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SUMMARY OF PROOF OF EVIDENCE OF
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ON BEHALF OF CORNWALL COUNCIL

APPEAL REFERENCE: APP/DO840/A/09/2113075
(PLANNING AUTHORITY REFERENCE 08/00761)

In respect of the Planning Appeal by SITA Cornwall Ltd

Relating to the decision by the former Cornwall County Council (now Cornwall Council) to refuse planning permission for the Cornwall Energy Recovery Centre (CERC) and associated development on land at Rostowrack Farm, Wheal Remfry, Goonvean and Parkandillick Dryers St Dennis St Austell Cornwall.

The Cahill Partnership
conservation planning/historic buildings/research

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1.0 PROFESSIONAL EXPERIENCE

- 1.1 I am Nicholas Cahill. I hold a BA in Modern History, an MA in English Local History and a Polytechnic Certificate in (Building) Surveying. I am a full member of the Institute of Historic Building Conservation.
- 1.2 I co-founded the Cahill Partnership, a conservation-planning and historic building consultancy, in 2000. I have extensive experience in providing impact assessments on historic sites and areas, and have previously appeared as an expert witness on such issues for local authorities and community groups in Cornwall.

2.0 INTRODUCTION AND SCOPE OF EVIDENCE

I was appointed in January 2010 by Cornwall Council to give evidence relating to the impact of the proposed development on historic landscape, including archaeological sites, and listed buildings.

3.0 THE SCHEME AND ITS SETTING

- 3.1 The scheme comprises the CERC facility, bottom ash handling building and related ancillary buildings at Rostowrack, together with the proposed access and haul roads, new bridge and associated infrastructure.
- 3.2 The proposals lie within the upper Fal Basin, an area of Anciently Enclosed Land on the north-facing lower slopes of the Hensbarrow Massif. The historic landscape is dominated by the church of St Dennis on Carne Hill, with visual and historic links with the historic landscapes to the north, but is more distinct from the china clay areas to the south and west.

4.0 RELEVANT LEGISLATION AND POLICY

- The Planning (Listed Buildings and Conservation Areas) Act 1990
- PPG15
- PPG16.

- PPS 7
- Cornwall Structure Plan 2004: Policies 2; 6
- Cornwall Waste Local Plan 2002: Policies C1; E4; L6a
- Restormel Borough Council Local Plan 2001-2001: Policies 11; 18; 24; 25; 26 and 33.

5.0 HISTORIC LANDSCAPE, DESCRIPTION AND IMPORTANCE

5.1 Anciently Enclosed Land (AEL) is an historic landscape of high value in a Cornwall-wide context: *'Its components, rarity, coherence, time-depth, contribution to landscape character, the high regard in which it is held and the potential it holds for historical and archaeological research and presentation combine to make the Zone of very great importance, second only to Upland Rough Ground.'*¹

5.2 The Fal Basin is a rich, highly characteristic example of the type, containing nationally significant monuments, and historic landscape designations of importance. There is significant archaeological and historic potential, notably the St Dennis/St Stephen parish boundary features. It is increasingly appreciated and visited for its scenic and historical qualities.

6.0 SETTING OF SCHEDULED MONUMENTS AND LISTED BUILDINGS

6.1 The AEL forms the setting of nationally important designated sites: the Grade II* Church of St Dennis; the Grade II* Parkandillick Engine House; the Grade II Trerice Bridge and the Scheduled Monument at Castle-an-Dinas.

6.2 All of these have a close relationship with the historic landscape; the church of St Dennis in particular is a key focus within the landscape in both a visual sense, and for the interrelated themes that underlie associated historic area designations.

¹ Cornwall Landscape Assessment 1994 (Core doc. J2)

7.0 IMPACT ON HISTORIC LANDSCAPE

7.1 Physical impact

A substantial adverse impact on standing features and archaeological potential is predicted:

7.1.1 The CERC site would remove fields and hedgerows (key component elements in the character of the historic landscape) from the historic Rostowrack and Bodella field systems, and impact upon the buried archaeology of the site.

7.1.2 The Haul Road/Bridge would cut through areas of high potential and sensitivity (including a designated Area of Great Historic Value).

7.1.3 The Access Road would remove historic hedgerows, especially those forming the parish boundary/Trevice manorial boundary, a rare, documented, pre-Conquest feature potentially of significantly more than local importance.

7.1.4 **Assessment against policy.** The proposals would result in the loss of important archaeological and historic features and damage the integrity and value of the historic landscape. They fail to retain, conserve or enhance the historic landscape and therefore fail against Strategic Plan Policy 2 and Local Plan Policies 11 and 18. A significant level of importance for the proposed development needs to be demonstrated in order to outweigh the case for preservation of the remains in order to satisfy Policy 26.

7.2 Visual impact

7.2.1 By reason of siting, scale, mass and design, the CERC would create a dominant, overpowering feature in the landscape, substantially damaging the landmark role of the church/Carne Hill complex, the legibility of the Castle-an-Dinas/Belowda/Goss Moor AGHV and the St Dennis village/Carne Hill ALAHV and the setting and characteristics of the Trevice Bridge AGHV.

7.2.2 The Haul Road and Access Road would be constructed to highly engineered standards with new hedging, drainage, lighting, junctions, visibility splays and signage. This would have an adverse visual impact, increased by the new artificial surfaced boundary between the AEL and the china clay areas in place of the historic natural morphing based on contour. The increased scale of movements and occasional lighting of HGV traffic would significantly impact on the tranquillity of the historic landscape, particularly the Trerice Bridge AGHV.

7.2.3 **Assessment against policy.** The proposals fail to preserve or enhance the historic qualities of the landscape, against the guidance in PPS 7 (para 15) and PPG 16 (27), and against Policy 2 of the Strategic Plan, Policies C1 and L6a of the CWLP, and Policies 11 and 24 of the Local Plan.

8.0 IMPACT ON SETTING OF LISTED BUILDINGS AND SCHEDULED MONUMENT

8.1 listed buildings

- 8.1.1 The historic landscape is the setting of the listed buildings and the scheduled monument. The identified substantial damage to the fabric and visual integrity of the historic landscape caused by the proposals, together with the creation of an inappropriate 'landmark' structure, would fail to preserve the setting of the grade II* church of St Dennis, which dominates the landscape and is a symbol of its historic and current character.
- 8.1.2 The dominant impact of the proposals would cause harm to the immediate setting of the grade II* Parkandillick Engine House within its industrial landscape and its wider setting within the AEL.
- 8.1.3 The proposals would fail to preserve the character and appearance of the setting of the grade II Trerice Bridge within the AGHV, and its wider setting of the AEL.
- 8.1.4 **Assessment against policy.** The scheme is contrary to the desirability to preserve the setting of the listed buildings set out in the 1990 Act, s66 (1), and, by causing harm to the setting of the listed buildings, fails to satisfy Local Plan Policy 33.

8.2 Impact on the Scheduled Ancient Monument of Castle-an-Dinas

- 8.2.1 The siting, scale, mass and design of the CERC would be clearly visible, and of such a scale as to be the dominant feature, in the view to the south from Castle-an-Dinas, and the proposed new access road would be a visible intrusion into the historic landscape. The proposals would thus have a significant, damaging impact on the setting of the scheduled monument.

8.2.2 **Assessment against policy.** The development is contrary to the presumption against proposals having a significant impact on the setting of a scheduled monument set out in para. 27 of PPG16, and fail against Structure Plan (Policy 2), Cornwall Waste Local Plan (policies C1, L6a, E4), and Local Plan Policy 25.

8.3 Mitigation

Limited mitigation is proposed; a scheme of archaeological recording (to be agreed) and minimal localised landscaping. The appellants suggest that the quality of design of a new landmark building would offer mitigation,² but introducing such a 'landmark' would in fact have a substantially damaging impact on the historic landscape and the setting of the designated assets within it, and the design of the proposed main site fails to integrate with or to compensate for harm done to this setting.

9.0 CONCLUSIONS

- 9.1 The proposals would be out of scale and intrusive in the historic landscape, would cause significant physical damage to important features in it and would have significantly harmful impacts upon it.
- 9.2 This would further cause harm to the setting of all three of the major listed buildings and the scheduled monument.
- 9.3 The proposals consistently fail against national and local policy and guidance on development within historic landscapes and in the setting of listed buildings and scheduled monuments; there is little within the scheme which mitigates or compensates for this impact upon the historic environment.

² Appellants' Environmental Statement Chapter 9 Section 9.137