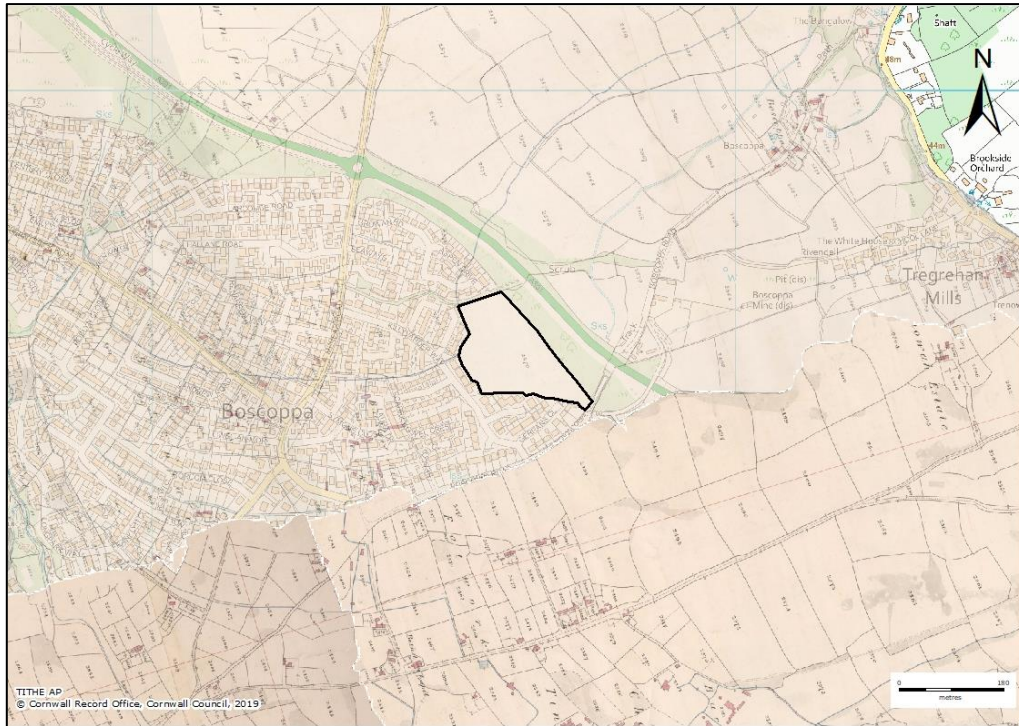


Fig 9 Tithe Map, c1840.

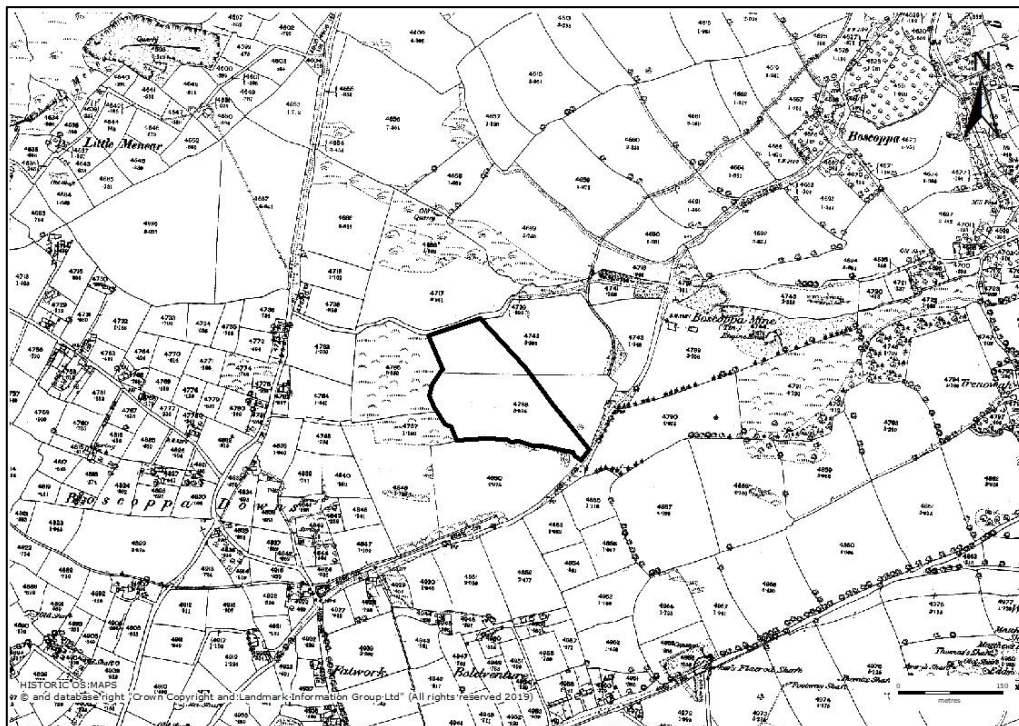


Fig 10 First Edition of the Ordnance Survey 25 Inch Map, c1880.

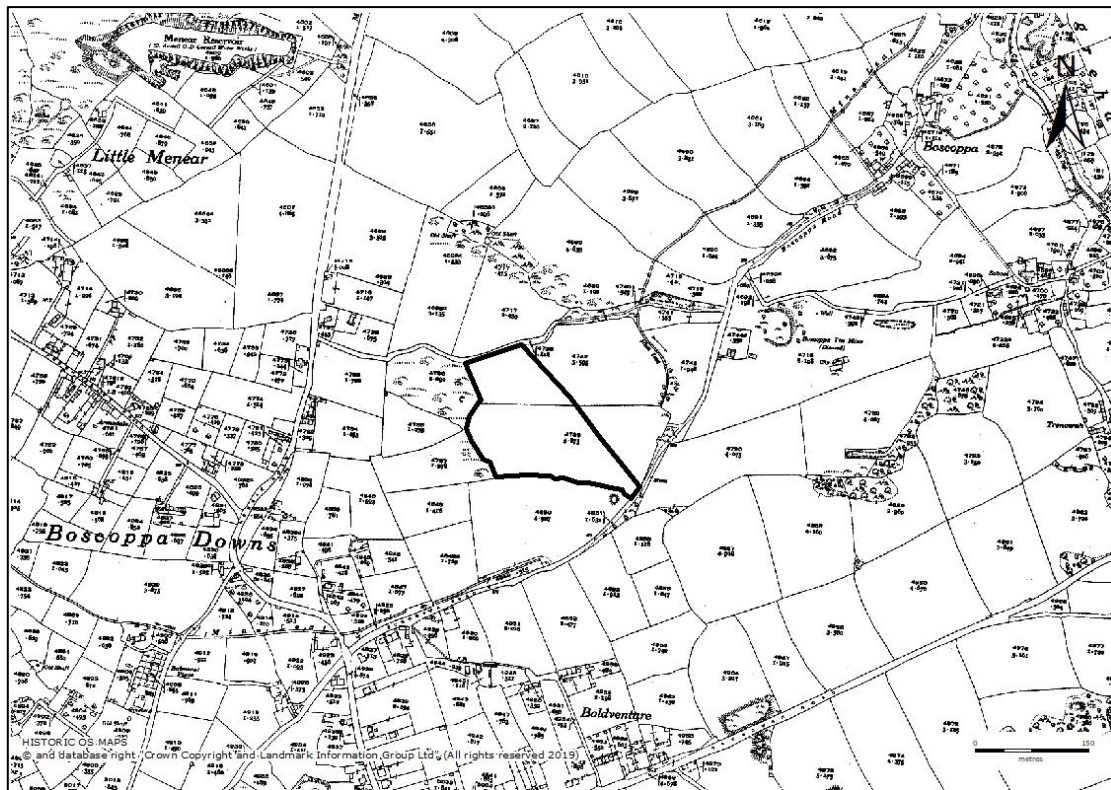


Fig 11 Second Edition of the Ordnance Survey 25 Inch Map, c1907.

3.5.4 Modern (AD 1901–present)

One record relating to these periods are recorded by the Heritage Gateway within the study area.

A cast iron fingerpost (MCO56826) is located on the south side of a crossroads comprising of Bethel Road, Bucklers Lane, Trenoenowah Road and Brockstone Road.



Fig 12 RAF aerial photo, 1946.

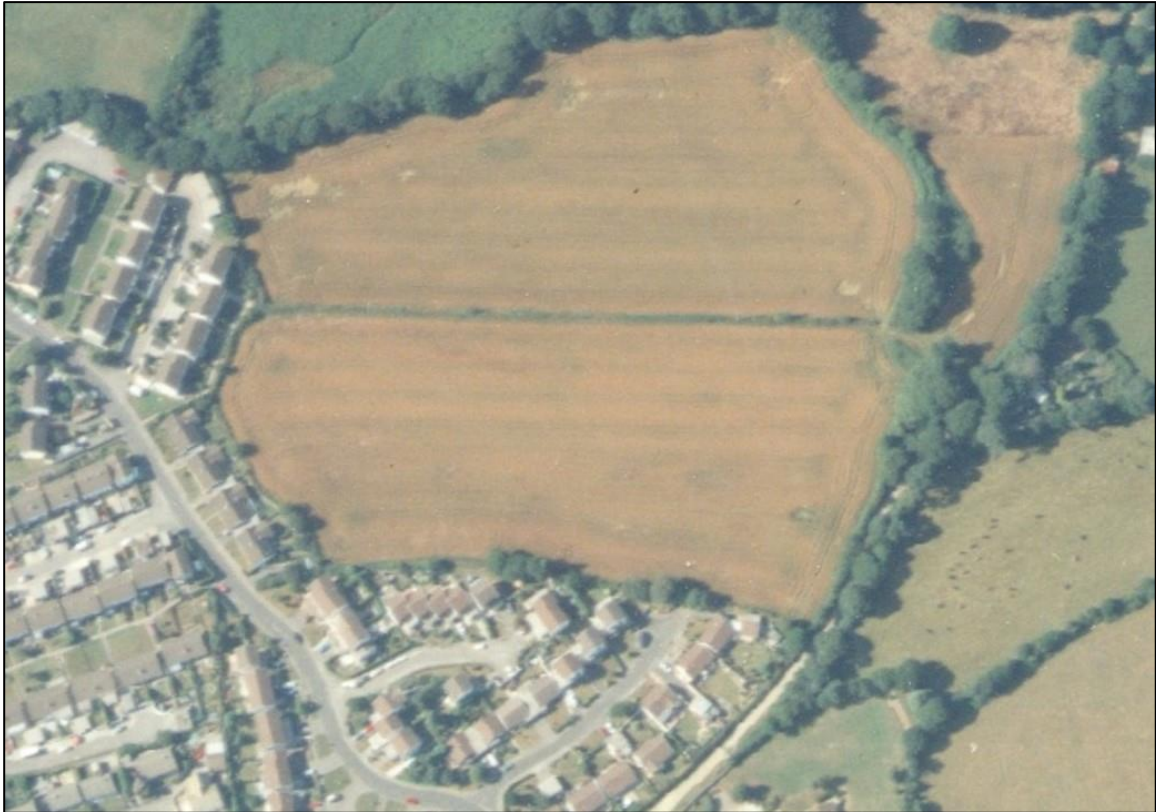


Fig 13 Aerial photo, 1995.



Fig 14 Aerial photo, 2000.



Fig 15 Aerial photo, 2016.

3.6 Previous archaeological/historical work

Several archaeological interventions have taken place within the study area and have been fully summarised in Appendix 1.

Cornwall Archaeological Unit (CAU) have undertaken eleven projects including: (ECO836) 'St Austell NE Distributor 030' an archaeological evaluation of a road construction route, which is the present A391 adjacent to the site area.

(ECO832) 'St Austell NE Distributor Road' an excavation at Trenoweth approximately 180m south-east of the site area, which is the route of the present A391 and identified multiple phases of prehistoric activity (Johns 2008).

(ECO135) 'St. Austell, NE Distributor Road' an archaeological desk-based assessment.

The construction of the road altered the field boundaries to the east of the site area and removed the former central field boundary. The route crossed a section of underground leat and required culverting before groundworks commenced (Johns and Thomas 1995).

Other projects undertaken within the study area include, (ECO4142) 'Cornish Mining World Heritage Site condition survey 2014', (ECO2465) 'Cornish Mining World Heritage Site Bid' and (ECO5358) Rapid Coastal Zone Assessment Survey: Phase One Desk-based Assessment for South-West England (South Coast Cornwall).

3.7 Archaeological potential

The assessment has identified a potential culverted leat within the site area. This is shown as linear feature on the 1995 aerial photo (Fig 13) adjoining the pathway of the Charlestown Leat and passes through the south-eastern corner of the site area running north-south (Johns 1995).

A former Post-medieval field boundary is visible as linear feature running east-west within the centre of the site area. In addition, four possible Bronze Age Barrows, Iron Age / Roman period round, medieval settlements and mining-related remains were identified in the wider study area.

Given the number of identified sites and results from previous archaeological excavation, there is the potential for buried archaeological remains dating to these periods to extend into the site area.

Possible options for further assessment and mitigation are suggested below (see Section 6.1)

4 Statement of Significance

The site lies within Boscoppa, a medieval settlement, which has become amalgamated into the town of St Austell. The area is of considerable historical character and significance.

The site is adjacent to the Charlestown Leat, which is part of Area VIII of the Cornwall and West Devon Mining Landscapes World Heritage Site: Luxulyan and Charlestown.

The walkover indicated limited intervisibility between the site area and the leat. However, along with the wider area of post-medieval mining-related activity, is of considerable evidential significance, which contributes to the character and outstanding Universal Value (OUV) of the World Heritage Site.

There was no intervisibility between the site area and Listed Buildings within study area.

Several heritage assets have been identified by excavation, documentary and aerial photographic evidence within the wider study area. These include Bronze Age barrows, an Iron Age / Roman period enclosure and prehistoric field systems. There is the potential for associated significant remains to extend into the site, however, any remains are all below-ground.

The field within the site area lies within land characterised as 'Medieval Farmland'. This type of Anciently Enclosed Land (AEL) is defined as farming settlements documented before the 17th century AD, whose field patterns are morphologically distinct from the generally straight-sided fields of later enclosure. Currently the western perimeter retains this character with alterations of the eastern perimeter during road construction in the late 20th century.

The hedgerows bounding the site to the west are shown on the St Austell Tithe Map (Fig 9) and are therefore historically important using the criteria of the 1997 Hedgerow Regulations (Appendix 2).

5 Assessment of potential impacts

5.1 Summary of proposed works

The proposed development is for the construction of up to 61 residential dwellings within the site area (Fig 16).

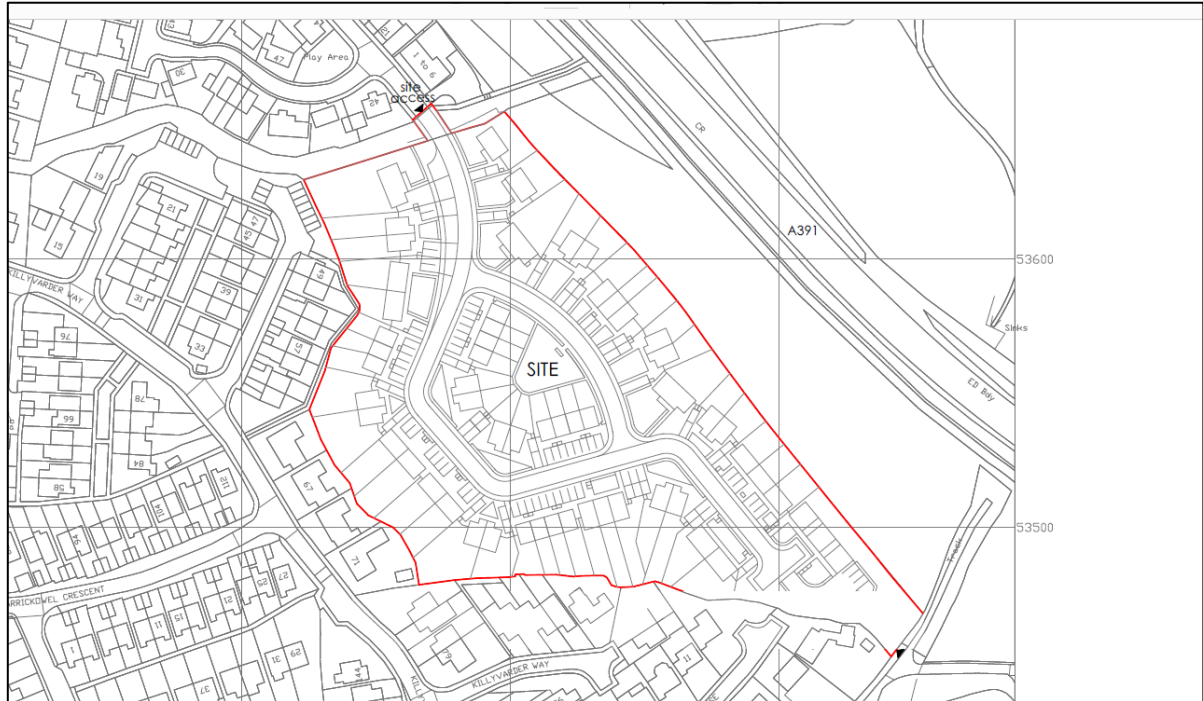


Fig 16 Proposed site location. © ajc architecture.

5.2 Summary of potential impacts

Potential impacts upon the historical resource are considered below in terms of visual and other non-physical impacts upon the settings of heritage assets and direct physical impacts upon heritage assets.

5.2.1 Visual and other non-physical impacts

Development has the potential to cause major and minor visual impacts to the site and surrounding landscape. This will be evident from:

- Users of the adjacent A391. However, this will be largely mitigated by dense tree coverage and raised topography of the site area.
- Residents of the adjoining housing estates to the north and west of the site area.
- There is potential for major visual impact upon the World Heritage Site (WHS), with the route of the Charlestown Leat adjacent to the site area and running north-east to the Luxulyan Valley.

5.2.2 Physical (direct) impacts

Construction will lead to the permanent loss of the potential archaeological resource identified and any other buried archaeology which may be present. This includes the remains of a Post-medieval field boundary and possible leat identified during the desk-based assessment (Fig 13).

6 Concluding remarks

This section offers options to reduce or mitigate adverse impacts on the archaeological resource expected to result from the proposed development. These options are provided for guidance and the actual requirements for archaeological recording will be set by the Local Planning Authority. The inventory table (Appendix I) may be consulted for site-by-site recommendations.

6.1 Further assessment

6.1.1 Geophysical survey

The assessment has revealed that the potential for buried archaeology is high (HLC type, potential for buried sites, etc). A geophysical survey may identify key elements of buried features, although it is unlikely to identify smaller features such as pits and postholes. Grass and vegetation will need to be cut before the survey could be undertaken (Fig 7).

6.1.2 Evaluation trenching

The assessment has identified a number of features whose significance remains untested. A programme of evaluation trenching (following geophysical survey) over identified sites and a selection of blank areas would test the presence/absence and significance of these features.

6.2 Mitigation by record

6.2.1 Watching brief

A watching brief involves the archaeological monitoring of groundworks as they proceed. Time should be allowed for the archaeologist to carry out excavation, recording (at an appropriate level which may include description, photography, or drawing in plan or section), the recovery of any artefacts or samples, and the identification of any further investigation needed.

6.2.2 Field boundary recording

Recording by section drawing, photography, and soil sampling as appropriate, is recommended for early or otherwise significant examples of the surviving historic boundary banks and associated ditches where disturbance is unavoidable.

6.2.3 Analysis and publication

Should the results merit it a programme of post-excavation analysis and publication may be required by the Local Planning Authority.

7 References

7.1 Primary sources (in chronological order)

British Geological Society, 2021. BGS Viewer.

Tithe Map and Apportionment, c1840. Parish of St Austell (licensed digital copy at CRO)

Ordnance Survey, c1880. 25 Inch Map First Edition (licensed digital copy at CAU)

Ordnance Survey, c1907. 25 Inch Map Second Edition (licensed digital copy at CAU)

Ordnance Survey, MasterMap Topography

7.2 Publications

- CiFA, 2017. *Standard and guidance for historic environment desk-based assessment*, CiFA, Reading
- Cornwall Council, 2012. *Charlestown Conservation Area Character Appraisal & Management Plan*. Truro (Historic Environment Service)
- Cornwall County Council, 1996. *Cornwall landscape assessment 1994*. A report prepared by Landscape Design Associates and Cornwall Archaeological Unit
- English Heritage, 2008. *Conservation Principles, Policies and Guidance*. Swindon: English Heritage
- Herring, P, 1998. *Cornwall's Historic Landscape: presenting a method of historic landscape character assessment*. Truro (Cornwall Archaeological Unit, Cornwall County Council and English Heritage)
- Historic England, 2017. *The Setting of Heritage Assets*. Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)
- Johns, C, 2008. *Cornish Archaeology Volume 47: The excavation of a mutli-period archaeological landscape at Trenowah, St. Austell, Cornwall*. Cornwall
- Johns, C, and Thomas, N, 1995. *An Archaeological Assessment of the St Austell North-East Distributor Road*. Truro (Cornwall Archaeological Unit, Cornwall County Council)
- Johns, C, and Thomas, N, 1995. *An Archaeological Evaluation of the St Austell North-East Distributor Road*. Truro (Cornwall Archaeological Unit, Cornwall County Council)

7.3 Websites

- <http://www.heritagegateway.org.uk/gateway/> Online database of Sites and Monuments Records, and Listed Buildings

Appendix 1: Site inventory

| SM | Type | Easting | Northing | Period | Description |
|---------|----------------|---------|----------|-------------|------------------------------|
| DCO1140 | Standing Stone | 03433 | 54457 | Prehistoric | Longstone NW of Menear Farm. |

Table 1: Scheduled Monuments. * all descriptions taken from Listing text.

| LB | Type | Description |
|----------|------|---|
| DCO13709 | II | Early 18th century cottage. |
| DCO13766 | II | Farm Building approximately 100 Yards north east OF Boscoppa Farmhouse. |

Table 2: Listed Buildings. * all descriptions taken from Listing text.

| Event | Type | Description |
|---------|---|--|
| ECO1219 | Assessment | St Austell China Clay Area. |
| | | |
| ECO135 | Assessment | St. Austell, NE Distributor Road. |
| | | |
| ECO1750 | Assessment | Garker China Clay Works. |
| | | |
| | | |
| ECO3514 | Site Survey; Watching Brief | Earthwork survey and watching brief at the SITA Cornwall's Household Waste Recycling Centre. |
| ECO3827 | Assessment | Menear Road, St Austell, Cornwall. |
| ECO4575 | Assessment | United Kingdom china-clay bearing grounds: mineral resource archaeological assessment. |
| ECO4142 | Photographic Survey (Ground); Management Recommendations | Cornish Mining World Heritage Site condition survey 2014. |
| ECO4142 | Photographic Survey (Ground); Management Recommendations | Cornish Mining World Heritage Site condition survey 2014. |
| ECO4496 | Watching Brief | Land at Holmbush Road, St Austell, Cornwall. |
| ECO49 | Assessment; Management Recommendations; Site Survey | China Clay Leader II Programme Area. |

Land at Boscoppa Farm, St Austell, Cornwall, Heritage Impact Assessment

| | | |
|---------|----------------------------------|---|
| ECO5358 | Assessment | 7097 Rapid Coastal Zone Assessment Survey: Phase One Desk-based Assessment for South-West England (South Coast Cornwall). |
| | | |
| ECO571 | Geophysical Survey | St Austell NE Distributor. |
| | | |
| ECO832 | Major Excavation; Watching Brief | St Austell NE Distributor. |
| ECO836 | Evaluation | St Austell NE Distributor 030. |
| ECO843 | Assessment | St Austell China Clay Area. |
| ECO959 | Minor Excavation | St Benet's, Lanivet. |

Table 3: List of Events.

| HER | Type | Easting | Northing | Period | Description |
|----------|----------------------------|---------|----------|---------------|--|
| MCO10285 | HOLY WELL; CHAPEL; ADIT | 204340 | 54319 | Medieval | A reference on the Tithe Map to Mary Maudlin's Well. |
| MCO10663 | FARMHOUSE; FARMHOUSE | 204140 | 53980 | Medieval | A farmhouse, perhaps of medieval date, survives close to Tregrehan. |
| MCO25499 | AQUEDUCT; LEAT | 202730 | 53430 | Post Medieval | Complex of leats and an aqueduct. |
| MCO26790 | CHINA CLAY DRIES | 204339 | 54293 | Post Medieval | A coal-fired pan-kiln of early type, set back from the road and overgrown with willow scrub. |
| MCO25407 | CORN MILL | 204104 | 53954 | Post Medieval | A mill to the west of Tregrehan survives, and the water wheel <i>is in situ</i> . |
| MCO25473 | CORN MILL | 204617 | 53718 | Post Medieval | A corn mill at Tregrehan is mentioned in 1840. The mill building may survive. |
| MCO25478 | ENGINE HOUSE | 204499 | 53250 | Post Medieval | The engine house on Taylor's Shaft at Wheal Eliza. |
| MCO12640 | ENGINE HOUSE; MINE | 204444 | 54053 | Post Medieval | A small, late C19 tin mine with extant remains of two engine houses, a shaft and a set of buddles. |
| MCO51665 | FARMSTEAD | 203547 | 54405 | Post Medieval | Menear farmstead. |

Land at Boscoppa Farm, St Austell, Cornwall, Heritage Impact Assessment

| HER | Type | Easting | Northing | Period | Description |
|----------|----------------------------|---------|----------|----------------|---|
| MCO34349 | HOUSE | 204320 | 53990 | Post Medieval | An early C18 two storey cob cottage survives as NW of Tregrehan Mills. |
| MCO51691 | HOUSE | 204296 | 54121 | Post Medieval | Tregrehan is recorded on the Tithe Map c1840 and it is still occupied. |
| MCO28707 | Mica Lagoon | 203000 | 53099 | Post Medieval | The site of South Carclaze mica works. |
| MCO34535 | MILL POND | 204389 | 53800 | Post Medieval | A mill pond is recorded on the 1st Edition OS map c1881. It is a component part of the mill race that fed two mills further downstream. |
| MCO34536 | MILL POND | 204345 | 53824 | Post Medieval | A mill pond is recorded at this location on the 1st Edition 1:2500 OS map c1881. |
| MCO34534 | MILL RACE | 204602 | 53744 | Post Medieval | A mill race is evident at this location on the 1st Edition 6" OS map c1881. |
| MCO13505 | SETTLEMENT?; SETTLEMENT | 204108 | 53917 | Early Medieval | The settlement of Boscoppa is first recorded in 1284 when it is spelt 'Boscoppe'. |
| MCO15675 | SETTLEMENT | 203549 | 54413 | Medieval | Menear is first recorded in 1525 and is still occupied. |
| MCO17628 | SETTLEMENT?; SETTLEMENT | 204367 | 53547 | Early Medieval | The settlement of Trenowah is first recorded in 1296 when it is spelt 'Trenewyth'. |
| MCO1935 | BARROW | 203619 | 52647 | Prehistoric | The site of a barrow recorded in 1840. |
| MCO1936 | BARROW CEMETERY? | 203434 | 52912 | Prehistoric | The northernmost of the group of three barrows recorded in 1840. |
| MCO25403 | CORN MILL; CORN MILL | 202711 | 53463 | Medieval | Site of a mill possibly dating back to 1360. |
| MCO11837 | MINE | 203323 | 53064 | Post Medieval | Fatwork mine |
| MCO11838 | MINE | 203899 | 52899 | Post Medieval | West Wheal Eliza mine. |
| MCO11839 | MINE | 203600 | 52799 | Post Medieval | Site of Bucklers mine. |
| MCO11923 | MINE | 202879 | 54229 | Post Medieval | An adit is all that survives of Carclaze mine. |

Land at Boscoppa Farm, St Austell, Cornwall, Heritage Impact Assessment

| HER | Type | Easting | Northing | Period | Description |
|----------|------------------------|---------|----------|---------------|---|
| MCO11993 | MINE | 204399 | 52699 | Post Medieval | South Cuddra mine was in use for copper between 1815 and 1841. |
| MCO12061 | MINE | 204622 | 53360 | Post Medieval | The remains of mining activity is visible on aerial photographs. |
| MCO12266 | MINE | 203149 | 54049 | Post Medieval | All that survives of Menear Downs mine is an openwork. |
| MCO12909 | MINE | 204499 | 53199 | Post Medieval | Wheal Boscundle reopened as Wheal Eliza from 1864-92. |
| MCO13047 | MINE | 203190 | 54049 | Post Medieval | Menear Downs mine |
| MCO50308 | MINE; CHINA CLAY WORKS | 202690 | 53675 | Post Medieval | The remains of tin mining and china clay extraction is visible on aerial photographs. |
| MCO11867 | MINE; ENGINE HOUSE | 204015 | 53630 | Post Medieval | Boscoppa tin mine and engine house with stack. |
| MCO12260 | MINE? | 203739 | 54319 | Post Medieval | The field name 'Tinnars Meadow' is recorded at Menear in the Tithe Award c1840, suggesting the site of a mine. No survival is recorded in 1990. |
| MCO50304 | MOUND | 203997 | 53397 | Post Medieval | A linear earth and stone mound is visible on aerial photographs. |
| MCO33003 | NONCONFORMIST CHAPEL | 203449 | 53020 | Post Medieval | Bible Christian chapel and attached Sunday school. |
| MCO33004 | NONCONFORMIST CHAPEL | 203390 | 53001 | Post Medieval | Methodist chapel. |
| MCO33018 | NONCONFORMIST CHAPEL | 204499 | 53718 | Post Medieval | Methodist chapel. |
| MCO34380 | NONCONFORMIST CHAPEL | 203989 | 52609 | Post Medieval | Site of a Methodist Chapel. |
| MCO50307 | PROSPECTING PIT | 202799 | 53998 | Post Medieval | The remains of prospecting pits are visible on aerial photographs. |
| MCO34376 | PUBLIC HOUSE | 202930 | 52860 | Post Medieval | The Carlyon Arms Inn shown on the tithe map of 1842. |
| MCO34379 | PUBLIC HOUSE | 203860 | 52539 | Post Medieval | The Holmbush Inn previously known as the Cottage Inn. |

Land at Boscoppa Farm, St Austell, Cornwall, Heritage Impact Assessment

| HER | Type | Easting | Northing | Period | Description |
|----------|-------------|---------|----------|---------------|--|
| MCO5024 | CROSS? | 204240 | 53269 | Medieval | The field-name 'Cross Park' suggests the site of a cross but there are no remains. |
| MCO5025 | CROSS? | 204360 | 53269 | Medieval | The field-name 'Cross Close' suggests the site of a cross but there are no remains. |
| MCO25469 | QUARRY | 203539 | 53810 | Post Medieval | A quarry is recorded at Boscoppa, near to some old mine shafts, but the quarry has not been recorded on later maps |
| MCO50301 | MOUND | 203898 | 54252 | Undated | The remains of a sub-circular large earth mound is visible on aerial photographs. |
| MCO50305 | QUARRY | 204056 | 53473 | Post Medieval | A quarry is recorded at this location on 1907 OS mapping and is visible on aerial photographs. |
| MCO34378 | SAW MILL | 203683 | 52480 | Post Medieval | A saw mill recorded here on the 2nd Edition 1:2500 OS map c1906 and the 1933 OS Revision no longer survives. |
| MCO10923 | SCHOOL | 204264 | 53747 | Post Medieval | The school at this location is first recorded on the 2nd Edition 1:2500 OS c1907. The school has been converted and is called 'The Old School'. |
| MCO34533 | SCHOOL | 204372 | 53864 | Post Medieval | A 'School (Boys and Girls)' is recorded on the 1st Edition 1:2500 OS map c1881 at this location. It was replaced by another school (see PRN20402). |
| MCO50302 | SHAFT? | 203401 | 53928 | Post Medieval | The remains of a ploughed-out mound is visible on aerial photographs. |
| MCO50299 | STREAMWORKS | 203695 | 54594 | Post Medieval | The remains of a series of parallel ditches are visible on aerial photographs. |

Land at Boscoppa Farm, St Austell, Cornwall, Heritage Impact Assessment

| HER | Type | Easting | Northing | Period | Description |
|----------|-----------------------------------|---------|----------|----------------|--|
| MCO51664 | FIELD SYSTEM? | 203419 | 54310 | Medieval | A possible medieval strip field system at Menear. |
| MCO50317 | STREAMWORKS | 202959 | 54180 | Post Medieval | The remains of stream works are visible on aerial photographs. |
| MCO51671 | ROUND? | 203940 | 54450 | Early Medieval | A circular cropmark is visible on aerial photographs but not visible from the ground. |
| MCO33019 | SUNDAY SCHOOL | 204479 | 53730 | Post Medieval | Sunday school built to serve 1850 chapel (PRN 138811). |
| MCO5274 | CROSS? | 204050 | 54450 | Medieval | The field-name 'Cross Close' suggests the site of a cross but there are no remains. |
| MCO55250 | HUT; ENCLOSURE | 204000 | 53365 | Prehistoric | The approximate location of a possible rectangular structure comprised of six postholes, sited within an later enclosure. |
| MCO56826 | SIGNPOST | 203444 | 52993 | Modern | A cast iron fingerpost located on the south side of a crossroads comprising of Bethel Road, Bucklers Lane, Trenoenowah Road and Brockstone Road. |
| MCO7461 | STANDING STONE; STANDING STONE | 203450 | 54468 | Prehistoric | A menhir, recorded by Henderson, 1.8m high, in a field at Menear. |
| MCO7629 | ROUND? | 203660 | 54000 | Prehistoric | The field-name 'Round Close' suggests the site of a round but there are no remains. |

Table 4: Non-Designated Heritage Assets recorded in the Cornwall and Scilly HER. * all descriptions taken from Listing text.

Appendix 2: Planning Policy and Guidance

Government guidance on conserving and enhancing the historic environment <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>

Overview: historic environment

What is the policy for the historic environment?

Protecting and enhancing the historic environment is an important component of the National Planning Policy Framework's drive to achieve sustainable development (as defined in paragraphs 6-10). The appropriate conservation of heritage assets forms one of the 'Core Planning Principles' (paragraph 17 bullet 10) that underpin the planning system. This is expanded upon principally in paragraphs 126-141 but policies giving effect to this objective appear elsewhere in the National Planning Policy Framework.

What is the main legislative framework for planning and the historic environment?

In addition to normal planning framework set out in the Town and Country Planning Act 1990:

- the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest
- the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments
- the Protection of Wrecks Act 1973 provides specific protection for protected wreck sites

Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the Local Plan.

What is meant by the conservation and enhancement of the historic environment?

The conservation of heritage assets in a manner appropriate to their significance is a core planning principle. Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.

Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in every day use to as yet undiscovered, undesignated buried remains of archaeological interest.

In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. In the case of archaeological sites, many have no active use, and so for those kinds of sites, periodic changes may not be necessary.

Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-taking to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development.

Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. So where the complete or partial loss of a heritage asset is justified, the aim then is to capture and record the evidence of the asset's significance which is to be lost, interpret its contribution to the understanding of our past, and make that publicly available.

Plan making: historic environment

What is a positive strategy for conservation and enjoyment of the historic environment?

In line with the National Planning Policy Framework, local authorities should set out their Local Plan a positive strategy for the conservation and enjoyment of the historic environment. Such a strategy should recognise that conservation is not a passive exercise. In developing their strategy, local planning authorities should identify specific opportunities within their area for the conservation and enhancement of heritage assets. This could include, where appropriate, the delivery of development within their settings that will make a positive contribution to, or better reveal the significance of, the heritage asset.

The delivery of the strategy may require the development of specific policies, for example, in relation to use of buildings and design of new development and infrastructure. Local planning authorities should consider the relationship and impact of other policies on the delivery of the strategy for conservation.

What about the evidence base for Local Plan-making?

Policy on this is set out in paragraph 169 of the National Planning Policy Framework.

Should non-designated heritage assets be identified in the Local Plan?

While there is no requirement to do so, local planning authorities are encouraged to consider making clear and up to date information on their identified non-designated heritage assets, both in terms of the criteria used to identify assets and information about the location of existing assets, accessible to the public.

In this context, the inclusion of information about non-designated assets in Local Plans can be helpful, as can the identification of areas of potential for the discovery of non-designated heritage assets with archaeological interest.

How should heritage issues be addressed in neighbourhood plans?

Where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the Local Plan into action at a neighbourhood scale.

Where it is relevant, designated heritage assets within the plan area should be clearly identified at the start of the plan-making process so they can be appropriately taken into account. In addition, and where relevant, neighbourhood plans need to include enough information about local non-designated heritage assets including sites of archaeological interest to guide decisions.

The local planning authority heritage advisers should be able to advise on local heritage issues that should be considered when preparing a neighbourhood plan. The local Historic environment record and any local list will be important sources of information on non-designated heritage assets.

Further information on:

- Neighbourhood planning generally can be found in the neighbourhood planning section
- Heritage specific issues and neighbourhood planning is provided by Historic England.

Decision-taking: historic environment

What is "significance"?

"Significance" in terms of heritage policy is defined in the Glossary of the National Planning Policy Framework.

In legislation and designation criteria, the terms 'special architectural or historic interest' of a listed building and the 'national importance' of a scheduled monument are used to describe all or part of the identified heritage asset's significance. Some of the more recent designation records are more helpful as they contain a fuller, although not exhaustive, explanation of the significance of the asset.

Why is 'significance' important in decision-taking?

Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals (see How to assess if there is substantial harm).

Why is 'significance' important in decision-taking?

Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals (see How to assess if there is substantial harm).

What is a historic environment record?

Historic environment records are publicly-accessible and dynamic sources of information about the local historic environment. They provide core information for plan-making and designation decisions (such as information about designated and non-designated heritage assets, and information that helps predict the likelihood of current unrecorded assets being discovered during development) and will also assist in informing planning decisions by providing appropriate information about the historic environment to communities, owners and developers as set out in the National Planning Policy Framework. Details of how to access historic environment records can be found on Historic England's website.

How do Design and Access Statement requirements relate to heritage assessments?

A Design and Access Statement is required to accompany certain applications for planning permission and applications for listed building consent.

Design and Access Statements provide a flexible framework for an applicant to explain and justify their proposal with reference to its context. In cases where both a Design and Access Statement and an assessment of the impact of a proposal on a heritage asset are required, applicants can avoid unnecessary duplication and demonstrate how the proposed design has responded to the historic environment through including the necessary heritage assessment as part of the Design and Access Statement.

What is the setting of a heritage asset and how should it be taken into account?

The "setting of a heritage asset" is defined in the Glossary of the National Planning Policy Framework.

A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.

The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance.

When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of

cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.

Should the deteriorated state of a heritage asset be taken into account in reaching a decision on an application?

Disrepair and damage and their impact on viability can be a material consideration in deciding an application. However, where there is evidence of deliberate damage to or neglect of a heritage asset in the hope of making consent or permission easier to gain the local planning authority should disregard the deteriorated state of the asset (National Planning Policy Framework paragraph 130). Local planning authorities may need to consider exercising their repair and compulsory purchase powers to remedy deliberate neglect or damage.

What is a viable use for a heritage asset and how is it taken into account in planning decisions?

The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.

By their nature, some heritage assets have limited or even no economic end use. A scheduled monument in a rural area may preclude any use of the land other than as a pasture, whereas a listed building may potentially have a variety of alternative uses such as residential, commercial and leisure.

In a small number of cases a heritage asset may be capable of active use in theory but be so important and sensitive to change that alterations to accommodate a viable use would lead to an unacceptable loss of significance.

It is important that any use is viable, not just for the owner, but also the future conservation of the asset. It is obviously desirable to avoid successive harmful changes carried out in the interests of repeated speculative and failed uses.

If there is only one viable use, that use is the optimum viable use. If there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes.

The optimum viable use may not necessarily be the most profitable one. It might be the original use, but that may no longer be economically viable or even the most compatible with the long-term conservation of the asset. However, if from a conservation point of view there is no real difference between viable uses, then the choice of use is a decision for the owner.

Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused provided the harm is minimised. The policy in addressing substantial and less than substantial harm is set out in paragraphs 132 – 134 of the National Planning Policy Framework.

What evidence is needed to demonstrate that there is no viable use?

Appropriate marketing is required to demonstrate the redundancy of a heritage asset in the circumstances set out in paragraph 133, bullet 2 of the National Planning Policy Framework. The aim of such marketing is to reach all potential buyers who may be willing to find a use for the site that still provides for its conservation to some degree. If such a purchaser comes forward, there is no obligation to sell to them, but redundancy will not have been demonstrated.

How to assess if there is substantial harm?

What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.

Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.

Policy on substantial harm to designated heritage assets is set out in paragraphs 132 and 133 to the National Planning Policy Framework.

What about harm in relation to conservation areas?

An unlisted building that makes a positive contribution to a conservation area is individually of lesser importance than a listed building (paragraph 132 of the National Planning Policy Framework). If the building is important or integral to the character or appearance of the conservation area then its demolition is more likely to amount to substantial harm to the conservation area, engaging the tests in paragraph 133 of the National Planning Policy Framework. However, the justification for its demolition will still be proportionate to the relative significance of the building and its contribution to the significance of the conservation area as a whole.

How can proposals avoid or minimise harm to the significance of a heritage asset?

A clear understanding of the significance of a heritage asset and its setting is necessary to develop proposals which avoid or minimise harm. Early appraisals, a conservation plan or targeted specialist investigation can help to identify constraints and opportunities arising from the asset at an early stage. Such studies can reveal alternative development options, for example more sensitive designs or different orientations, that will deliver public benefits in a more sustainable and appropriate way.

What is meant by the term public benefits?

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 7). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

Designated heritage assets

How do heritage assets become designated?

The Department for Digital, Culture, Media and Sport is responsible for the identification and designation of listed buildings, scheduled monuments and protected wreck sites.

Historic England identifies and designates registered parks, gardens and battlefields.

World Heritage Sites are inscribed by the United Nations Educational, Scientific and Cultural Organisation (UNESCO).

In most cases, conservation areas are designated by local planning authorities.

Historic England administers all the national designation regimes. Further information on selection criteria and processes can be found on Department for Digital, Culture, Media and Sport's website.

What is a listed building?

A listed building is a building which has been designated because of its special architectural or historic interest and (unless the list entry indicates otherwise) includes not only the building itself but also:

- any object or structure fixed to the building
- any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948

What is a conservation area?

A conservation area is an area which has been designated because of its special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

What do planning authorities need to consider before designating new conservation areas?

Local planning authorities need to ensure that the area has sufficient special architectural or historic interest to justify its designation as a conservation area.

Do local planning authorities need to review conservation areas?

Local planning authorities must review their conservation areas from time to time (section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990).

A conservation area appraisal can be used to help local planning authorities develop a management plan and appropriate policies for the Local Plan. A good appraisal will consider what features make a positive or negative contribution to the significance of the conservation area, thereby identifying opportunities for beneficial change or the need for planning protection.

How are World Heritage Sites protected and managed in England?

England protects its World Heritage Sites and their settings, including any buffer zones or equivalent, through the statutory designation process and through the planning system.

The Outstanding Universal Value of a World Heritage Site, set out in a Statement of Outstanding Universal Value, indicates its importance as a heritage asset of the highest significance to be taken into account by:

- the relevant authorities in plan-making, determining planning and related consents (including listed building consent, development consent and Transport and Works Act Orders)
- and by the Secretary of State in determining such cases on appeal or following call -in

Effective management of World Heritage Sites involves the identification and promotion of positive change that will conserve and enhance their Outstanding Universal Value, authenticity, integrity and with the modification or mitigation of changes which have a negative impact on those values.

How is the importance of World Heritage Sites reflected in the National Planning Policy Framework?

World Heritage Sites are defined as designated heritage assets in the National Planning Policy Framework. The National Planning Policy Framework sets out detailed policies for

the conservation and enhancement of the historic environment, including World Heritage Sites, through both plan-making and decision-taking.

Further guidance on World Heritage Sites

Why are World Heritage Sites important?

The United Nations Educational, Scientific and Cultural Organisation (UNESCO) World Heritage Committee inscribes World Heritage Properties onto its World Heritage List for their Outstanding Universal Value – cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. World Heritage Properties are referred to in the National Planning Policy Framework and in this guidance as 'World Heritage Sites' and are defined as designated heritage assets in the National Planning Policy Framework.

The government is a State Party to the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage (known as the World Heritage Convention) and it was ratified by the UK in 1984.

How is the importance of each Site recognised internationally?

A Statement of Outstanding Universal Value is agreed and adopted by the World Heritage Committee for each Site on inscription. The Statement sets out what the World Heritage Committee considers to be of Outstanding Universal Value about the Site in relation to the World Heritage Convention and includes statements of integrity and, in relation to cultural sites or the cultural aspects of 'mixed' Sites, authenticity, and the requirements for protection and management.

Statements of Outstanding Universal Value are key reference documents for the protection and management of each Site and can only be amended or altered by the World Heritage Committee.

How many World Heritage Sites are there and where are they?

There are currently 18 cultural World Heritage Sites wholly or partly in England and one natural World Heritage Site. Details of each can be found on the National Heritage List for England available on the Historic England website.

How does the terminology used by UNESCO relate to the policies of the National Planning Policy Framework?

The international policies concerning World Heritage Sites use different terminology to that in the National Planning Policy Framework. World Heritage Sites are inscribed for their 'Outstanding Universal Value' and each World Heritage Site has defined its 'attributes and components' the tangible remains, visual and cultural links that embody that value. The cultural heritage within the description of the Outstanding Universal Value will be part of the World Heritage Site's heritage significance and National Planning Policy Framework policies will apply to the Outstanding Universal Value as they do to any other heritage significance they hold. As the National Planning Policy Framework makes clear, the significance of the designated heritage asset derives not only from its physical presence, but also from its setting.

What principles should inform the development of a positive strategy for the conservation and enjoyment of World Heritage Sites?

In line with the National Planning Policy Framework, policy frameworks at all levels should conserve the Outstanding Universal Value, integrity and authenticity (where relevant for cultural or 'mixed' sites) of each World Heritage Site and its setting, including any buffer zone or equivalent. World Heritage Sites are designated heritage assets of the highest significance. Appropriate policies for the protection and sustainable use of World Heritage Sites, including enhancement where appropriate, should be included in relevant plans. These policies should take account of international and national requirements as well as specific local circumstances.

When developing Local Plan policies to protect and enhance World Heritage Sites and their Outstanding Universal Value, local planning authorities, should aim to satisfy the following principles:

- protecting the World Heritage Site and its setting, including any buffer zone, from inappropriate development
- striking a balance between the needs of conservation, biodiversity, access, the interests of the local community, the public benefits of a development and the sustainable economic use of the World Heritage Site in its setting, including any buffer zone
- protecting a World Heritage Site from the effect of changes which are relatively minor but which, on a cumulative basis, could have a significant effect
- enhancing the World Heritage Site and its setting where appropriate and possible through positive management
- protecting the World Heritage Site from climate change but ensuring that mitigation and adaptation is not at the expense of integrity or authenticity

Planning authorities need to take these principles and the resultant policies into account when making decisions.

How is the setting of a World Heritage Site protected?

The UNESCO Operational Guidelines seek protection of “the immediate setting” of each World Heritage Site, of “important views and other areas or attributes that are functionally important as a support to the Property” and suggest designation of a buffer zone wherever this may be necessary. A buffer zone is defined as an area surrounding the World Heritage Site which has complementary legal restrictions placed on its use and development to give an added layer of protection to the World Heritage Site. The buffer zone forms part of the setting of the World Heritage Site.

It may be appropriate to protect the setting of World Heritage Sites in other ways, for example by the protection of specific views and viewpoints. Other landscape designations may also prove effective in protecting the setting of a World Heritage Site. However it is intended to protect the setting, it will be essential to explain how this is to be done in the Local Plan.

Decisions on buffer zones are made on a case by case basis at the time of nomination and reviewed subsequently through the World Heritage Site Management Plan review process. Proposals to add or amend buffer zones following inscription are submitted by government for approval by the World Heritage Committee who will consider and adopt the proposals as appropriate.

What are World Heritage Site management plans?

Each World Heritage Site has a management plan which contains both long term and day to day actions to protect, conserve and present the Site. Steering Groups, made up of key representatives from a range of national and local bodies, are responsible for the formulation and implementation of the plan, and public consultation at key stages of its development. The relevant planning authority will often lead the Steering Group.

Management plans need to be developed in a participatory way, fully involving all interested parties and in particular those responsible for managing, owning or administering the Site. Each plan should be attuned to the particular characteristics and needs of the site and incorporate sustainable development principles. Each plan will:

- contain the location and Site boundary details
- specify how the Outstanding Universal Value, authenticity and integrity of each site is to be maintained
- identify attributes
- examine issues affecting its conservation and enjoyment

Management plans will usually cover topics such as its boundaries, development, tourism, interpretation, education and transport.

Given their importance in helping to sustain and enhance the significance of the World Heritage Site, relevant policies in management plans need to be taken into account by local planning authorities in developing their strategy for the historic or natural environment (as appropriate) and in determining relevant planning applications.

What approach should be taken to assessing the impact of development on World Heritage Sites?

Applicants proposing change that might affect the Outstanding Universal Value, integrity and, where applicable, authenticity of a World Heritage Site through development within the Site or affecting its setting or buffer zone (or equivalent) need to submit sufficient information with their applications to enable assessment of impact on Outstanding Universal Value. This may include visual impact assessments, archeological data or historical information. In many cases this will form part of an Environment Statement. Applicants may find it helpful to use the approach set out in the International Council on Monuments and Sites's Heritage Impact Assessment guidelines and Historic England's guidance on setting and views.

World Heritage Sites are 'sensitive areas' for the purposes of determining if an Environmental Impact Assessment is required for a particular development proposal. Lower development size thresholds apply to the requirement for Design and Access Statements within World Heritage Sites as compared with the norm.

What consultation is required in relation to proposals that affect a World Heritage Site?

The World Heritage Committee Operational Guidelines ask governments to inform it at an early stage of proposals that may affect the Outstanding Universal Value of the Site and "before making any decisions that would be difficult to reverse, so that the Committee may assist in seeking appropriate solutions to ensure that the Outstanding Universal Value is fully preserved". Therefore, it would be very helpful if planning authorities could consult Historic England (for cultural Sites) or Natural England (for natural Sites) and Department for Digital, Culture, Media and Sport at an early stage and preferably pre-application.

Planning authorities are required to consult the Secretary of State for Communities and Local Government before approving any planning application to which Historic England maintains an objection and which would have an adverse impact on the Outstanding Universal Value, integrity, authenticity and significance of a World Heritage Site or its setting, including any buffer zone or its equivalent. The Secretary of State then has the discretion as to whether to call-in the application for his/her own determination. Further information on the Secretary of State's involvement in deciding an application can be found in Determining a planning application section of guidance.

Are permitted development rights restricted in World Heritage Sites?

World Heritage Sites are defined as article 2(3) land in the Town and Country Planning (General Permitted Development) Order 2015. This means that certain permitted development rights are restricted within the Site. Planning authorities can restrict further development by using article 4 and article 5 (minerals operations) directions under the 2015 Order.

Where can I find further information about World Heritage Sites?

Further information on World Heritage Sites can be found on the Department for Digital, Culture, Media and Sport's website and on the UNESCO website.

Non-designated heritage assets*What are non-designated heritage assets and how important are they?*

Local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets. In some areas, local authorities identify some non-designated heritage assets as 'locally listed'.

A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage interest for their significance to be a material consideration in the planning process.

What are non-designated heritage assets of archaeological interest and how important are they?

The National Planning Policy Framework identifies 2 categories of non-designated site of archaeological interest:

(1) Those that are demonstrably of equivalent significance to scheduled monuments and are therefore considered subject to the same policies as those for designated heritage assets (National Planning Policy Framework paragraph 139). They are of 3 types:

- those that have yet to be formally assessed for designation
- those that have been assessed as being nationally important and therefore, capable of designation, but which the Secretary of State has exercised his discretion not to designate usually because they are given the appropriate level of protection under national planning policy
- those that are incapable of being designated by virtue of being outside the scope of the Ancient Monuments and Archaeological Areas Act 1979 because of their physical nature

The reason why many nationally important monuments are not scheduled is set out in the document *Scheduled Monuments*, published by the Department for Digital, Culture, Media and Sport. Information on location and significance of such assets is found in the same way as for all heritage assets. Judging whether sites fall into this category may be assisted by reference to the criteria for scheduling monuments. Further information on scheduled monuments can be found on the Department for Digital, Culture, Media and Sport's website.

(2) Other non-designated heritage assets of archaeological interest. By comparison this is a much larger category of lesser heritage significance, although still subject to the conservation objective. On occasion the understanding of a site may change following assessment and evaluation prior to a planning decision and move it from this category to the first

Where an asset is thought to have archaeological interest, the potential knowledge which may be unlocked by investigation may be harmed even by minor disturbance, because the context in which archaeological evidence is found is crucial to furthering understanding.

Decision-taking regarding such assets requires a proportionate response by local planning authorities. Where an initial assessment indicates that the site on which development is proposed includes or has potential to include heritage assets with archaeological interest, applicants should be required to submit an appropriate desk-based assessment and, where necessary, a field evaluation. However, it is estimated following an initial assessment of archaeological interest only a small proportion – around 3% – of all planning applications justify a requirement for detailed assessment.

How are non-designated heritage assets identified?

Local lists incorporated into Local Plans can be a positive way for the local planning authority to identify non-designated heritage assets against consistent criteria so as to improve the predictability of the potential for sustainable development.

It is helpful if Local Plans note areas of potential for the discovery of non-designated heritage assets with archaeological interest. The historic environment record will be a useful indicator of archaeological potential in the area. In judging if non-designated sites of archaeological interest are demonstrably of equivalent significance to scheduled monuments, and therefore considered subject to the same policies as those for designated heritage assets, local planning authorities should refer to Department for Digital, Culture, Media and Sport's criteria for scheduling monuments.

When considering development proposals, local planning authorities should establish if any potential non-designated heritage asset meets the definition in the National Planning Policy Framework at an early stage in the process. Ideally, in the case of buildings, their significance should be judged against published criteria, which may be generated as part of the process of producing a local list. For non-designated heritage assets with

archaeological interest, local planning authorities should refer to 'What are non-designated heritage assets of archaeological interest and how important are they?'

How should Neighbourhood Development Orders and Community Right to Build Orders take account of heritage conservation?

The policies in the National Planning Policy Framework, and the associated guidance, which relate to decision-taking on planning applications which affect the historic environment, apply equally to the consideration of what planning permission should be granted through Neighbourhood Development Orders and Community Right to Build Orders.

Neighbourhood Development Orders and Community Right to Build Orders can only grant planning permission, not heritage consents (ie listed building consent or scheduled monument consent).

Historic England must be consulted on all Neighbourhood Development Orders and Community Right to Build Orders to allow it to assess the impacts on the heritage assets, and determine whether an archaeological statement (definition in regulation 22(2) of the Neighbourhood Planning (General) Regulations 2012) is required. This, and other consultation requirements relating to development affecting heritage assets, are set out in regulation 21 of, and Schedule 1 to, the Neighbourhood Planning (General) Regulations 2012.

Further information on making these Orders can be found:

- in the Neighbourhood planning section of guidance
- in the When is permission required? section of guidance
- on Historic England's website

Heritage consent processes

Is listed building consent the same as planning permission?

Listed building consent and planning permission are 2 separate regimes. So for some proposed works both planning permission and listed building consent will be needed and sometimes only one, or neither, is required.

When is an application for planning permission required to carry out works to a listed building?

This will depend on the particular works involved, but in general terms:

- an application for planning permission is required if the works would usually require a planning application if the building was not listed
- an application for planning permission is not required if the works would not constitute 'development' eg internal works to listed buildings

The requirement for listed building consent is not the same as for planning permission. So for some proposed works both planning permission and listed building consent will be needed and sometimes only one, or neither, is required.

When is listed building consent required?

Any works to demolish any part of a listed building or to alter or extend it in a way that affects its character as a building of special architectural or historic interest require listed building consent, irrespective of whether planning permission is also required. It is important to note that it may be a criminal offence to fail to apply for consent when it is required. For all grades of listed building, unless the list entry indicates otherwise, the listing status covers the entire building, internal and external, objects fixed to it and sometimes also attached and curtilage buildings or other structures.

Undertaking works, or causing works to be undertaken, to a listed building which would affect its character as a building of special historic or architectural interest, without first obtaining listed building consent is an offence under section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

There is no fee for submitting an application for listed building consent.

The requirement for listed building consent is not the same as for planning permission. So for some proposed works both planning permission and listed building consent will be needed and sometimes only one, or neither, is required.

What is a Listed Building Heritage Partnership Agreement?

A Listed Building Heritage Partnership Agreement is an Agreement between a local planning authority and the owner(s) of a listed building or group of listed buildings which grants listed building consent. It allows the local planning authority to grant listed building consent for the duration of the Agreement for specified works of alteration or extension (but not demolition) of those listed buildings covered by the Agreement (see sections 26A and 26B of the Planning (Listed Buildings and Conservation Areas) Act 1990).

Listed Building Heritage Partnership Agreements remove the need for the owner(s) concerned to submit repetitive applications for listed building consent for works covered by an Agreement.

When considering whether to grant listed building consent in a Listed Building Heritage Partnership Agreement local authorities are required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest possessed by the listed building(s) to be included in the Agreement and should take account of the relevant policies in the National Planning Policy Framework.

How long will a Listed Building Heritage Partnership Agreement last?

A Listed Building Heritage Partnership Agreement must make provision for its termination. The duration of a Listed Building Heritage Partnership agreement will be a matter for the local planning authority and the other parties to the Agreement to decide. Setting a time limit for a Listed Building Heritage Partnership Agreement is recommended to ensure that the Agreement continues to meet appropriate standards and principles for conservation, and continues to have regard to the special interest of the building.

What procedures does a local planning authority need to follow for a Listed Building Heritage Partnership Agreement?

The procedures, including those around consultation and publicity, which local planning authorities must follow for Listed Building Heritage Partnership Agreements, are set out in the Planning (Listed Buildings and Conservation Areas) (Heritage Partnership Agreements) Regulations 2014. Good practice advice on Listed Building Heritage Partnership Agreements can be found on Historic England's website.

What is a Local Listed Building Consent Order?

Local Listed Building Consent Orders are made by local planning authorities and grant listed building consent for works of any description for the alteration or extension (but not demolition) of listed buildings in their area (see sections 26D-26G, 28A and schedule 2A of the Planning (Listed Buildings and Conservation Areas) Act 1990). This means that owners and developers do not need to submit repetitive applications for listed building consent for works covered by an Order.

When considering making a Local Listed Building Consent Order local authorities are required to have special regard to the desirability of preserving the listed building(s) to which the Order applies, their setting or any features of special architectural or historic interest they possess and should take account of the relevant policies in the National Planning Policy Framework.

How long will a Local Listed Building Consent last?

There is no time limit on the duration of Local Listed Building Consent Orders set out in the regulations. Local planning authorities may consider it expedient to set a time limit for the Order.

What procedures does a local planning authority need to follow when making a Local Listed Building Consent Order?

The procedures, including those around consultation and publicity, which local planning authorities must follow when making a Local Listed Building Consent Order are set out in the Planning (Local Listed Building Consent Orders) (Procedure) Regulations 2014 and good practice advice can be found on Historic England's website.

What is the difference between a Listed Building Heritage Partnership Agreement and a Local Listed Building Consent Order?

Listed Building Heritage Partnership Agreements are Agreements made between the local planning authority and the owner(s) of a listed building or group of listed buildings. There may be additional parties to the Agreement. As well as granting a general listed building consent for agreed works of alteration or extension to the listed building(s) to which the Agreement relates, they can cover other matters such as public access or management issues. They might be used for example, to cover university campuses or large office buildings.

Local Listed Building Consent Orders are made by the local planning authority and grant a general listed building consent for specified works of alteration or extension to listed buildings of a specified description or in a specified part of the authority's area. They do not cover any other matters relating to the listed buildings. They are likely to be used for groups of similar or related listed buildings in multiple ownership, for example, estate villages or rows of terraced houses.

What is a Listed Building Consent Order?

A Listed Building Consent Order is made by the Secretary of State to grant listed building consent for works of any description for the alteration or extension (but not demolition) of listed buildings of any description in England (see sections 26C, 26F, 26G and 28A of the Planning (Listed Buildings and Conservation Areas) Act 1990).

When considering making a Listed Building Consent Order the Secretary of State is required to have special regard to the desirability of preserving the listed building(s) to which the Order applies, their setting or any features of special architectural or historic interest they possess and should take account of the relevant policies in the National Planning Policy Framework.

A pilot Listed Building Consent Order is currently being developed with the Canal and River Trust to help inform the approach to future Orders. Further information on Listed Building Consent Orders can be found on Historic England's website.

What is a Certificate of Lawfulness of Proposed Works?

A Certificate of Lawfulness of Proposed Works provides formal confirmation that proposed works of alteration or extension (but not demolition) of a listed building do not require listed building consent because they do not affect the character of the listed building as a building of special architectural or historic interest (see section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990).

Certificates of Lawfulness of Proposed Works are only available in respect of works which have not yet been carried out – they cannot be obtained retrospectively.

Works for which a Certificate of Lawfulness of Proposed Works is issued must be undertaken within 10 years from the date of issue of the Certificate.

Any person wishing to obtain a Certificate must submit an application to their local planning authority. The procedures for applications, and appeals against refusal or non-determination of an application, are set out in the Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014.

Is it necessary to apply for a Certificate of Lawfulness of Proposed Works before carrying out minor works to a listed building?

There is no obligation on anyone to apply for a Certificate of Lawfulness of Proposed Works.

Where a person is satisfied that the works they want to carry out do not require listed building consent they can, if they wish, proceed with those works without obtaining any confirmation from the local planning authority.

In order to avoid unnecessary applications, if there is any doubt about whether listed building consent is required, we would encourage owners and developers to discuss the matter with the local planning authority before submitting any application.

Is an application for planning permission required to carry out works to an unlisted building in a conservation area?

Planning permission is required for the demolition of certain unlisted buildings in conservation areas (known as 'relevant demolition') – see 'When is permission required?' section of the guidance.

Generally the requirement for planning permission for other works to unlisted buildings in a conservation area is the same as it is for any building outside a conservation area, although some permitted development rights are more restricted in conservation areas. Further information in 'When is permission required?' section of guidance.

Demolishing an unlisted building in a conservation area, without first obtaining planning permission where it is needed, is an offence under section 196D of the Town and Country Planning Act 1990.

There is no fee for submitting an application for planning permission for the "relevant demolition" of certain unlisted buildings in conservation areas.

What permissions/consents are needed for works to scheduled monuments and protected wreck sites?

Planning permission may be required for works to these kinds of designated heritage assets depending on whether they constitute 'development' and whether any permitted development rights apply.

Irrespective of any requirement to obtain planning permission, works to scheduled monuments may require scheduled monument consent and works relating to protected wreck sites may require licences. These consent/licence regimes are outside the planning system and are the responsibility of the Department for Digital, Culture, Media and Sport advised and administered by Historic England. Further information on these regimes, including any consultation arrangements, can be found on the Department for Digital, Culture, Media and Sport's website.

What permissions/consents are needed for registered parks and gardens, and battlefields?

Registered parks and gardens and registered battlefields are subject to the usual requirements to obtain planning permission. As they are designated heritage assets, the policies on designated heritage assets in the National Planning Policy Framework apply both in relation to plan-making and decision-taking. As paragraph 132 of the National Planning Policy Framework makes clear, substantial harm to or loss of:

- any designated heritage asset of the highest significance, which includes protected wreck sites, battlefields and grade I and II* parks and gardens, should be "wholly exceptional"
- any grade II park or garden should be "exceptional"

Local authorities are required to consult Historic England and The Gardens Trust (formerly known as The Garden History Society) on certain applications for planning permission in respect of registered parks and gardens and registered battlefields.

National Planning Policy Framework (NPPF) 2021

[16. Conserving and enhancing the historic environment - National Planning Policy Framework - Guidance - GOV.UK \(www.gov.uk\)](#)

1. The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

2. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. Planning policies and decisions must reflect and where appropriate promote relevant statutory requirements.

Section 16 Conserving and enhancing the historic environment

189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value ⁶⁶. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations ⁶⁷.

190. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

(a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;

(b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;

(c) the desirability of new development making a positive contribution to local character and distinctiveness; and

(d) opportunities to draw on the contribution made by the historic environment to the character of a place.

191. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

192. Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

(a) assess the significance of heritage assets and the contribution they make to their environment; and

(b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.

193. Local planning authorities should make information about the historic environment, gathered as part of policy-making or development management, publicly accessible.

Proposals affecting heritage assets

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the

proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

196. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

197. In determining applications, local planning authorities should take account of:

(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

(b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

(c) the desirability of new development making a positive contribution to local character and distinctiveness.

198. In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.

Considering potential impacts

199. 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

(a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

(b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional ⁶⁸.

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- (a) the nature of the heritage asset prevents all reasonable uses of the site; and
- (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- (d) the harm or loss is outweighed by the benefit of bringing the site back into use.

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

204. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

205. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible ⁶⁹. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

207. Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

208. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which

would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Footnotes

(66) Some World Heritage Sites are inscribed by UNESCO to be of natural significance rather than cultural significance; and in some cases, they are inscribed for both their natural and cultural significance.

(67) The policies set out in this chapter relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-making.

(68) Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

(69) Copies of evidence should be deposited with the relevant historic environment record, and any archives with a local museum or other public depository.

Cornwall Local Plan <https://www.cornwall.gov.uk/media/22936789/adopted-local-plan-strategic-policies-2016.pdf>

The Cornwall Local Plan was formally adopted in November 2016. It provides a positive and flexible overarching planning policy framework for Cornwall covering the period up to 2030. It replaces a number of policies from the Local plans of the former District and Borough Councils and the Minerals and Waste Plans of the former County Council. The section relating to the historic environment is reproduced here with Policy 24.

Historic Environment

2.170 We recognise that Cornwall's outstanding and distinctive historic environment is an important irreplaceable resource that contributes to our economy, tourism, education, culture and community identity. Proposals for development should be informed by and respond positively to the historic environment to act as a catalyst for place making in Cornwall to reinforce local identity, character and distinctiveness.

2.171 The National Planning Policy Framework (NPPF) provides guidance that should be used alongside this Plan particularly on the identification, significance, and protection of heritage assets both designated and undesignated. We expect applicants to assess and describe the significance of these assets, including any contribution made by their setting, sufficient to understand the potential impact of any proposal on that heritage significance. The determination of planning applications by the Council will be based on the assessment of the potential harmful impact, taking into account the desirability of not only sustaining the asset's significance, but also of enhancing that significance and the positive contribution both conservation and well-informed new design can make to sustainability and local character and distinctiveness.

2.172 The determination of planning applications by the Council will be based on the assessment of the potential harmful impact, taking into account the desirability of not only sustaining the asset's significance, but also of enhancing that significance and the positive contribution both conservation and well-informed new design can make to sustainability and local character and distinctiveness.

2.173 A substantial body of evidence on the historic environment has been collected and has informed the development of the Local Plan, its strategy for Cornwall's historic environment and the selection of sites allocated for development. The Key resource is the Cornwall Historic Environment Record, which contains and provides access to a wide range of evidence used to develop an understanding of Cornwall's historic environment, local distinctiveness and its heritage assets and those parts of the historic environment which have a particular value or significance. These, and any other relevant resources, should be consulted as appropriate as part of an assessment process: these include the Cornwall Historic Landscape Characterisation, The Cornwall & Scilly Urban Survey, Cornwall Industrial Settlements Initiative, community network area Historic Environment Data sheets, Conservation Area Appraisals and Management Plans, site specific reports and topic-specific papers such as Improving Energy Efficiency in Cornish Historic Buildings.

2.174 In broad terms, the Council considers the following characteristics make a significant contribution to the local character and distinctiveness of Cornwall and where applicable, development proposals will be expected to demonstrate how these characteristics have been assessed and conserved.

2.175 Cornwall's historic environment is the product of 10,000 years of human activity responding to its unique geography and location. The slates and granite bedrock geology with its unique mineral resources, its place at the extreme west of the country, and yet at the entrance to the English Channel, long stretches of exposed coastline broken by sheltered estuaries, its mild, but exposed maritime climate, difficult topography for overland travel but scenic attractions, all have been hugely influential in creating, or preserving, cultural distinctiveness and have all contributed to an historic environment which is both distinctive in character and distinctive in its extraordinary variety. Particularly significant aspects of Cornwall's historic environment include:

- The uniquely preserved prehistoric archaeological landscapes of the granite uplands,
- The number and variety of surviving prehistoric monuments all over Cornwall including quoits and barrows, standing stones, fogous, courtyard houses, rounds and hillforts.
- The enclosed lowland landscapes of medieval fields, and a predominantly dispersed rural settlement pattern of farming hamlets and medieval church-towns largely named using the Cornish language;
- Culturally and geologically distinctive farm buildings and farmstead patterns including postmedieval smallholding landscapes specifically related to the socio-economic conditions of Cornish mining.
- The distinctive 19th and early 20th century horticultural landscapes of the Tamar Valley and the coastal-slope fields of South Penwith.
- A rich multi-denominational ecclesiastical heritage with a distinctly Cornish character of early church and lann sites, early medieval inscribed stones and crosses, holy wells, high medieval church buildings and non-conformist chapels;
- An historic communications network including ancient byways and church-paths peppered with wayside crosses, guide-stones, milestones and fingerposts, former industrial tramways, and an extensive main line and branch rail network with significant local character;
- Significant historic international communications heritage: Packet Service quays (Falmouth); international submarine telegraph station, Porthcurno; Marconi wireless stations (Poldhu and Bass Point); earliest and largest international satellite telemetry station, Goonhilly (1962-2008).
- The distinctive number and variety of towns and villages with medieval market Boroughs; fishing villages; 19th century mineral ports; and 19th/20th century seaside towns with urban townscapes, streetscapes and buildings from the medieval period to the present day reflecting the unique narratives of Cornish history;

- A maritime historic environment of significant ports, harbours and quays, lighthouses, seamarks, lifeboat stations, and wrecks, the heritage of the fishing and ship building industries, the transport of mineral products and fuels, and the more recent, but no less significant heritage of the holiday and leisure industry.
- A distinctive industrial character including the internationally significant post-medieval mining landscapes and settlements of the Cornwall and West Devon World Heritage Site and the no less distinctive slate and granite quarrying and china clay and china stone industries with their associated processing works, transport networks and characteristic settlements.
- An ornamental heritage of country houses and designed landscapes, public parks and gardens significant both for the exotic variety of species supported and its cultural links with the economic and geographic reach of the Cornish industrial revolution.
- The number and variety of Tudor to 20th century fortifications and military sites including 15th-20th century coastal defences and fortresses, Civil War earthworks and WW1 and WW2 remains, all epitomised by the outstanding military complexes around St Ives, St Michael's Mount, Falmouth and the Cornish defences of Plymouth.
- A powerful sense of place as evidenced by surviving Cornish language place-names; enduring medieval place-based myths and legends and festivals; images, representations, buildings and places associated with art colonies and a renowned literary heritage rooted in the landscape.
- Throughout Cornwall there are distinctive industrial landscapes that reflect its pioneering role in the development of the Industrial Revolution. These include the extensive, internationally significant post-medieval metal (principally tin, copper and arsenic) mining landscapes, associated industries, transport networks and settlements of the Cornwall and West Devon Mining Landscape World Heritage Site, the protection of which is governed by the UNESCO Convention on the Protection of World Natural and Cultural Heritage (1972). The equally distinctive slate, granite quarrying and china clay and china stone industries make a substantial contribution to the special landscape character in several parts of Cornwall and this should be reflected in planning decisions.

2.176 The NPPF draws a distinction between significance and importance. All heritage assets have significance, but there are degrees of importance accorded to different assets, usually reflected in levels or grades of designation. The greater importance the asset has, the greater level of assessment would be expected, and when considering the impact of a proposed development on significance, the greater the weight will be accorded to the asset's conservation.

2.177 The significance of a heritage asset can be harmed or lost through alteration or destruction of the asset or development within its setting. Any harm or loss, including cumulative impacts and less than substantial harm, will require clear and convincing justification to allow the harm to be balanced against any public benefits of the proposal.

2.178 The more important the asset the greater the presumption against harm; proposals leading to substantial harm of the most important assets would have to be wholly exceptional, and will have to demonstrate a lack of viable alternative schemes or uses, and the most substantial overriding public benefits. Scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and the World Heritage Site are considered to be of the greatest importance in this regard.

2.179 However, the same expectations for proportionate assessment and the need for justification through overriding public benefits apply to other designated assets (grade II listed buildings, parks or gardens) and all non-designated assets, as appropriate to their significance. Non-designated assets could be buildings, monuments, archaeological sites,

places, areas or landscapes positively identified (in the Historic Environment Record, Conservation Area Appraisals or Neighbourhood Plans, or equivalent, or through assessment within the Planning processes) as having a degree of significance meriting consideration in planning decisions.

2.180 Cornwall Historic Environment Record has over 56,000 entries. Cornwall also has the largest number of statutorily protected Heritage Assets in any unitary council area, with over 12,800 listed buildings and 1588 scheduled monuments. The Council's own estate includes the largest number of statutorily protected Heritage Assets in the care of a local authority. Historic England keep an up to date register of all listed buildings and scheduled ancient monuments and proposals will be encouraged which support re-use, or more efficient existing use where this preserves or enhances heritage significance of those identified nationally or locally as at risk. The Council will monitor buildings or other heritage assets at risk through neglect, decay or other threats. Any proposal should seek to incorporate solutions for assets at risk and provide solutions for repair and maintenance of the asset wherever possible.

2.181 Heritage assets are an irreplaceable resource, therefore proposals for development should be informed by and will be determined in line with statutory requirements, national policy guidance and specific relevant guidance, principles and best practice. At present this includes both national guidance, such as relevant Historic England publications (e.g. Conservation Principles, Historic Environment Good Practice Advice in Planning Notes; Decision making, Setting of Heritage Assets), and locally specific guidance such as the Guidance for Methodist and Nonconformist chapels in Cornwall.

2.182 The Council has produced Supplementary Planning Documents on both the Historic Environment and World Heritage Site which will help establish best practice criteria, help define the distinctive character of the historic environment of Cornwall, provide guidance on use of assessment frameworks and methods and on the interpretation of significance within the Cornish, national and international contexts, and define the requirements of Heritage Statements.

2.183 Other specific relevant sources of information and guidance which should inform both applications and decision making can be found as follows:

Advice and guidance documents produced by Historic England can be found by visiting: www.historicengland.org.uk/images-books/publications

The Cornwall and West Devon Mining Landscape World Heritage Site Management Plan is available at: [www.cornish-mining.org.uk/sites/default/files/Cornwall and West Devon Mining Landscape World Heritage Site Management Plan 2013-2018.pdf](http://www.cornish-mining.org.uk/sites/default/files/Cornwall%20and%20West%20Devon%20Mining%20Landscape%20World%20Heritage%20Site%20Management%20Plan%202013-2018.pdf)

2.184 Scheduled Ancient Monuments: Many internationally and nationally important archaeological sites are designated as Scheduled Monuments. Works affecting a Scheduled Monument require the consent of the Secretary of State. Landowners or developers seeking to carry out works which might impact on a Scheduled Monument or its setting should seek the advice of Historic England at an early stage.

2.185 Archaeology: Applications which have the potential to impact on archaeological remains will need to be accompanied by assessments and field evaluations sufficient to define their significance prior to the submission of applications. Applicants should outline any mitigation measures and the steps to be taken to record, retain, incorporate, protect, enhance and where appropriate manage the archaeological interest, as part of the proposals. Non designated heritage assets of archaeological interest of equivalent significance to Scheduled Monuments shall be dealt with as subject to the same policy weight as the designated heritage assets. The first point of call should be the Cornwall Historic Environment Record: www.cornwall.gov.uk/her

2.186 Listed Buildings: Relevant information can be found by visiting: www.cornwall.gov.uk/environment-and-planning/conservation/listed-buildings/

2.187 Conservation Areas: Relevant information can be found by visiting: www.cornwall.gov.uk/environment-and-planning/strategic-historic-environment-

[service/guidance/appraisals-and-surveys/conservation-area-character-appraisals-and-management-plans/](#)

2.188 Registered Historic Parks and Gardens: Relevant information can be found by visiting: historicengland.org.uk/listing/what-is-designation/registered-parks-and-gardens/

2.189 Non designated heritage assets: Proposals affecting buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets should ensure they are conserved having regard to their significance and the degree of any harm or loss of significance. The first point of call should be the Cornwall Historic Environment Record: www.cornwall.gov.uk/her

Policy 24: Historic environment

Development proposals will be permitted where they would sustain the cultural distinctiveness and significance of Cornwall's historic rural, urban and coastal environment by protecting, conserving and where appropriate enhancing the significance of designated and non-designated assets and their settings.

Development proposals will be expected to:

- sustain designated heritage assets;
- take opportunities to better reveal their significance;
- maintain the special character and appearance of Conservation Areas, especially those positive elements in any Conservation Area Appraisal;
- conserve and, where appropriate, enhance the design, character, appearance and historic significance of historic parks and gardens;
- conserve and, where appropriate, enhance other historic landscapes and townscapes, including registered battlefields, including the industrial mining heritage;
- protect the historic maritime environment, including the significant ports, harbours and quays.

Development within the Cornwall and West Devon Mining Landscape World Heritage Site (WHS) and its setting should accord with the WHS Management Plan. Proposals that would result in harm to the authenticity and integrity of the Outstanding Universal Value, should be wholly exceptional. If the impact of the proposal is neutral, either on the significance or setting, then opportunities to enhance or better reveal their significance should be taken.

All development proposals should be informed by proportionate historic environment assessments and evaluations (such as heritage impact assessments, desk-based appraisals, field evaluation and historic building reports) identifying the significance of all heritage assets that would be affected by the proposals and the nature and degree of any effects and demonstrating how, in order of preference, any harm will be avoided, minimised or mitigated.

Great weight will be given to the conservation of the Cornwall's heritage assets. Where development is proposed that would lead to substantial harm to assets of the highest significance, including undesignated archaeology of national importance, this will only be justified in wholly exceptional circumstances, and substantial harm to all other nationally designated assets will only be justified in exceptional circumstances.

Any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals causing harm will be weighed against the substantial public, not private, benefits of the proposal and whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long term use of the asset.

In those exceptional circumstances where harm to any heritage assets can be fully justified, and development would result in the partial or total loss of the asset and/or its

setting, the applicant will be required to secure a programme of recording and analysis of that asset, and archaeological excavation where relevant, and ensure the publication of that record to an appropriate standard in a public archive.

Proposals that will help to secure a sustainable future for the Cornwall's heritage assets, especially those identified as being at greatest risk of loss or decay, will be supported.

Neighbourhood Plans <https://www.cornwall.gov.uk/environment-and-planning/planning/neighbourhood-planning/>

There are 214 Parish and Town Councils in Cornwall. Currently (March 2018) 121 parishes are engaged in the different stages of the neighbourhood planning process, producing 108 Neighbourhood Development Plans.

Neighbourhood Planning allows people to come together through a local parish or town council and say where they think new houses, businesses and shops should go, and what they should look like. These Neighbourhood Plans can be very simple, or go into considerable detail.

In Cornwall, planning policies which apply to the whole of the county are going to be reduced to the bare minimum to simplify the planning process and enable it to efficiently deliver the types of development required by communities. That means there will be relatively little planning guidance at the parish level.

At local level, communities may wish to develop their own planning policies to reflect the priorities of local people and to provide an additional level of detail than those developed by Cornwall Council. Those policies would be set out in a Neighbourhood Plan.

The latest Neighbourhood plans can be viewed at <https://www.cornwall.gov.uk/environment-and-planning/planning/neighbourhood-planning/neighbourhood-planning-in-cornwall/#-tab-357852>

World Heritage Site <http://www.cornish-mining.org.uk/>

Cornwall Council, Devon County Council and West Devon Borough Council have jointly adopted the Cornwall and West Devon Mining Landscape World Heritage Site (WHS). It is these organisations that create the planning policies that apply to the WHS, and also determine planning permissions within it.

There is a management plan for the WHS ([http://www.cornish-mining.org.uk/sites/default/files/Cornwall and West Devon Mining Landscape World Heritage Site Management Plan 2013-2018.pdf](http://www.cornish-mining.org.uk/sites/default/files/Cornwall%20and%20West%20Devon%20Mining%20Landscape%20World%20Heritage%20Site%20Management%20Plan%202013-2018.pdf)). Both UNESCO and the UK Government require World Heritage Sites to produce and periodically update a Management Plan, to identify the Site's principal management needs and strategies to address them. This revision was informed by an ongoing process of monitoring, review and analysis, taking into account significant changes in UNESCO guidance, UK planning legislation and the restructuring of key partner organisations, but most importantly, learning from experience of managing the Site over the first five years. This has enabled the setting of shared policy aims and strategic management objectives, tested via consultation with the communities living within and around the Site.

The purpose of this Management Plan is to:

- explain the reasons for designation
- describe the extent of the Site and its key landscape features
- define how it is protected
- outline the key management issues, and resulting policies and strategic actions for meeting the obligations of the World Heritage Convention

There is a Supplementary Planning Document (SPD; [http://www.cornish-mining.org.uk/sites/default/files/CWDMLWHS SPD Final May 2017.pdf](http://www.cornish-mining.org.uk/sites/default/files/CWDMLWHS_SPD_Final_May_2017.pdf)) that sets out how the planning system will seek to fulfil the responsibilities and opportunities that come with WHS status. It seeks to unpick what makes the WHS important, why it must be protected and how the planning system can help to do this. It also provides advice for all

decision makers, developers and the public on ensuring that the responsibilities conferred by this status are fully taken into consideration and opportunities taken advantage of.

It is important to understand that this SPD is concerned with protecting the features that are special that make this area worthy of being a WHS. This international status does not supersede national heritage status but runs in parallel with it. Therefore this document does not cover the management and protection requirements of other heritage designations and is not a substitute for good planning practice.

Planning (Listed Buildings and Conservation Areas) Act 1990

<https://www.legislation.gov.uk/ukpga/1990/9/contents>

This is an Act to consolidate certain enactments relating to special controls in respect of buildings (Listed Buildings) and areas of special architectural or historic interest (Conservation Areas).

The Hedgerows Regulations 1997

<http://www.legislation.gov.uk/uksi/1997/1160/contents/made>

A hedgerow may be deemed important if it

- (a) has existed for 30 years or more; and
- (b) satisfies at least one of the criteria listed in Part II of Schedule 1, as follows:
 1. The hedgerow marks the boundary, or part of the boundary, of at least one historic parish or township; and for this purpose "historic" means existing before 1850.
 2. The hedgerow incorporates an archaeological feature which is—
 - (a) included in the schedule of monuments compiled by the Secretary of State under section 1 (schedule of monuments) of the Ancient Monuments and Archaeological Areas Act 1979; or
 - (b) recorded at the relevant date in a Sites and Monuments Record.
 3. The hedgerow—
 - (a) is situated wholly or partly within an archaeological site included or recorded as mentioned in paragraph 2 or on land adjacent to and associated with such a site; and
 - (b) is associated with any monument or feature on that site.
 4. The hedgerow—
 - (a) marks the boundary of a pre-1600 AD estate or manor recorded at the relevant date in a Sites and Monuments Record or in a document held at that date at a Record Office; or
 - (b) is visibly related to any building or other feature of such an estate or manor.
 5. The hedgerow—
 - (a) is recorded in a document held at the relevant date at a Record Office as an integral part of a field system pre-dating the Inclosure Acts; or
 - (b) is part of, or visibly related to, any building or other feature associated with such a system, and that system—

- (i) is substantially complete; or
- (ii) is of a pattern which is recorded in a document prepared before the relevant date by a local planning authority, within the meaning of the 1990 Act, for the purposes of development control within the authority's area, as a key landscape characteristic.

Cornwall Archaeological Unit

Circuit House, St Clement Street, Truro,
Cornwall
TR1 1DT



(01872) 323603
enquiries@cau.org.uk
www.cau.org.uk

