

1.0 INTRODUCTION

1.1 Conservation Areas

Conservation areas were first introduced in 1967 through the Civic Amenities Act and to date more than 9000 exist in the UK. They are areas of 'special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'¹ [Planning \(Listed Buildings and Conservation Areas\) Act 1990, \(the Act\)](#)

Designation of a conservation area imposes a duty on the Council, in exercising its planning powers, to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. ² [Section 72 of the Act](#). In fulfilling this duty, the Council does not seek to prevent development, but to manage change in such a way that the special qualities which warranted designation in the first place, are protected.

Designation introduces a general control over the demolition of unlisted buildings and the lopping or felling of trees. It does not, however, control all forms of development. Some changes to domestic dwellings (known as permitted development) do not normally require planning permission. These include minor alterations such as the replacement of windows and doors, or the alteration of boundary walls. Where such changes can erode the character and appearance of the area, the Council can introduce special controls, known as Article 4 Directions, enabling the Council to require planning permission for such works.

1.2 Boscaswell's Conservation Area

Boscaswell was designated as a Conservation Area in June 2002 in recognition of the village's significant contribution to Cornwall's mining heritage following a detailed assessment as part of the Cornwall Industrial Settlements Initiative [CISI] - a Conservation Area Partnership led by Cornwall County Council's Historic Environment Service in partnership with English Heritage (with the Heritage Lottery Fund), and the District Councils.

The aim of the CISI was to produce an overview of the history, present character and significance of Cornwall's mining settlements and to consider ways in which they can be protected and enhanced for the future. The published report for Pendeen and Lower Boscaswell assisted the District Council in determining where new conservation areas should be designated, or existing ones revised, and provided the basis for this Conservation Area Character Appraisal.

1.3 Purpose & Scope of this Character Appraisal

This Character Appraisal aims to define the qualities that make Boscaswell's conservation area special. This involves understanding the history and development of the village and

analysing its current appearance and character – including describing significant features in the landscape and identifying important buildings and spaces.

Because conservation areas vary so greatly, there is no national prescribed format which determines scope and content of character appraisals. However, the structure of this appraisal is based on the criteria suggested in English Heritage's guidance on Conservation Area Appraisals published in 2006.

This Character Appraisal is based on a clear and objective assessment of the area's special architectural or historic interest and broadly consists of the following key parts:

- ◆ A clearly defined and analysed written statement defining the special interest, character and appearance of the Conservation Area providing a sound basis, defensible on appeal, for the relevant development plan policies and subsequent development control decisions.
- ◆ An analysis of the problems and pressures facing the area

1.4 Planning Policy Framework

The legal basis for conservation areas is the Planning (Listed Buildings & Conservation Areas) Act 1990. National policy guidance is provided by Planning Policy Guidance notes 15 (Planning and the Historic Environment) and 16 (Archaeology and Planning).

Penwith's Local Plan, formally adopted in 2004, sets out the Council's general policies for the protection of the historic environment and the factors which will be taken into account in assessing planning applications.

A new development plan system has been introduced through commencement of the relevant sections of the Planning and Compulsory Purchase Act 2004 and Local Development Frameworks. This will gradually replace Local Plans.

The adopted Penwith Local Plan Policies are 'saved' for a period of three years or until such time as they are replaced by relevant Local Development Documents. The generic policies for the preservation and enhancement of the Conservation Area will, in due course, be reviewed through this process.

1.5 World Heritage Site Inscription

Boscawell is situated within the boundary of the 'Cornwall and West Devon World Heritage Site'. It was inscribed as a Cultural World Heritage Site in 2006 after being identified as having 'outstanding universal value'.

The inscribed Site is made up of 10 distinct parts of which the St Just Mining District is identified under the reference 'A1'. All 10 parts are identified as having the most authentic and historically significant surviving components of the Cornwall and West Devon Mining Landscape from the period 1700 to 1914. Industrialisation shaped and made possible modern global society and at one time this area was the world's greatest producer of tin

and copper, providing the essential raw materials for the industrialisation of the world.

The St Just mining area is made up of St Just town itself (a separate conservation area), a substantially planned industrial town built to serve the local mines and to its north a number of dispersed mining settlements, of which Boscawell is one.

The World Heritage Site Designation does not currently bring with it any further restrictions on development or land use, although it is a material consideration in the planning process.

More information on the Cornwall and West Devon World Heritage Site, including detailed maps, history, description of the Site and its management can be found on www.cornwall-mining.org.uk

1.6 Consultation & Adoption

Whilst there is no legal requirement for character appraisals to go to public consultation, the Council acknowledges the benefit in gaining local community support for the documents.

Following the preparation of the draft appraisal it was initially presented to Full Council at Penwith District Council in March 2009 where it was resolved that it could go out to public consultation. Following this in June 2009 it was presented to St Just Town Council for comment and to seek their support for public consultation. Following the return of comments from members of the Town Council, and some minor amendments to the document, it was released for a six week period of public consultation (from 1st September 2009 – 16th October 2009). This was advertised in the local press as well as within each settlement via posters.

The appraisal was available to view and download from the Cornwall Council website, www.cornwall.gov.uk, hard copy reference only copies were also available at St Just public library, at St Just Town Council and on the Planning Reception desk at Cornwall Council's St Clare office. Paper copies were also available on request from the Senior Conservation and Design Officer at St Clare, Penzance.

During the six week consultation period there were also two days, 14-15 September 2009, when the appraisal was available to be viewed and discussed at the Centre of Pendeen community building. At this event members of the historic environment team from Cornwall Council were available to answer questions.

This invited the public to look at the documents and comment on them, responding by means of a short questionnaire.

Following the closure of the public consultation period the comments were analysed and where appropriate changes were made to the appraisal document.

The finished appraisal was then approved by Cornwall Council on xxxxxx [date] for use as a material consideration in the planning process.