

**Matter 2 (Penzance and Newlyn Allocations)**  
Representor: **National Trust** (Michael Calder MA, BA, MRTPI)  
Statement dated: 24 January 2018

**Examination of Cornwall Site Allocations Plan Document**

**National Trust Position Statement**

The Trust's original response (**REF. 21**), together with the supporting evidence, represents its complete case. This statement summaries the Trust's case in relation to the specific issues raised by the Inspectors, and where relevant includes comments on the officer response to the (Regulation 19) consultation, and the Council's responses to the Inspectors questions (including Proposed Modifications).

**g. Are the individual allocated sites and proposed land uses suitable, having regard to planning and environmental constraints?**

This issue is addressed for the Trust in relation to the specific responses to issues i) and j) below:

**i. Do allocations PZ-H1 and PZ-E4 make effective provision for the preservation of the setting of Grade I Listed St Michael's Mount, in accordance with national policy?**

1. The Sustainability Appraisal (SA) Summary (Appendix 10; Document Ref No: D5.10) recognises that there *could* be an impact on the setting of St Michaels Mount from allocations PZ-H1 and PZ-E4, albeit deemed 'minor' (Table PZ2), and it states for PZ -E4,

under 'Landscape', that there is the potential for development of the site to impact on seascape if the scale was "inappropriate." However, the Council at Step 1 of the Historic England guidance *Historic Environment and Site Allocations in Local Plans* (Oct 2015) appears not to have accepted that the grouping of heritage assets on the Mount has the potential to be affected by the allocations at Long Rock and has thus failed to consider further the relationship of the site to the asset under Step 2, or how to *avoid* harm, such as addressing the potential impact on views, under Step 4.

2. On the Mount, from the North Terrace, the south side of which is formed by the C12th church of St Michael (listed grade I), there are extensive views north, as identified in the listing description for the registered park and garden, and shown in the photograph provided with the Trust's original response. Given that both Long Rock itself and traffic moving along the A30, to the rear of the allocation sites H1 and E4, are visible from the terrace adjacent to the grade I Church, it is clear that there at least a potential for an effect on this highly important grouping of heritage assets. The Church and Mount are assets of the highest significance, and the listing text to the main building describes the Mount as: *"unique, there is no other building in England which has such a remarkable situation."*
3. The Council fails to assess what contribution the site makes to the significance of the C12th church of St Michael and the Mount and how harm can be avoided through design requirements and enhancement maximised and as a result the policy has been inadequately justified and is inconsistent with national policy (NPPF; para 137).

**j. Does allocation PZ-H8 make effective provision for the preservation of the setting of Grade II\* Listed Trengwainton, in accordance with national policy?**

1. The Trust contends that despite the Council's June 2017 evidence of heritage impact (Document Ref No: D3.3), and the Proposed Modification to the policy wording (Document Ref No: CC.S4.1), the principal areas of potential harm to Trengwainton remain unresolved and therefore the impacts on the setting of Grade II\* Registered Park and Garden cannot be robustly assessed at this stage. Uncertainties remain not only in relation to the proposed access road and Boscathnoe Lane, but also in the fact that the developable site area, on which the density of 35dph is based, includes significant areas of defined 'high sensitivity' (dwg no. A093730-002 *Heritage Impact Review*, WYG, Feb 2016 – supporting evidence to the Trust's Original Representation).
2. The assessment of impact of the access road that is provided in the Heritage Impact Assessment (HIA) Supplementary Paper (Appendix 4, Document Ref No: D3.7; June 2017), and the assessment of impact of development in Field M in the HIA (Appendix 2, Document Ref No: D3.5; Jan 2016), are fundamentally flawed as the conclusions are predicated upon the current landscaping within, and adjacent to, Trengwainton providing permanent screening of the development and the access road. The retention of this screening is deemed by the Council to be "critical" but regard is not had to its permanence or longevity, contrary to Historic England guidance (*The Setting of Heritage Assets*, March 2015, para 29).
3. It has not been demonstrated that the Council has had regard to the evidence that the Trust has previously made available in terms of the longevity of screening from trees within Trengwainton: *Symbiosis Consulting Report on the Overall Condition and Vulnerability of Trees: Trengwainton Garden* (Feb 2016). The potential impacts from both the access road

and the residential development, due to the tree management measures that are necessary at Trengwainton, have not been assessed, despite the WYG *'Trengwainton Park: Landscape & Visual Appraisal'* (Feb 2016) providing photomontages showing potential impacts with the necessary tree management measures having taken place. Subsequent to the HIA Supplementary Paper (Document Ref No: D3.7; June 2017), and the Trust's response to the Regulation 19 consultation, the Council asked to see a copy of the Symbiosis Consulting Report, when that evidence had actually been submitted to the Local Plan 'Strategic Policies' Examination in 2016 and should have been considered by the Council in the preparation of the Site Allocations Plan (SAP).

4. In relation to the Boscathnoe Lane mitigation proposals in the HIA Supplementary Paper (Document Ref No: D3.7; June 2017), the Trust maintains that openness is a beneficial part of the identified 'transition' in passing from Haemoor (and Penzance) to Trengwainton, and that screening would curtail this experience, making the approach dark and tunnel like, which will harm this aspect of the setting and its contribution to significance (Bidwells, *Response to Historic Assessment for Site Allocations [Jan 2016]: Heamoor, Penzance;* October 2016 – supporting evidence to the Trust's Original Representation). The Council's own *Visual Impact and Setting Considerations* (HIA, Appendix 2, Document Ref No: D3.5; Jan 2016) shows in diagrammatic visual form how openness on Boscathnoe, over the site, is an important attribute to the "transition corridor" (p.24); a transition corridor that the *Trengwainton Setting Study* (Jan 2015) describes as a "sequential, graduated experience" (para 6.4.9).
5. The level of likely harm to Trengwainton continues to remain uncertain and therefore it is unclear how far the proposal would meet both the Cornwall Local Plan Spatial Strategy objective to "*protect, conserve **and** enhance*" the historic landscape and heritage (Policy 2

[d]), and the SAP strategy aim for Penzance & Newlyn to “*respect the historic environment.*” For necessary reductions in the developable site area and associated density issues – see section 6.0 of Bidwells, *Response to Historic Assessment for Site Allocations (Jan 2016): Heamoor, Penzance*; October 2016 (supporting evidence to the Trust’s Original Representation).

6. The Council’s case is reliant on their contention that “there are no other suitable alternative sites to Heamoor” (Document Ref No: C.1; PZ H8 Officer Response), and is based on the Penzance and Newlyn Housing Evidence report (Document Ref No: D15.1; April 2017), which documents that the selection of strategic sites was largely completed in 2015 (under Step 13). However, the *Inspectors Report on the Examination into the Cornwall Local Plan Strategic Policies* (23 Sept 2016) highlighted the importance of not constraining a future decision maker, and established the need for a detailed assessment of alternatives to the allocation for housing at Heamoor, stating:

**“Whilst the Council now considers that at Penzance most other SHLAA sites are not suitable, the detailed assessment of those alternatives is essential for the SAP and its subsequent Examination.”** (para 113; 23 Sept 2016).

In accordance with national policy the allocation should be “justified” when tested against “reasonable alternatives” (NPPF; 182). It is necessary to ensuring due process that the decision maker is seen not to be unduly constrained.

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