

COMMENTS ON PLANNING APPLICATION 2006/02500 FOR THE DEVELOPMENT OF A BUSINESS INNOVATION CENTRE AT CRUGMEER FARM, PADSTOW, CORNWALL

INTRODUCTION

1. Land Use Consultants (LUC) were commissioned in March 2007 by the Crugmeer Society to provide a response to application 2006/02500 for the *demolition of existing sheds and conversion on existing traditional slate buildings and erection of extensions to provide Business Innovation Centre to incorporate an Innovation Centre Facility and Micro Business Units together with related parking services, landscaping and highway works*, at Crugmeer Farm, Padstow, submitted to North Cornwall District Council by The Haven Jetty Co Ltd on 20th December 2006.
2. An application for the development of an Innovation Centre and Micro Business Units by the same applicants (application number 2006/00428) was originally refused planning permission by North Cornwall District Council on 3rd August 2006 for the following reasons:
 1. The proposed Innovation Centre building by reason of its height, form, scale and massing within an area designated as an Area of Outstanding Natural Beauty has little regard for the traditional building style of the area and degree of exposure and is therefore contrary to Policy DVSI of the District Local Plan 1999, Policy 2 of the County Structure Plan 2004 and guidance contained in PPS I – Delivering Sustainable Development.
 2. Whilst noting the applicant's intention to utilise minibuses for transporting clients to and from the site, a situation which the Local Planning Authority is unable to control, it is considered that the narrow, torturous approach leading to the site is inadequate to cater for the additional traffic which is likely to be generated by the proposal. As such the proposal if permitted would be contrary to Policy DVS5 of the District Local Plan 1999.¹
3. Other issues were also raised regarding the original application, including the potential negative effects on the local population of corn buntings. The applicants have aimed to address the concerns raised in relation to the original application in the revised application submitted in December 2006.

¹ Application Number 2006/00428, TOWN AND COUNTRY PLANNING ACT 1990, TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995, Notice of Refusal for Development, N. Pedleton, 3rd August 2006.

4. LUC was provided with detailed information relating to planning application 2006/02500 by the Crugmeer Society and North Cornwall District Council at the outset of the project. The information includes:
 - The application for planning permission, including detailed plans and the Planning, Design and Access Statement²
 - A copy of the Planning and Development Committee Report³
 - Appendix 6: Haven Business Innovation Centre Transport Statement⁴
 - Appendix 6A: Haven Project Supplementary Transport Statement⁵
 - Countryside Agency Character Areas - Cornish Killas
 - Cornwall Landscape Assessment. Cornwall County Council. 1994
 - A Management Plan for the Cornwall Area of Outstanding Beauty 2004-2009. Cornwall AONB Partnership. 2004
 - Appendix 3. Landscape and Visual Assessment. Haven Project, Crugmeer, North Cornwall. Lavigne Lonsdale. February 2006
 - Appendix 3A. Amendments to the Landscape and Visual Impact Assessment dated February 2006. Haven Project, Crugmeer, North Cornwall. Lavigne Lonsdale. December 2006
 - Detailed correspondence from various sources relating to the application.
5. It should be noted that LUC were not able to obtain The Countryside Commission's Cornish Landscape, An Assessment of the Areas of Outstanding Natural Beauty in Cornwall (CCP 520) (1997) or comments from the County Council on the application.
6. The Planning and Development Committee Report for application 2006/02500 recommends that the application is approved subject to the applicant entering into a legal agreement to;
 - Operate a green travel plan;

² The Haven, Crugmeer, Near Padstow. Proposals for a Business Innovation Centre to Incorporate an Innovation Facility and Micro Business Units with Related Parking, Services, Landscaping and Highway Works, Planning, Design and Access Statement. Prepared for Haven Jetty Company Ltd by Penrilla Consultants Limited and CAD Architects Limited, 18, 12, 2006.

³ Planning and Development Committee Report, North Cornwall District Council, 27th February 2007

⁴ Haven Business Innovation Centre, Crugmeer Farm, Padstow, Transport Statement, Haven Jetty Company Limited, WSP, February 2006

⁵ Haven Business Innovation Centre Supplementary Transport Statement, Haven Jetty Company, WSP May 2006.

- Make a financial contribution to the provision of corn bunting habitat;
 - To undertake to deter helicopter activity in connection with the use.
7. Additionally, it is recommended that a number of planning conditions are attached to the planning permission. However, LUC has identified a number of issues in this report which have not been fully addressed in the application.
 8. As a result of time constraints, LUC have focussed on two main issues where concerns remain:
 - The potential effects and the amount of additional traffic which is likely to result from the application;
 - The potential effects of the proposal on the Cornwall AONB.
 9. The impact of the proposals on the local population of corn buntings has also been addressed in this report, but in less detail.
 10. The following issues have not been addressed in detail, but are referred to as appropriate when considering transport and landscape issues:
 - Reuse of rural buildings;
 - Residential amenity;
 - Erection of replacement buildings;
 - Economic considerations.
 11. We have not seen any evidence that either of the applications have been screened in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. **It is our view that as a minimum the Local Authority should have screened this application for the need for EIA, given the potential for it to give rise to significant effects.** Irrespective of whether or not an EIA is required, our view is that a full Transport Assessment should have been undertaken in accordance with best practice and guidance contained in Planning Policy Guidance (PPG) 13: Transport⁶.
 12. This report is divided into three sections; traffic and transport, landscape and the AONB and finally corn buntings. Each section sets out the relevant planning policy context followed by a summary of issues of concern in relation to each component. The conclusions are set out at the end of the report.

⁶ Planning Policy Guidance 13: Transport, Department for Communities and Local Government, March 2001.

TRAFFIC AND TRANSPORT

Relevant Planning Policy Context

National Planning Policy

13. PPG 13: Transport sets out the national planning policy context in relation to transport. The overall objectives of PPG 13 are to promote more sustainable transport choices, promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and to reduce the need to travel, especially by car.

Regional Planning Policy

14. Regional Planning Guidance for the South West (RPG10)⁷ contains a number of policies which aim to reduce the need to travel by private car, encourage walking, cycling and use of public transport and the management of demand.
15. The Draft Regional Spatial Strategy for the South West⁸ is due to be published in early 2008. Similarly to RPG10, this Strategy also supports demand management, improved public transport and encourages walking and cycling.

County Planning Policy

16. The Cornwall Structure Plan (2004)⁹ contains Policy 12: Sites and Premises for Employment which sets out considerations which should be taken into account when local planning authorities considering land allocations or development proposals. These considerations include the need to avoid any significant adverse effects on the natural or built environment and secure adequate mitigation where this may arise and the need to reduce travel and widen the choice of travel modes, including the potential to incorporate effective arrangements for "green travel".

Local Planning Policy

17. The North Cornwall District Local Plan (1999)¹⁰ contains two policies directly relevant to the traffic impacts of the application for an Innovation Centre and business units at Crugmeer Farm, Padstow. These policies are:

⁷ Regional Planning Guidance for the South West (RPG10, Government Office for the South West, September 2001.

⁸ Draft Regional Spatial Strategy for the South West 2006-2026, South West Regional Assembly, June 2006

⁹ Cornwall Structure Plan, Cornwall County Council, 2004.

¹⁰ North Cornwall District Local Plan, North Cornwall District Council, Adopted April 1999.

- Policy DVS5: Roads and Footpaths. This policy requires that development proposals are served by road, pedestrian and cycle network that can adequately accommodate proposed traffic without increasing congestion or accident potential. The policy states that roads, cycleways and footpaths that are required in association with new development should be safe, adequate and convenient for vehicles, pedestrians and cyclists and that development that would require new access or alterations to existing access will not be permitted where this would damage the appearance of the locality. Policy DV5S also requires that where there are off-site highway problems and deficiencies the Council will impose conditions to ensure development does not commence before such problems are resolved.
 - Policy DVS6: Vehicle Parking and Servicing. Policy DVS6 requires that development proposals should include parking provision and servicing, having regard to use, location and accessibility for walking, cycling and public transport. The policy sets out principles and requires that all major development contains cycle parking.
18. The North Cornwall Local Development Framework Draft Core Strategy¹¹ was published in September 2005 for an eight week consultation period. Following this consultation, the Council will reproduce the Preferred Options stage of the Core Strategy in summer 2008. The Draft Core Strategy contains a number of strategic objectives which promote sustainable transport, walking and cycling including:
- Policy SO12: Increase opportunities for travel using sustainable forms of transport, securing improvements to public transport infrastructure and facilities to promote cycling and walking in step with development.
 - Policy SO13: Direct development to locations which are easily accessible by a range of transport modes and which reduce the need to travel.
19. The Draft Core Strategy also contains two policies directly relevant to the traffic impacts of the proposals:
- Policy 1: Sustainable Development, which states that development will only be permitted if it achieves and promotes high level provision and use of sustainable transport modes where possible.
 - Policy 3: Locational Strategy, which states that development will be located to address social and economic needs and to minimise energy consumption, the need to travel and the use of greenfield sites; it will also avoid harm to features of acknowledged importance and be accessible by

¹¹ North Cornwall Local Development Framework Draft Core Strategy, North Cornwall District Council, September 2005

modes of transport which minimise the duration and number of car borne trips.

Summary of site access

20. The site has access off a three way junction on the southern side of Crugmeer, on an unclassified road 2km north of the B3276. This road meets the B3276 at Treator Junction. As stated in the Transport Statement, *'whilst the local network is unclassified it is mostly wide enough to allow two cars to pass with care; where the road narrows informal passing points have been formed by regular use'*. There is no public transport access to the site.

Issues of concern relating to traffic

21. There are a number of concerns relating to the compatibility of the proposals within the existing planning policy context, potential congestion of the access road on which the site is located, and road safety. These concerns are associated with:
- Periods of operation;
 - The accuracy of the Transport Statement which accompanies the application;
 - Additional traffic generated from the farm shop;
 - The traffic impacts of construction and renovation;
 - Walking and cycling; and
 - Helicopter access

Periods of operation

22. Although the Transport Statement highlights that the Innovation Centre will not be used during the summer season, it also states that *'during the peak period, the facility will be open for smaller conferences and more local meetings.'* There is no real indication of the type and size of meetings and conferences this could entail, and there are concerns that these could be significant. As there will be no means of policing the size and frequency of conferences and meetings that will take place during the peak summer season, it is necessary to assess the application on the basis that it runs at full capacity throughout the year (100 visitors to the Innovation Centre in addition to full use of the seven micro business units and related staff).
23. During peak summer months the Transport Statement estimates that the road through Crugmeer generates approximately 1000 vehicle movements. This is already significant in relation to the size of the access road. It is

feasible that a conference for 100 people may coincide with the traffic flows to the car park, which has the potential to cause major congestion.

Accuracy of Transport Statement

24. The Transport Statement (Appendix 6) and Supplementary Transport Statement (Appendix 6A) which accompany the planning application outline the existing traffic conditions in addition to the transport implications of the proposed scheme for an Innovation Centre and seven micro business units. **However, on closer examination, it is apparent that this statement does not take into consideration some major issues.**
25. Firstly, the Transport Statements states that *'it is estimated that the 7 micro units will generate approximately 14 vehicle trips a day during weekday.'* This would equate to one vehicle per day per unit moving to and from the site. However, the Statement also states that it is proposed that 11 parking spaces are made available for the units. This would indicate that at one time it is anticipated that 11 vehicles will be on site, which would equate to 22 vehicle movements per day throughout the year. An estimate of 14 vehicle trips per day would appear low for such units. Although there is little information available with respect to their use, it is likely that more than one vehicle a day would service these units. In addition to those working in each unit (which is likely to be more than one person), such units would require deliveries and cleaners to ensure that they would run effectively, increasing traffic movements to and from the site.
26. Secondly, the Transport Statement estimates that 10 to 20 trips per day will be generated by the Haven Innovation Centre, and these trips will be primarily by minibus. The Supplementary Transport Statement expands on this, stating that *'In practise there will be peaks and troughs in traffic levels depending on whether the centre is in use or not. The applicants have prepared a typical peak schedule of trips. This shows total trips of 45 per day for the Innovation Centre.'* However, this is based on a customer team of 25 people and 12 staff.
27. Although it is anticipated that the Centre will primarily for a business norm of 25 visitors, the Transport Statement highlights that on 10-15% of occasions (approximately one day a week) the attendance will be 60 visitors. The Centre is also designed with moving walls to allow for 100 people for one day events, indicating that such events will take place. These larger numbers are also likely to require additional staff, leading to additional vehicle movements.
28. The Planning and Development Committee Report prepared by Simon King for North Cornwall District Council considers *'the worst case scenario in which all users of the innovation centre were to come by private vehicle. This would be likely to generate on average a further 50 trips per day assuming 25 clients as*

being the norm. Although this may be perceived as the worst case scenario, this statement only takes into account 25 visitors. On a day where 60 clients were visiting the site (as is anticipated up to 15% of the time), a worst case scenario would equate to a worst case scenario of 120 trips per day. On a day where 100 people were visiting the site (as is anticipated for some 1 day events), this would equate to a further 200 trips per day. These figures do not take into account the additional vehicle trips generated by the business units or the staff required to service both the Innovation Centre and the business units.

29. There is significant cause for concern relating to those occasions when the Innovation Centre will be used for larger events such as those outlined above. Although the figures outlined above are very much a worse case scenario, and are likely to be lower due to the use of minibuses and taxis, it is these events that are likely to cause difficulties for those using the unclassified road on which the site is located. Although this road is generally wide enough to allow two cars to pass, the road narrows in places and requires informal passing places. When traffic flows are high, this is likely to cause congestion around these passing places, regardless of whether an additional passing place was provided as is outlined in the application. As the majority of journeys to and from the site are expected to be made by minibuses, which are significantly wider than cars, any congestion problems are likely to be exacerbated.
30. Lastly, there is also some concern relating to the traffic count that was undertaken by WSP as part of the transport study, outlined in the Supplementary Transport Statement. This count was undertaken on 9th May 2006, between the hours of 0700 and 1300. This count concluded that the traffic levels on the access road are '*very modest*'. This traffic count was taken outside the peak summer period, when traffic levels are generally much higher and the count was only carried out on one day. It would be more accurate to take counts in the peak summer season when traffic is likely to be at its highest. Thirdly, the count was only conducted in the morning, and then doubled to give an average traffic count over a typical 12 hour day. Traffic volumes may generally be much higher in the afternoon and early evening than in the morning. However, it is not possible to investigate this with the information available.

Additional traffic generated by farm shop

31. The Transport Statement states that Threthillick Farm has recently received planning permission to open a farm shop on the premises. The site visit undertaken by WSP indicated that this would result in more traffic on the southern section of the access road which services the application site. WSP estimate that this shop will attract between 10 and 20 visits per day from additional traffic which will mean 20 to 40 vehicle movements.

32. There is no indication as to whether these figures include deliveries (which are likely to require heavy vehicles) or additional movement needs for staff, cleaners etc. Such services may increase the maximum estimate to above 40 movements per day. The Transport Statement concludes that *'the approval for the farm shop sets a precedent that the level of additional traffic that it will attract, which is similar in volume to that of the Innovation Centre, is acceptable.'* It is difficult to understand the rationale for this statement. **The approval of planning permission for the Farm Shop should in fact be considered cumulatively with the proposed traffic likely to be created by the proposals**, which would increase pressure on the access road and create greater concern in relation to the potential additional traffic from the Innovation Centre and Business Units, were this application to be approved.

Impacts of construction and renovation

33. There is no mention in either the Transport Statement or the Supplementary Transport Statement of construction traffic. The application is for significant development and therefore it can be reasonably assumed that during the construction of the Innovation Centre and seven business units, large vehicles will need to travel to and from the site. These are likely to include HGVs, vans and cars transporting construction workers to and from the site in addition to other vehicles. On an access road that is not wide enough to accommodate two cars in some places, construction traffic is expected to cause significant issues in terms of congestion, and may potentially lead to road safety issues. Were construction to take place at a weekend or during peak times, this would be even more of a major concern.

Sustainable Transport

34. The Travel Plan which is included in the Transport Statement is updated by the Supplementary Transport Statement and includes a target for 75% of visitor trips to be made via mini-bus. Additionally, the Travel Plan aims for 5% of all visitors to arrive by taxi and bicycle.
35. There is no public transport to the site. Although *'customers will be encouraged to walk or cycle into Padstow or Trevone'* there is no guarantee that this will happen. As outlined in the Transport Statement, Padstow is 2.7km from the site and Trevone is 3.3km. The Design and Access Statement which accompanies the planning application states that the visitors will rely on accommodation in Padstow or Trevone. It is considered unlikely that those visitors staying in these settlements will walk or cycle between 2.7 and 3.3km during the winter months in bad weather or when it is dark, as this may pose significant risks to safety. The access road on which the centre is provided has no pavements, and although the centre may provide bicycles, there is no room for a cycle lane. It is considered to be much more likely that these visitors will require transportation by minibus or by private taxi daily to and from the site.

Helicopter Access

36. The Planning and Development Committee Report recommends that the application is approved subject to entering into a legal agreement to *'undertake to deter helicopter activity in connection with the site.'* This would indicate that the local authority anticipates that some visitors may wish to use helicopters to travel to and from the site. Although the Haven Jetty Company Ltd will *'undertake to not do anything to encourage or allow the landing of helicopters in the Defined Area and issue instructions to its customers on booking that helicopters are not to be landed in the Defined Area,'*¹² there is still concern that helicopters may be used by visitors and landed in close proximity to the site.
37. Additionally, the wording used in the Planning and Development Committee Report *'to undertake to deter'* is not enforceable and consequently and would not prevent visitors from flying helicopters in close proximity to the site, and, most importantly, in the Cornwall AONB.

The proposal in the context of planning policy

38. Policy DVS5 of the North Cornwall District Local Plan requires that development proposals are served by a road, pedestrian and cycle network that can adequately accommodate proposed traffic without increasing congestion. By providing an Innovation Centre and business units which are likely to significantly increase traffic on a small access road on some occasions e.g. when larger events are held and during construction, the planning application does not comply with this policy.
39. Policy DVS5 also requires that development proposals must be served by roads, pedestrian and cycle networks that can accommodate proposed development without increasing accident potential. There is concern that those visitors who decide to use the bicycles provided on site or walk the 2.7km to Padstow or 3.3km to Trevone may be at risk of accidents. The narrow access road along which they would need to travel does not have cycle lanes, and nor is there street lighting, which is likely to increase accident potential and therefore not comply with policy DVS5.

¹² Letter from Chris Chapmand, Haven Jetty Company Ltd to Simon King, North Cornwall District Council, dated 23rd May 2006

LANDSCAPE AND THE AREA OF OUTSTANDING NATURAL BEAUTY

Relevant Planning Context

National Planning Policy

40. Planning Policy Statement 7 (PPS7)¹³ addresses Sustainable Development in Rural Areas, and discusses development in the countryside. It states that Areas of Outstanding Natural Beauty (AONBs) have the highest status of protection in relation to landscape and scenic beauty, and that the conservation of the landscape should be given great weight in development control decisions in AONBs. However, PPS7 also states that planning policy should support suitably located and designed development necessary to facilitate the economic and social well-being of designated areas and their communities.
41. PPS7 states that major developments should not take place in these designated areas. The 2006 amendments to the Town and Country Planning Act¹⁴ describes 'major development' as that which involves one or more of the following: winning or working of minerals; waste development; the provision of 10 or more houses, or housing on an area over 0.5 hectares; the provision of buildings where the floor space to be created is 1,000m² or more, or development on a site over 1 hectare.

Regional Planning Policy

42. RPG10 states that
 - Planning authorities should provide for the strong protection and enhancement of internationally and nationally important landscapes in the South West, which includes AONBs;
 - The protection and enhancement of the landscape should be planned into new development; and
 - Measures should be taken to protect the character of the countryside.
43. The draft RSS for the South West provides specific protection for AONBs; it states that in AONBs the conservation and enhancement of the natural beauty of these areas will be given priority over other considerations in the determination of development proposals. It is stated that development will

¹³ Planning Policy Statement 7: Sustainable Development in Rural Areas. Office of the Deputy Prime Minister. 2004.

¹⁴ The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006

only be provided for where it would conserve or enhance the natural beauty of the area, or foster the social or economic well-being of the communities within the AONB.

County Planning Policy

44. The Cornwall County Structure Plan states that the quality, character, diversity and distinctiveness of the natural and built environment of Cornwall will be protected and enhanced. The Plan requires that AONBs and other designated sites are given the strongest protection from any adverse effects of development, and that full account must be taken of the specific features or qualities which justified the designation of the area.

Local Planning Policy

45. Policy ENVI of the North Cornwall Local Plan states that in AONBs the main priority will be the conservation of the natural beauty of the landscape, and that proposals will not be permitted where they would adversely affect the character or amenity of these areas unless the development is required in the national interest and no alternative sites are available.
46. Policy 6 of the Draft Core Strategy of the North Cornwall Local Development Framework states that proposals for development will be expected not to cause unacceptable harm to the character and quality of the landscape or settlements.

Landscape Character and the Cornwall Area of Outstanding Natural Beauty

47. The proposal site is located in Natural England's Cornish Killas Character Area¹⁵. This area is characterised by undulating plateaux with wooded valleys and rugged coastlines. Settlements are in a dispersed pattern of hamlets, farmsteads and small fishing villages. Within this, the site is in the Western Plateau Area of the Coastal Camel Group of the Cornwall Landscape Assessment¹⁶. This is a generally agricultural landscape with a mixture of medium-scale arable and pasture land. There is a strong link between local geology and the built environment; the use of slate in vernacular architecture distinguishes this landscape from its surroundings. The Landscape Character Assessment concludes that pressures of tourism are likely to change the landscape, and suggests that it would be unfortunate to allow large scale development to occur and that dilution by inappropriate building styles and road improvement should be avoided. It also states that the maintenance of

¹⁵ Cornish Killas Character Area Profile. Countryside Agency.

¹⁶ Cornwall Landscape Assessment. Cornwall County Council. 1994.

the distinctiveness of the area, particularly in building materials, is key in preserving the landscape.

48. The site is also located in the Cornwall AONB, which was designated in 1959. The National Parks and Access to the Countryside Act¹⁷ states that:
- The primary purpose of AONB designation is to conserve natural beauty;
 - In pursuing the primary purpose account should be taken of the needs of agriculture, forestry, other rural industries and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment;
 - Recreation is not an objective of designation, but the demand for recreation should be met so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.
49. The Cornwall AONB was designated for its specific qualities¹⁸:
- *“the special topography - the spectacular coast, the hidden valleys and open rugged moorlands, all influenced by a wonderfully complex underlying geology;*
 - *an elemental quality – the landscapes are places where the natural forces that shape the landscape can be experienced - the proximity to the sea, the quality of the light, the influence of the weather that can transform the nature of the landscape;*
 - *the landscapes are areas of Cornwall where the interaction of people and nature over many hundreds of years has resulted in a landscape of diverse land use patterns, in many cases of ancient origin, which in turn support an outstanding diversity of habitats;*
 - *the cultural associations which create a sense of place that is uniquely Cornish - the Cornish language reflected in the place names, the traditions, legends, local foods and festivals arising from a deeply historic link between people and the landscape”.*
50. The Cornwall AONB is characterised by its rich landscape, varying from wild remoteness to sheltered hidden areas. There are also coastal areas which include fishing villages and exposed headlands, and areas of open moorland.

¹⁷ National Parks and Countryside Act. 1949.

¹⁸ A Management Plan for the Cornwall Area of Outstanding Beauty 2004-2009. Cornwall AONB Partnership. 2004.

Landscape and Visual Impact Assessment

51. The original application (2006/00428) includes a Landscape and Visual Impact Assessment (LVIA) of the proposed development as Appendix 3¹⁹, and amendments to this assessment were submitted with the current application (2006/02500) as Appendix 3A²⁰. The LVIA assesses the baseline landscape including the historic context, vegetation and land use and landscape character. The likely landscape impacts of the development are identified, and the magnitude, extent, timescale and the sensitivity of receptors are used to assess the likely significance of the impact. The study also establishes the Visual Envelope and examines the likely visual impact of the development from a number of surrounding viewpoints. The LVIA is thorough and appears to be in line with good practice.
52. The study acknowledges that the location of the site in an AONB means that the landscape is highly sensitive to change, and that the popularity of the area with visitors means that there will be a high number of visual receptors, particularly from viewpoints along the South West Coastal Path, which is a National Trail and therefore also highly sensitive.
53. The Amended LVIA finds that the extent of the Visual Envelope of the proposed development will be focussed to the north. This area is within the AONB and includes sections of the South West Coastal Path National Trail.²¹
54. The Amended LVIA determines that there will be potential adverse impacts on the landscape and visual amenity during construction, but that these will be temporary and therefore not significant. The permanent effects of the development are assessed to be:
- the beneficial effects of the removal of the existing modern barns and the reinstatement of boundary hedgebanks;
 - the adverse effects of the erection of a new building and the effects of the ridgeline of the proposed building being seen on the skyline above the existing barns (the proposed ridge height will be 1.67m above the highest ridge of the existing agricultural sheds), leading to an increase in built form in the view;
 - the removal of potential agricultural use;

¹⁹ Appendix 3. Landscape and Visual Assessment. Haven Project, Crugmeer, North Cornwall. Lavigne Lonsdale. February 2006.

²⁰ Appendix 3A. Amendments to the Landscape and Visual Impact Assessment dated February 2006. Haven Project, Crugmeer, North Cornwall. Lavigne Lonsdale. December 2006.

²¹ Appendix 3. Landscape and Visual Assessment. Haven Project, Crugmeer, North Cornwall. Lavigne Lonsdale. February 2006. Page 15.

- the movement of traffic and people.
55. The Amended LVIA concludes that there will be some adverse effects on three viewpoints, particularly Key Viewpoint 2, 10m east of the application site within the hamlet of Crugmeer²², where the ridgeline of the proposed new building would be seen above the ridge of the existing buildings, and also Secondary Viewpoint 11 (1650m south of Crugmeer on the B3276) and Secondary Viewpoint 17 (3150m west of Crugmeer, from the village of Harlyn) from where the rooftops of the development would be visible.
56. These adverse impacts are likely to be of small magnitude (although this is not stated explicitly in the Amended LVIA), and the Amended LVIA concludes that the significance of the impacts will be negligible. This conclusion is not supported. Table 1 on page 28 of the Original LVIA (Appendix 3) demonstrates that a small impact on a highly sensitive receptor will result in a moderately significant effect, and that a negligible impact on a highly sensitive receptor will result in a moderate to slight impact. The high sensitivity of the AONB landscape means that the adverse effects of the proposed development will have a moderate degree of significance.
57. The LVIA concludes that the overall effect on the landscape and visual amenity is likely to be beneficial and will make a positive contribution to the integration and renewal of the buildings in this important landscape setting.
58. However, although there may be some beneficial effects on the landscape, there will also be some adverse effects, and given the high sensitivity of the AONB landscape, these adverse effects will be significant. Therefore the applicant's own conclusions are not justified by the supporting material they have submitted.

The proposal in the context of planning policy

59. National level policy states that major development should not take place in AONBs. The proposal would lead to a net decrease of 107m² in the floor space of the development (from 1,397m² of agricultural storage buildings to 1,290m² of floor space in the business innovation centre and micro-units), and the site area of the proposal is 0.5ha. Therefore compared with the criteria for major development set out in paragraph 39 above, the proposal does not constitute major development. The application also refers to a separate proposal for the re-erection of one of the modern sheds, which would constitute development in the AONB. No information was provided on the size or location of this application, and therefore it has not been considered further.

²² Appendix 3. Landscape and Visual Assessment. Haven Project, Crugmeer, North Cornwall. Lavigne Lonsdale. February 2006. Page 16.

60. PPS7 states that development in AONBs will be supported where it will meet the economic and social well-being of the communities of these areas. Paul Walton, Cornwall AONB Partnership Manager, comments in his letter to North Cornwall District Council Case Officer Simon King of 14th February 2007²³ that the hamlet of Crugmeer has limited economic needs, and that the employment opportunities that are likely to be created by the development are likely to be low-skilled and those which are already available in larger settlements in the area. It is likely that most of the economic benefit of the proposed development will not be received by the local community. This letter also points out that the explanatory text to Policy ENVI of the North Cornwall Local Plan acknowledges that landscape change in the AONB will take place “*arising from the requirements of agriculture and other rural industries and economic and social needs of local communities*”. The landscape change arising from the proposed development will not be as a result of these factors. It is concluded that the proposed development will not meet the social or economic needs of the local community and therefore does not fulfil the criteria required for development in an AONB to be permitted and is at variance with PPS7. These conclusions are supported and reiterated by LUC.
61. RPG10 requires development in AONBs to take measures to protect the character of the countryside, and the North Cornwall Local Plan states that new proposals will not be permitted where they would adversely affect the character or amenity of these areas. **The Amended LVIA shows that there will be adverse effects on the landscape, and the high sensitivity of the AONB landscape means that these adverse effects will be significant.** Therefore the application is at variance with Policy ENVI of the North Cornwall Local Plan.
62. The Cornwall County Council Structure Plan emphasises that proposed development in an AONB should take account of the reasons for the designation of the area. The Cornwall AONB is designated for its special topography, its elemental quality, the evidence of the interaction of people and the environment and the cultural associations and sense of place. The Landscape Character Assessment for the area states that the preservation of the architectural vernacular and conservation of sense of place should be encouraged by the use of slate. The development proposes to use salvaged slate on the new buildings, and to maintain the existing stone and slate buildings. The design of the building is therefore in line with planning policy.
63. The character of the Cornwall AONB is discussed in the Cornwall AONB Management Plan¹⁸ and protected by policy ENVI of the North Cornwall District Local Plan. The landscape is rich and varied, but is primarily

²³ Letter from Paul Walton, Cornwall AONB Partnership Manager to Simon King, North Cornwall District Council, Community Services, Development Control. Dated 14th February 2007.

characterised by the sense of wilderness, whether wild and remote or sheltered and hidden. **The increases in numbers of people and traffic likely to be caused by the proposed development threaten the wild and rural character of the AONB and therefore are at variance with the North Cornwall District Local Plan.**

64. The proposed development would increase tourism in the area, which is specifically identified as a threat to the landscape in the Cornwall Landscape Assessment¹⁶. Large increases in numbers of vehicles using the local roads (as set out in the Traffic and Transport section of this report, above) and the associated increases in traffic and noise and light pollution are likely to reduce the feeling of wilderness of the area, and therefore adversely affect the character and amenity of the AONB.
65. The Cornwall Landscape Assessment specifically states that road improvements should be avoided as they would have adverse impacts on landscape character and therefore the road improvements proposed in the application will adversely affect the AONB's landscape character. The proposed visibility improvements at the Treator Junction and road widening to provide an additional passing place on the unclassified road from Crugmeer to the B3276 at Treator Junction are of particular concern. Both these schemes would involve the destruction of the roadside hedges. Cornish Box Hedges are described in the AONB Management Plan as "*perhaps the defining feature of the Cornish landscape*" and are key in the character of the AONB. Therefore the destruction or removal of these hedges would have significant adverse effects on the character of the AONB.
66. As set out in paragraphs 36 and 37, North Cornwall District Council may be anticipating the use of helicopters by some visitors to travel to and from the site. This would have a hugely significant detrimental effect on the wild character of the AONB and would be unacceptable. Any increase in the number of helicopters in the vicinity would be completely at variance with planning policy at all levels to protect the character and amenity of AONBs.
67. The proposals are likely to negatively affect the landscape character of the AONB, and therefore are not compliant with North Cornwall District Local Plan Policy ENVI.

CORN BUNTINGS

Relevant Planning Policy Context

National Planning Policy

68. Corn Buntings are protected under the Wildlife and Countryside Act 1981 and are part of the UK Biodiversity Action Plan (BAP)²⁴. Planning Policy Statement 9 on Biodiversity and Geological Conservation²⁵ discusses the protection of UK BAP species; it is stated that these species should be protected from adverse impacts of development and that planning authorities should refuse permission for developments where harm would occur, unless the need for and benefits of the development clearly outweigh the harm.

Regional Planning Policy

69. RPG10, the Regional Planning Guidance document for the South West states that local authorities should aim to protect nature conservation interests and aim to maintain and enhance the biodiversity resources of the region. The Draft South West Regional Spatial Strategy states that the distinctive habitats and species of the South West will be maintained and enhanced.

County Planning Policy

70. The Cornwall County Structure Plan discusses the conservation of species protected under the Wildlife and Countryside Act, and states that development must respect natural features which add to the area's distinctiveness. The corn bunting is a Cornwall BAP species.

Local Planning Policy

71. The North Cornwall Local Plan states that development proposals which are likely to result in unacceptable harm to a statutorily protected species will not be permitted unless the protection of the species can be secured through a planning condition or obligation.

The proposal in the context of planning policy

72. The Planning, Design and Access statement which accompanies the application states that the site is close to land which is part of the range for corn buntings, and an agri-environmental scheme is in place for corn bunting management on this neighbouring land. It is proposed that signs are put up and information leaflets made available to discourage visitors from wandering

²⁴ <http://www.ukbap.org.uk/>

²⁵ Planning Policy Statement 9: Biodiversity and Geological Conservation, Officer of the Deputy Prime Minister, August 2005.

into surrounding habitat and disturbing corn buntings. In addition, a one-off contribution will be made to the RSPB for off-site habitat development.

73. The RSPB has commented on the proposal and maintain concerns about the impacts of increased numbers of people in the area daily, and their impacts on corn buntings. The RSPB has made a number of further recommendations to minimise the effects of visitors on corn buntings and their habitats including methods to encourage visitors to stay within the footprint of the development site, controls on events which might bring large numbers of people to the site and a dog ban during the breeding season.
74. If these recommendations are not put into place, this development could have a significant negative effect on the local population of corn bunting, and is therefore at variance with local, regional and national level planning policy.

CONCLUSIONS

75. This report raises a large number of concerns relating to application 2006/02500 for the development of an Innovation Centre and micro business units at Crugmeer Farm, Padstow. It is recommended that this application is not granted planning permission for the following reasons:
- The number of visitors using the centre and micro business units at one time cannot be policed. Therefore, the application should be considered as running at full capacity (100 visitors to the centre, full use of the micro business units and related staff) throughout the year.
 - Significant congestion is likely to result from the proposals, particularly during the peak summer season.
 - The traffic likely to be generated from the Farm Shop should be considered cumulatively with the traffic likely to be generated from the Innovation Centre and seven micro business units.
 - The construction and renovation of the Innovation Centres and micro business units is likely to require the use of HGVs and other traffic. This could result in major congestion on the narrow access road to the application site.
 - It is unlikely that users of the Innovation Centre and micro business units will walk or cycle to and from the site, particularly in the winter months or after dark. Additionally, there is no public transport to the site.
 - There are concerns relating to then impact on the Cornwall AONB of helicopters which may be used by visitors to the site, regardless of whether these helicopters are landed outside the application site.

- The Amended LVIA concludes that the proposed development will increase the height of the ridgeline, and therefore increase the mass of buildings visible. This will have adverse impacts on the landscape. The highly sensitive nature of the AONB landscape means that these adverse impacts will be significant.
- The proposed development will be unlikely to provide financial benefits or any facilities to the local community and therefore will not facilitate the economic or social well-being of the community and so should not be located in an AONB.
- The proposal will increase the number of visitors to and the amount of traffic in the area, and will increase light and noise pollution. This will have adverse effects on the wild character and amenity of the AONB.
- The road improvement that would be required to allow the large increases in traffic levels predicted from the development will negatively affect the AONB's landscape character. Specifically the removal of Cornish Box Hedges from roadsides to increase visibility and create passing places will destroy one of the defining features of the landscape and therefore have an adverse effect on the character of the AONB.
- The proposals are located close to corn bunting habitat and have the potential to have significant negative effects on these protected birds if RSPB recommendations are not put into place.

76. Therefore, it is concluded that the proposed development is contrary to planning policy and should not be granted planning permission.

Land Use Consultants

20th March 2007

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