

PROPOSED EXTENSIONS TO BURIAL SITE | DESIGN, ACCESSIBILITY & PLANNING APPRAISAL
INCLUDING GREEN INFRASTRUCTURE STATEMENT AND TRAVEL STATEMENT

ADDRESS: ROSE FARM, BURYAS BRIDGE, PENZANCE, TR19 6AN

CLIENT: PENWITH WOODLAND BURIAL LLP

DATE: FEBRUARY 2024



planning | architecture | landscape

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1.0 EXECUTIVE SUMMARY

Laurence Associates is retained by Penwith Woodland Burial LLP ('the applicant') to progress a full planning application for the proposed development of extension to Burial site at Penwith Woodland Burial, Rose Farm, Chyanhal, Buryas Bridge, Penzance, TR19 6AN ('the application site').

This statement, alongside a review of the site history and relevant policies at both a local and national level, provides a description of the proposed development together with an appraisal of the planning merits of the scheme as a whole and should be read in conjunction with the suite of submitted drawings.

It is concluded that the proposed development is entirely consistent with relevant policies contained within the Cornwall Local Plan 2010 – 2030 (CLP 2016), as well as policies within the National Planning Policy Framework 2023 (NPPF 2023), the pre-submission draft version of the Penzance Neighbourhood Development Plan (2022), and supplementary guidance contained within the Cornwall Design Guide 2021.

Moreover, it is demonstrated within this statement that the development should be supported by the LPA and permission ought to be granted.



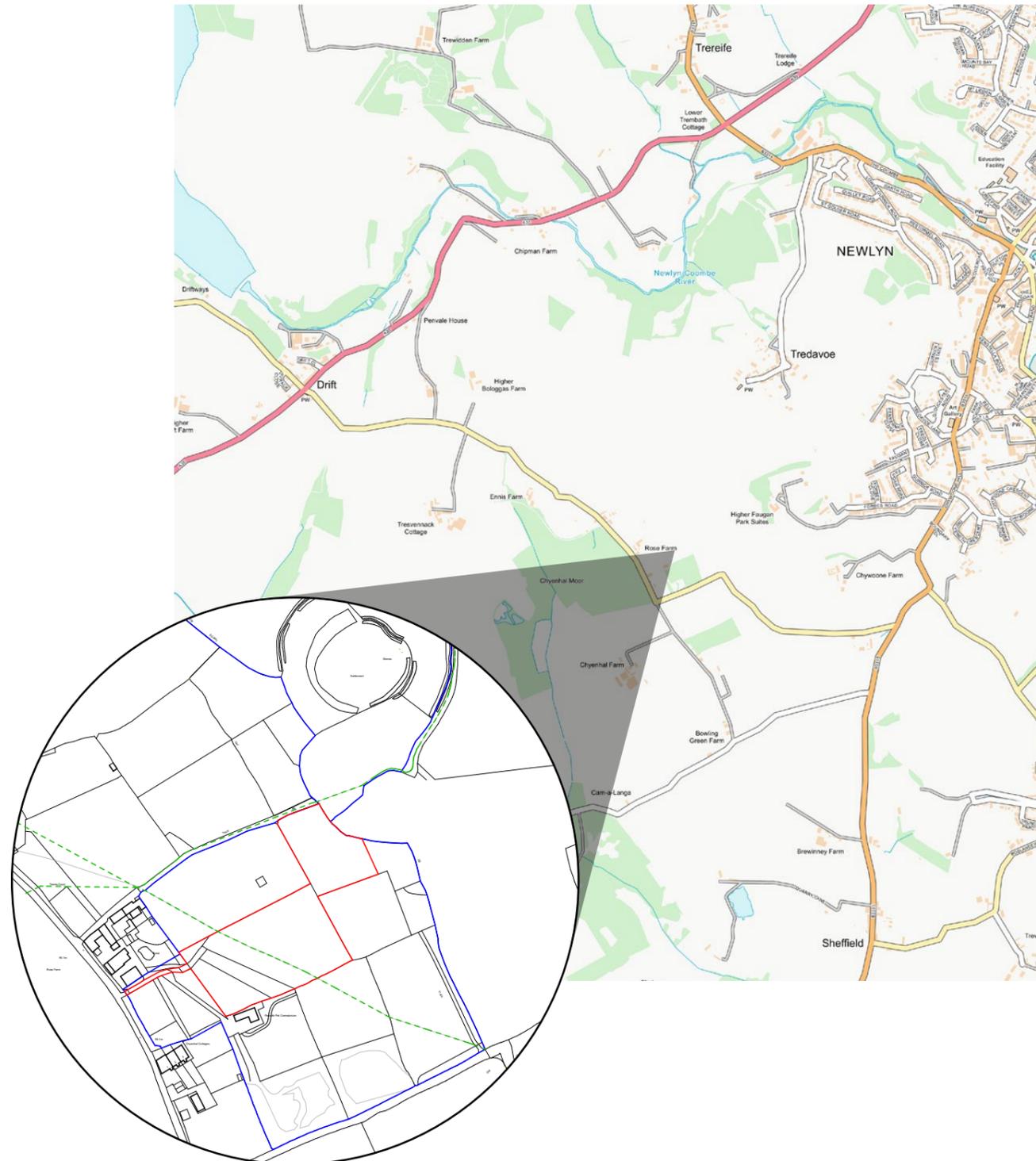
2.0 EXISTING SITE

The application site is located at Penwith Woodland Burial, which is approximately 1km southwest of Newlyn, and 4km southwest of Penzance. The proposed development will be on a site which sits adjacent north-northwest of the existing Burial site and is approximately 60m southwest of the Faugan 'round', a scheduled monument.

In terms of environmental constraints, the site is within the St Buryan Area of Great Landscape Value (AGLV), and the Penzance Critical Drainage Area (CDA). The site has been identified by the Environment Agency as being within Flood Zone 1, which is deemed the lowest risk of flooding from seas or rivers, although the site is susceptible to ground water flooding. There is a public Right of Way running through the site. In terms of heritage constraints, there is Faugan Round, a prehistoric site which is a scheduled monument, on the site.



2.1 SITE LOCATION



ROSE FARM, PENZANCE | SITE LOCATION



2.2 EXISTING PHOTOGRAPHS

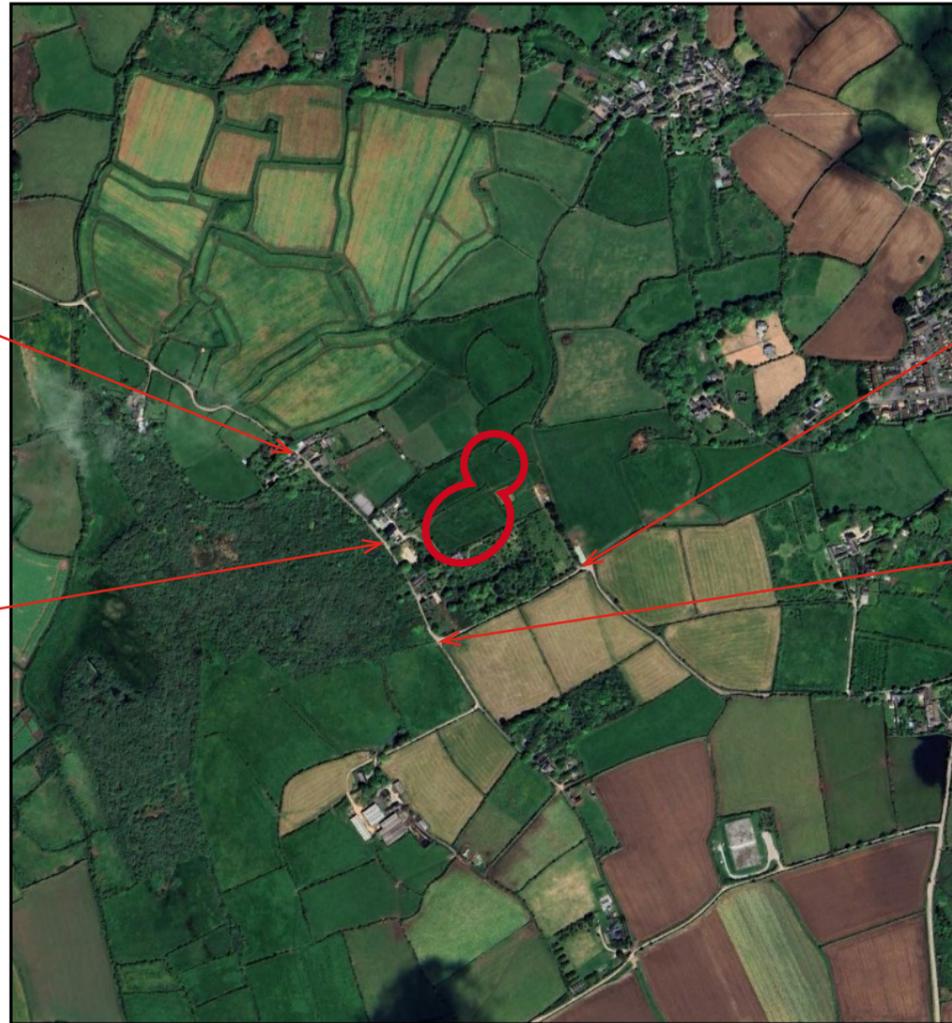


Land at Penwith Woodland Burial, Rose Farm, Chyanhal, Buryas Bridge, Penzance, TR19 6AN





2.3 LOCAL CHARACTER



2.4 EXISTING SITE PLAN / ARCHAEOLOGICAL SURVEY



NOT TO SCALE



3.0 BACKGROUND TO BUSINESS

Rose Farm is located in Chyanhal, and the grounds have been lovingly developed to create a traditional woodland, providing wonderful environmental benefits as well as encouraging a wide variety of wildlife. Penwith Woodland Burial offers an alternative and natural form of Burial in which the graves will remain forever in a developing landscape. The setting has been carefully considered and all Burial spaces are recorded on plans to ensure that they may always be located amongst the woodland and natural flora.



4.0 PLANNING HISTORY

The site received Pre-application advice relating to extending the Burial site on October 7, 2019, under (PA19/02246/PREAPP). The advice given was largely positive, with matters for consideration given to allow for an acceptable scheme. Significant changes to the site area have been made following comments provided and following advice by a heritage consultant. The proposal is now heritage led and has carried out all the relevant surveys.

A search of Cornwall Council's online planning register has been undertaken in order to understand the site's planning history, and the following applications were identified within the site's red line boundary:

- **W1/99/P/0613:** Use of part of pet memorial grounds for human Burials (may affect public right of way) Head No(s): 87338 91614 91615—Approved with conditions on 21st October 1999.
- **W1/95/Y/0001:** Certificate of lawfulness in respect of proposed use of land for human Burial Head No(s): 87338— Refused on 10th Jul 1995.
- **W1/90/P/0684:** Use of memorial garden as pets' Burial ground Head No(s): 87338— Approved with conditions on 17th August 1990.
- **W1/87/P/1338:** Planning application approved for the use of land as pet crematorium and memorial gardens and construction of flue— Approved with conditions on 17th August 1990.



5.0 PROPOSED DEVELOPMENT

This application seeks consent for the extension to a Burial site in order to provide up to 920 additional Burial plots.

The proposed development would both physically and visually extend the existing Penwith Woodland Burial site, in a way that would give the extended site more 'complete' appearance and would be one larger area of woodland. The site would be significantly improved by the proposal and would introduce effective green infrastructure to the site.

The Public Rights of Way which runs through the site will not be negatively impacted by the proposed development, and the addition of woodland to what is currently open fields will provide the benefits and functions expected from such examples of green infrastructure to the site for those who will use the Public Rights of Way. Only a small amount of natural slate is used for each grave marker on the Burial, and it is considered that the use of any materials for the proposed development would be minimal.



6.0 PLANNING POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise; meaning amongst other things any other supplementary/ supporting planning documents and the government's guidance as set out in NPPF 2023.

The statutory development plan for the site consists of the CLP, whilst material considerations in this instance comprise national policies set out within the NPPF 2023, and the Cornwall Design Guide 2021.

The relevant policies are appended to the end of this DAPA.



7.0 DESIGN & ACCESS STATEMENT

The application seeks planning permission for the proposals that are detailed fully within the suite of submitted drawings.

Amount

The proposal will extend the Burial site so as to provide 920 additional Burial plots. The site is 0.9 ha.

Layout

The layout of the proposed works is provided on the Proposed Site Plans.

Scale

The scale of the proposed works is considered to be appropriate given the site's size, along with its function as a Burial site, along with additional woodland. The site has an area of 0.9, and the proposal will not result in any additional buildings to the site.

Appearance

The nature of the proposal, as an 'alternative' Burial site where a tree is planted on every grave, means that the proposed development would initially not be altered but through time would eventually become an area of woodland with up to 920 trees. It is considered that the proposal would significantly enhance the natural appearance of the site.

Access

The car park layout would remain the same as existing. The highway access remains the same as existing.



7.1 PROPOSED SKETCH PLAN DETAIL



SKETCH PLAN - DETAIL
1:500

NOT TO SCALE



7.2 3D ILLUSTRATIVE VIEW



View from North East



8.0 PLANNING ASSESSMENT

Principle

In terms of the principle of the development, it is considered that the proposed development constitutes sustainable development, in line with Policy 1 of the CLP, and Paragraph 11 of the NPPF. It is considered that the proposed development is of high quality, safe, sustainable, and inclusive design which will positively impact local character and distinctiveness, through the use of native trees.

In regard to specific policy, it is noted that Policy 16 of the CLP outlines that development should 'Provide flexible community open spaces that can be adapted to the health needs of the community and encourage social interaction'.

When referring this policy to the proposal, it is clear that the scheme would introduce a community open space which provides a tranquil environment to improve the health of users. The Burial site will provide for a peaceful and natural setting to allow users of the visit, to reflect on those that been lost. It is considered that each tree will represent a celebration of each life and encourage health and wellbeing of those visiting the site.

Beyond this, Policy 4 of the CLP states that new community facilities should, wherever possible, be supported. The proposal would provide a community service to the local area and community to allow for a space for local people to remember their lost ones. Indeed, the Burial service provides for Burials that may other not be accepted at other formal Burial sites such as pet Burials and Burials for infants, which are not accepted unless they are of a certain age.

In all, it is considered that the proposal would introduce significant public benefits to the site and wider area. This should be viewed in favour of the development.

Design/Character

The site sits within the St Buryan AGLV. Policy 14 of the CLP outlines that 'development within the Heritage Coast and / or Areas of Great Landscape Value should maintain the character and distinctive landscape qualities of such areas'.

The proposal seeks to enlarge the existing Burial site which is present to the south of the proposal site. Different to other Burial grounds, the ethos of Penwith is to plant trees in place of new Burials. Because of this unique and wonderful approach, the site will become a new woodland, which will be of high natural value. The trees planted, as outlined on their website, are native to England and therefore are of species which are common to the wider landscape. It is considered that the proposal will lead to a visual enhancement to the existing site through the addition of new landscaping. Due to this, it is considered that the proposal would result in an enhancement to the character and distinctive landscape qualities of the area, in line with Policy 23 of the CLP, along with paragraph 184 of the NPPF.

Heritage

The Pre-Application Advice given under (PA19/02246/PREAPP) stated that any application for an extension to the Burial site should be accompanied by a Heritage Assessment and Geo-physical survey.

A heritage statement and Geophysics report have been commissioned and completed as part of this submission. The Heritage Statement (ROSEF0323 v0.1) includes a heritage impact assessment to assess the impacts of an extension to the current Penwith Woodland Burial Site. The statement also provides a full overview of the history of the site and its value, detail in regard to the walkover surveys and provides conclusions of the assessment. The report concludes that the proposal would have a neutral impact to the scheduled monument.

A Geophysical Survey was conducted by Southwest Archaeology on 17th July 2023. The Report sets out the background of the site, including its history, the details of the geophysical survey and the conclusions of the report. Within its conclusions, the report found that the archaeological potential of the site is moderate. It furthers to say that 'any development of the site is likely to encounter and destroy the buried archaeological resource (should it be present), and it is recommended that further mitigation through, in the first instance, targeted evaluation trenching to validate and clarify the results of the geophysical survey.



Ecology Assessment

A Preliminary Ecological Appraisal (PEA) was produced in support of the proposal by Western Ecology on 28th January 2024. The PEA found that while the proposed development does have potential to have a significant effect on a valued ecological feature of nature conservation interest, but within 5.2 states that no hedgerow is proposed to be lost.

The report concludes that 'Information within this report is sufficient to allow a robust assessment of the potential effects on the majority of ecological features associated, or potentially associated, with this site. No further surveys are recommended'.

Mitigation measures suggested within the report can be conditioned if seen as appropriate to do so.

BNG

The scheme will result in biodiversity net gain. The proposal is viewed as being in line with Policies G1, and G2 of the Cornwall Climate Emergency Development Plan Document (2023).

Green Infrastructure Statement

Surrounding area: The site of the proposed development is in a countryside location, adjacent to agricultural fields to the north, south, and east, along with Chyernal Moor, a valley which is an SSSI due to its *rare plants* and *diverse range of habitats*, to the west of the site. The planting on Chyernal Moor contributes to biodiversity and provides ecosystem services to the site.

Open space: Both the site itself, and the area surrounding the site also provides open space, contributing to biodiversity. The space also acts as a buffer and enables wildlife to utilise the site and benefit from the functions offered by the on-site green infrastructure.

On-site planting: The proposal will result in the additional planting of trees to the site, which means the functions and benefits associated with green infrastructure being indirectly provided by the proposed development. The additional trees which will result from the proposal will enable both people who will use the site, and local wildlife to enjoy the functions offered by effective examples of green infrastructure.

Conclusion: The site's location, proximity to nearby Chyernal Moor, and on-site planting means that the site already enjoys a desirable green infrastructure network. It is in the interest of the applicant to preserve this green infrastructure network, and this is reflected by the way in which the proposal will increase planting on the site, enhancing green infrastructure on the site.

Climate Change

Trees can play an important role in fighting against climate change. Trees provide carbon capture and can store atmospheric carbon and remove it from the atmosphere. Beyond this, trees also expel oxygen which contribute towards clean air and healthier living. It is therefore considered that the scheme, which would enable the continued viable planting of trees on the site, would bring further public benefits and help prevent climate change. The application is therefore viewed as being in line with the aims and intentions of the Climate Emergency Development Plan Document.

Further information on the benefits of planting trees can be found via this link: <https://www.woodlandtrust.org.uk/trees-woods-and-wildlife/british-trees/how-trees-fight-climate-change/>

Flood Risk Assessment

The site is identified by the Cornwall Council Local Flood Risk Management Strategy as being located in the Penzance Critical Drainage Area (CDA). A CDA is an area that has critical drainage problems, and which has been notified to the LPA as such by the Environment Agency.

Penzance and Newlyn are deemed by the Local Flood Risk Management Strategy to be a Priority Community. The Environment Agency identifies this CDA as a 'rapid-response catchment' with flood risk from the coast.

Within the section outlining Minimum Drainage Standards, all new developments are required to play their part in reducing current rainfall runoff rates, with on-site surface water being safely managed up to the 1 in 100 plus climate change conditions.

The site is located nearby to Chyernal Moor, which is described as a poorly drained shallow valley.



Assessment

The proposal is for a development which will eventually lead to additional planting on the site. It is considered that the proposal will not contribute to flood risks. The proposal includes retaining existing permeable surfaces, and the nature of the development will not make the site more susceptible to surface or ground water flooding. Indeed, planting trees is viewed as a way to limit flooding as they are effective in increasing water infiltration and slow run-off. As such, it is considered that the proposal would provide a natural way in enhancing flood resilience on site, in line with Policy 26 of the CLP.

The proposal will therefore not have any implications with respect to the CDA.

Transport Assessment

A Transport Statement (TS) was produced by Jim Holt Ltd in January 2024. The TS concluded that the proposed development would not generate any additional traffic compared to the existing business. The TS found the site's current access and parking to be suitable to accommodate the proposed development, along with being appropriate and acceptable in traffic and transport terms, compliant with Local and National Policy.



9.0 CONCLUSION

It has been demonstrated that the proposal is consistent with adopted local planning policies and would be consistent with the thrust of the NPPF policy. The development should therefore be approved, having regard to the statutory determination obligation prescribed by Section 38(6) of the Planning and Compulsory Purchase Act 2004, and in accordance with policies within the Cornwall Local Plan 2010 – 2030 (CLP 2016), as well as policies within the National Planning Policy Framework 2023 (NPPF 2023), The Cornwall Council Climate Emergency DPD (2023), and supplementary guidance contained within the Cornwall Design Guide 2021.



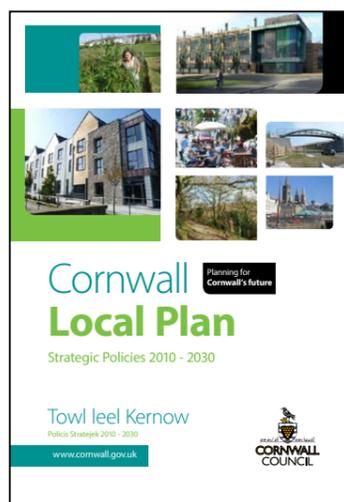
APPENDIX 1

THE DEVELOPMENT PLAN

The Cornwall Local Plan

The following policies as contained within the Cornwall Local Plan are considered to be of most relevance to the proposals:

- **Policy 1 'Presumption in favour of sustainable development'**
- **Policy 2 'Spatial Strategy'**
- **Policy 3 'Role and Function of Places'**
- **Policy 4 'Shopping, services and community facilities'**
- **Policy 12 'Design'**
- **Policy 13 'Development Standards'**
- **Policy 21 'Best Use of Land and Existing Buildings'**
- **Policy 23 'Natural Environment'**
- **Policy 24 'Historic Environment'**
- **Policy 27 'Transport and accessibility'**



Policy 1 sets out a presumption in favour of sustainable development. It states that, when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development as enshrined within the NPPF.

Policy 2 focuses on Spatial Strategy and sets out that new development should provide a sustainable approach to accommodating growth, providing a well-balanced mix of economic, social, and environmental benefits.

Policy 3 states that the scale and mix of uses of development and investment in services and facilities should be based on the role and function of places.

Policy 4 sets out that 'Community facilities and village shops should, wherever possible, be retained and new ones supported. Loss of provision will only be acceptable where the proposal shows: a. no need for the facility or service; b. it is not viable; or c. adequate facilities or services exist or the service can be re-provided in locations that are similarly accessible by walking, cycling or public transport'.



Policy 5 seeks to ensure a continued supply of appropriate business space, proposals for new employment land and uses. This includes new business within our city, towns and villages, areas well served by public transports, in the countryside, where appropriate, and when it is an acceptable extension.

Policy 12 states that development must ensure Cornwall's enduring distinctiveness and maintain and enhance its distinctive natural and historic character.

Policy 13 relates to development standards and points out that all development will be expected to: have a sufficient level of off-street parking and cycle parking taking into account the accessibility of the location in terms of public transport and proximity to facilities and services.

Policy 21 states that to ensure the best use of land, encouragement will be given to sustainably located proposals that:

- a. use previously developed land and buildings provided that they are not of high environmental or historic value;
- b. use despoiled, degraded, derelict and contaminated land provided that it is not of high environmental or historic value;
- c. increase building density where appropriate, taking into account the character of the surrounding area and access to services and facilities to ensure an efficient use of land;
- d. take into account the economic and other benefits (including food production) of Grade 1, 2 and 3a agricultural land. Where significant development of agricultural land is demonstrated to be necessary, poor-quality land should be used in preference to that of higher quality.

Policy 23 relates to the natural environment states that development proposals will need to sustain local distinctiveness and character and protect and where possible enhance Cornwall's natural environment and assets according to their international, national and local significance. The policy also states that development within AGLVs should maintain the character and distinctiveness of such areas.

Policy 24 relates to the historic environment and states that development proposals will be permitted where they would sustain the cultural distinctiveness and significance of Cornwall's historic rural, urban and coastal environment by protecting, conserving and where appropriate enhancing the significance of designated and non-designated assets and their settings.

Policy 27 relates to transport and accessibility. It states that all developments should provide safe and suitable access to the site for all people and not cause a significant adverse impact on the local or strategic road network that cannot be mitigated.



MATERIAL CONSIDERATION

National Planning Policy Framework (NPPF) 2023

The NPPF is a material consideration in the determination of this application as per **Paragraph 2** of the Framework and Section 38(6) of the Planning and Compulsory Purchase Act 2004. It sets out Government planning policies for England and how these are expected to be applied.

Paragraph 7 of the NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 of the NPPF sets out the three dimensions to sustainable development: economic, social, and environmental; all of which give rise to the need for the planning system to perform a number of mutually dependent roles.

The golden thread running throughout the NPPF is the Government's presumption in favour of sustainable development (**Paragraph 11**) whereby developments which correctly balance the requirements of economic, social, and environmental issues should be granted planning permission unless there are strong reasons that permission should not be granted.

At **Paragraph 12**, it is made explicitly clear that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Paragraph 38 states that LPAs should approach decisions on proposals in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social, and environmental conditions of the area.

Paragraph 97 states that in order to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- (a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- (b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- (c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- (d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
- (e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Paragraph 128 states that planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for specific forms of development, and the availability of land suitable for accommodating it; the desirability of maintaining an area's prevailing character and setting, or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places.

Paragraph 135 further provides a number of design related criteria that is to be achieved during the decision-making process.

Section 14 emphasises the need to take measures to mitigate, and improve resilience to, climate change. **Paragraph 173** points out that LPAs should ensure that flood risk is not increased when reviewing a planning application.

Paragraph 180 identifies the need for planning policies and decisions to enhance the natural and local environment, including by recognising the *intrinsic value and beauty* of the countryside, along with the wider benefits from natural capital and ecosystem services; along with the need to minimise impacts on, and provide net gains for biodiversity.

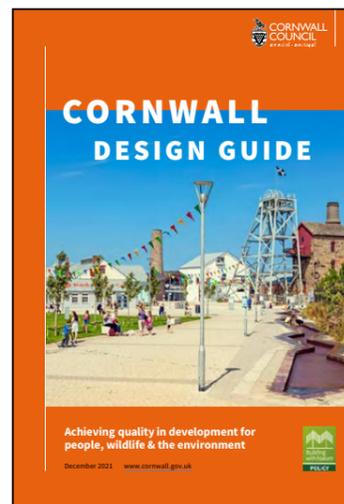
Section 16 relates to conserving and enhancing the historic environment. **Paragraph 200** states that LPAs should require an applicant to describe the significance of any heritage assets affected by a development. The level of detail in such a description should be *proportionate* and *no more than is sufficient* to understand the impact of a proposal on the significance of the impact of the proposal on the historic asset.



The Cornwall Design Guide 2021

The new Cornwall Design Guide was adopted in December 2021. The guide supports the Cornwall Local Plan by providing a comprehensive guide to help inspire and guide the delivery of high-quality places to live.

Section 4 of the draft Design Guide sets out the importance of an effective design process, and highlights that there are many factors to consider in designing a successful scheme, including the nature of the site itself, its surroundings, community needs and opinions, good design principles and local policies. **Section 4.13** highlights why understanding the context of any site is important.



Pre-submission draft Penzance Neighbourhood Plan (2022)

While the approved version of a Penzance Neighbourhood Plan has not yet been made, the pre-submission draft version does outline the vision for development in the Parish.

Policy DDH1 states that proposed developments should demonstrate high-quality design which respects and reflects the character of the surrounding area and local distinctiveness.

Policy DDH4 states that development proposals should incorporate sustainable design principles that minimise their environmental impact during construction and in subsequent use.

Policy DDH7 relates to the need for community consultation and engagement in development.

Policy DDH8 concerns flooding and drainage, and states that proposed developments should demonstrate, through a drainage statement: how surface water, waste water and foul water are to be managed; where the development is to be connected to an existing combined sewer, that the development will not impact on capacity; how surface water will be separated from foul water; and that the proposed sustainable drainage systems comply with the criteria set by Cornwall Council as Lead Local Flood Authority; that they will have no adverse impact on the Mounts Bay Marine Conservation Zone.

Policy EC8 relates to farm diversification, stating that such proposals will be supported where they are designed to support the continued viability of the farm business.

Policy GI4 refers to supporting biodiversity in new development, with the need for developments to incorporate planting and landscaping which is designed to support wildlife being emphasised.



Cornwall Council Climate Emergency Development Plan Document (DPD) (2023)

The Climate Emergency DPD was made following the declaration of a climate emergency in Cornwall, and is a material consideration for development in Cornwall. The relevant policies of the Climate Emergency DPD are listed below.

Policy C1 – Climate Change Principles: Development in Cornwall should represent sustainable development and manage our natural, historic and cultural assets wisely for future generations, contributing in line with the scale and type of development to achieving the following objectives:

- Make the fullest contribution to minimising GHG emissions in accordance with the energy and waste hierarchies
- Mitigate against and improve resilience to the effects of climate change
- Contribute positively to the health, wellbeing and resilience of our communities and the natural world

Policy G1 – Green Infrastructure Design and Maintenance: Green infrastructure should be central to the design of schemes, ensuring permeability of the site for wildlife and people and creating a multi-functional networks of spaces and uses. All developments should be planned around the protection and enhancement of nature.

Policy G2— Biodiversity Net Gain: This policy states that all major development should result in a minimum of 10% Biodiversity Net Gain (BNG), compared to pre development.

