

- S1. I have visited the CERC site, in different seasons, and understand the potential effects of the proposals on the landscape resource and visual receptors.
- S2. The appearance, nature, scale and design of the proposals and potential effects on the landscape character have been recognised from the outset.
- S3. In line with Appendix 7 of the Cornwall Local Waste Plan (CWP) and with the Council's agreement, the CERC is a landmark building of high quality design, carefully shaped to respond to contours and topography. The landscape treatment of the building and its setting within the landscape has been considered as an integral part of the design from the outset.
- S4. Prior to the decision it was never suggested the building would be unacceptable in this location – in principle or in design terms.
- S5. Cornwall has a wealth of important landscapes and features, many of national importance. A large, efficient and modern waste treatment plant is difficult to accommodate here, as acknowledged in the CWP (paragraph 5.38).
- S6. However, this site lies in a bowl of commonplace landscape surrounded on three sides by large areas of mineral excavation and tipped waste, sculpted and placed to produce incongruous shapes and man-made hills and valleys. It is adjacent to the mineral treatment area comprising large industrial buildings. The power station at Indian Queens lies to the north and electricity pylons, masts and chimneys are commonplace skyline features.
- S7. This is an area where large industrial complexes of buildings and processes are juxtaposed with settlements and isolated houses in a unique and ever changing landscape of vast scale and dominating presence. This landscape has accepted large-scale development and has the capacity to accept the CERC.
- S8. I have examined national, regional and local landscape planning policies and I find no significant contradiction with the CERC proposals. The Minerals Plan

allocates the site for processing plant for china clay and, potentially, for waste tipping. The Submission Stage Waste Development Framework (WDF) specifically identifies the site for an EfW facility.

- S9. I have examined the 1994 and emerging 2008/9 Landscape Character Assessments. The latter, more detailed document, describes the ‘lunar’ china clay landscape.
- S10. The principle of the development of this site is established and judged to be acceptable in landscape terms.
- S11. The Council’s first reason for refusal refers to the scheme failing to meet the criteria (unspecified) in policies L6A and L6B of the CWP. There is no mention of other policies in Chapter 6 of the CWP and I conclude there is no conflict with these.
- S12. Policy L6A requires a full landscape and visual assessment. This has been done in line with nationally accepted guidelines. In respect of the acceptability of proposals in the light of the assessment, the site lies within the CWP Central Area of Search and this accepts there will be visual and landscape impact. The Council’s Site Search Report considered the site ‘adequate’ in respect of both landscape impact and visual impact. The site is a preferred site in the WDF.
- S13. Addressing the specific parts of Policy L6A, the proposals will not affect or harm any ancient woodland, significant areas of woodland (removing only a small number of trees at the new bridge crossing) or historic parkland.
- S14. Only 0.96ha of semi-natural vegetation will be lost, compensated by 1.48ha of new scrub and woodland, swales and attenuation pond habitat.
- S15. 802m of Cornish hedge (a small proportion of the total in the area) will be removed and relocated. Relocation will accord with best practice and 2220m of new Cornish hedge will be created.

- S16. Policy L6A does not define 'important local landscape'. No landscape designation is affected and only a small part of an area of great historic value at Trerice Bridge is affected.
- S17. I have reviewed the two landscape character assessments but neither defines 'importance' in terms of landscape sensitivity to change. The only reference in the 1994 Assessment relates to 'Anciently Enclosed Land', which is a character description not a designation. I therefore find nothing in conflict with this part of L6A.
- S18. Turning to scale and compatibility with local landscape character, the CERC would be in an area with dominant and constantly changing industrial characteristics, at the southern edge of a bowl of land, adjacent to a large industrial complex and railway line. It is also compatible with the Cornwall Sustainable Energy Project guidance which states the landform can accommodate large structures and that the landscape is categorised as having low sensitivity.
- S19. The CERC has been designed to respond to the topography of the area, minimise scale and height commensurate with operational requirements, incorporate curved roof shapes and use a range of high quality materials. The result of this is a landmark building that contributes to, rather than detracts from, its setting.
- S20. Planting includes areas of local native species, scrub woodland that replicates the existing habitats on redundant waste tips and wetland in the drainage attenuation pond. The road includes planting of translocated and new Cornish hedges and the verges will be soiled with seed-rich topsoil
- S21. The area is subject to a significant amount of light and while light from CERC will not cause significant light pollution, SITA is prepared to install louvres to the translucent panels of the building further to reduce the nighttime effects.

- S22. Many people live within a 15km radius (the extent of the ZVI), of the site. I do not underplay the effects on the residents and recreational users within a relative localised area, (defined as approximately 5km), a proportion of whom might experience a large change in their views, but the majority of residents in the 15km radius are outside that immediate area. The number of properties that will experience a view of a large-scale industrial building will increase. However, this increase is modest. The CERC is generally no closer to residential properties than existing industrial buildings.
- S23. I find no significant conflict with Policy L6A. I have described the design of this landmark building in detail in my Proof and I find no conflict with L6B. Layout, orientation, topography, height, materials and landscape have been carefully considered.
- S24. The second reason for refusal refers to a large number of landscape related policies. In my Proof, I have examined each in detail in context of the landscape character and form around the appeal site and the containing effect of the bowl of land. There is overlap with the first reason and I have not repeated arguments set out above.
- S25. My proof details the impact on the rights of way network (reason 4). The footpath survey shows low-level usage of the rights of way in the vicinity of the site.
- S26. The main cause of adverse effects on footpath users arises from the diversion of a limited section of one footpath and the visual effect of the large buildings and structures. The proposed landscape and architectural treatment reduces those impacts to the minimum that could be reasonably expected.
- S27. I have described the current and the predicted experience of footpath users. The present condition of many of the paths renders them difficult to use, and in some cases impassable, and although the proposals have some adverse effects on users of some sections of footpath, there are benefits, including making the footpaths more useable.

- S28. I have addressed whether the proposal would be contrary to the regeneration ambitions of the china clay Strategic Investment Framework (SIF) from a design and landscape impact perspective (reason 7).
- S29. The proposed CERC facility is a high quality, landmark building and the scheme represents a substantial capital investment.
- S30. From work on other, comparable, projects I am unaware of any adverse impact on regeneration objectives. I have been involved with projects where landmark buildings have been instrumental in significant economic regeneration and contribute to the area rather than detract from it.
- S31. I do not consider the CERC would undermine the regeneration objectives of the SIF. In my opinion it serves regeneration objectives in a far more positive way than the continuation of wide scale and unsightly landfill.
- S32. I have reviewed the landscape issues in the Statements of Case of the Rule 6 Parties. They contain strong and emotive statements in contrast to my measured assessment. I accept there will be visual impact from some viewpoints and for some properties. However, ‘irreparable harm to the local community’ is a significant overstatement of this impact and harm. I consider the level of impact is not unacceptable and must be assessed in the context of the policy designations and surrounding industrial character. I have looked in detail at the changes and it is clear not the whole of St Dennis and Treviscoe will be affected in the way described.
- S33. I would refer the Inspector to my Conclusions in Section 10 of my Proof. They are too important to summarise as they set out carefully the true nature of the impacts on landscape and visual impact.