

Planning applications considered under the emergency procedures

PA20/01151

CPC Previous Response to this application 5th April 2020. Ie RESPONSE TO FIRST SUBMISSION OF PA20/01151

The Cardinham Parish Councillors raised the following issues and concerns re PA20/01151 in April in their response:

For:

- The applicant is starting a new business.
- it follows government direction on the use of timber for fuel
- the applicant is looking to improve their future.
- An electric heat source would be preferable – but the carbon footprint could be offset by an ongoing tree planting scheme to make a sustainable contribution to climate change.

Against:

- Traffic – It will add to the traffic at the top of Peaches Hill, an already hazardous area, and vehicles frequently come along the airfield road at speed.
- Access road – the access road is a byway, open to walkers and riders and not suitable for heavy traffic. It is unmade and not in good condition. It would likely see an increase in heavy traffic from this development, leading to further deterioration, to the detriment of other users.
- Site – The site is an isolated 2-acre field and has no amenities i.e. no water & no electricity. It would make more sense to locate such a business where the access would be over tarred roads.
- Noise – there is concern that there would be noise (no electricity – would generators be required?).
- Scale – the proposed development is large relative to the package of land, which may be of insufficient size to support agricultural activity.
- Type of activity – The Parish Council considers this to be an industrial unit rather than an agricultural/livestock building or extension and the proposed site is unsuitable for an industrial unit. Further to this possible change of use to industrial/commercial development, are issues of security in such an isolated spot and the need to operate/ monitor the business on a 24/7 basis without amenities being available. There is no business plan to demonstrate the viability and sustainability of the proposed use of the new development. This is important as approval to build should not be granted without it.

The majority of the Councillors are against this application (1 abstention, 1 in favour, remainder against) and object on the grounds listed above.

Note: Due to the restrictions placed on the Council as a result of the COVID 19 (coronavirus) pandemic, this response represents the opinion of Cardinham Parish Council identified through a consultation process and will be ratified at the next appropriate meeting of the Council.

Although the agent has responded in April to the above points the Parish Council still has questions about many of the issues raised and doesn't feel they have been answered full enough to allay their concerns. Therefore, the Parish Council will still include the above points within the objection.

This application was submitted in May FOR THE SECOND TIME and the Parish Council read all of the additional documents that were submitted after 5th April (date of submission of PC Response) IE SECOND SUBMISSION

The following comments and issues were raised.

In Favour

- It would seem that the new map clarifies the previous one regards ownership or rental (of the land)
- And all points as previously stated above under “In Favour”.

Against

- Traffic The agent has said there will be no increase in traffic along Gypsy Lane, yet there will need to be extra vehicle movements to monitor the drying plant, and movement of the wood into the site to be dried and out of the site for retail sale to customers. The agent has then stated there will not be many movements and this movement of wood would be by tractor and tractor trailer. The agent has mentioned that traffic movements during the construction period could be limited by condition if considered necessary – what does this mean and how would it be monitored? The applicant has failed to mention the number of movements to and from the site once the timber has been processed. If large loads of timber are coming to the site on a tractor and trailer then to deliver from the site in a small truck would involve numerous movements but according to the applicant, he would only be visiting the site once a week on average. This doesn't tie up. Also, the applicant will be the only person going to the site surly he'll never do what needs doing in a single visit and as stated only visiting the site on average once a week.
- Access This is an unmade byway not suitable for these heavy vehicles coming in and out on a frequent basis. The agent has also said the construction phase would be limited and that there would be increase in traffic during this phase. This is likely to be heavy traffic. There is therefore contradictory information from the agent on what traffic there will be, the type of traffic and the frequency.
- Access junction The junction at the top of Peaches Hill is a dangerous one and is therefore unsafe to put more traffic there, there is no guarantee that movements will be few and far between. Additionally, the access splay onto the main highway is less than ideal for safe turning of vehicles and cannot be improved by the applicant as it is over public property.
- Sustainability The stated low level of activity raises questions of financial viability. The applicant owns only a very small portion of land. The wooded areas are rented – does the applicant intend to clear 20 acres of well-established woodland and is the landowner aware and in agreement with the woodland being cleared? There is no evidence provided that the applicant is allowed to source timber from land owned and leased by other members of his family. These sources are predominantly hedgerows, and it is not demonstrated that sufficient timber could be obtained from them. The map provided by the agent gives the impression that all the hedgerows are available to the applicant but he would only be able to cut to the boundary which would be the centre of the hedge. How will the trees in the hedgerows be replaced? (Are we going to end up with a tree-less Cardinham?) Will this enterprise be viable using only local wood? It is difficult to see how this can be sustainable using land that the applicant owns/rents, and how can it be a viable operation with one load every 3-4 weeks. Is there proof that timber will only be sourced from the identified land? The applicant seems confident he can source timber from family land but can he guarantee this - how long does the applicant think he can possibly source timber from the family land? Regarding the

revised map provided, it was good to see that all the church land, private and parish council land have all been removed.

- Proportionate Scale Despite the agent's assertion the Parish Council is not convinced that the applicant owns and occupies land for agricultural and forestry purposes of proportionate scale. As previously stated, the applicant owns a very small parcel of land and will not be able to source all timber for his enterprise from that site. Therefore, the development cannot be classed as agriculture or agricultural diversification but should be classed as a commercial venture and the appropriate viable business plan provided. However, it is considered that in any case this development is too large for a small piece of agricultural land and is out of character with the rural setting.

Wood from 3rd parties is already being brought in ie wood not from the land shown – which leads again to the conclusion that this is a commercial/industrial operation.

- Agricultural activities The property is not suited to the proposed activity ie it should not be in the vicinity of a cattle/lambing shed. The proposal links the development to be aligned to the farm business but the applicant is not a farmer, having a quad bike business. If it is to be a farm business then there are plenty of safer and more accessible site on and around the family farm.
- Site This is an isolated location, unrelated to the rest of their land, if they are only using the family farm as a source of wood, surely a better position for a kiln wood drier would be at Jubilee Farm which is the centre of their existing business and would cut down on the traffic movements. The field is vulnerable in that it is isolated and it seems unwise to have a facility there that could be vandalized etc, and it is currently a very peaceful area. There is a feeling that there is a very strong fire risk and it is not going to be secure.
- Biomass boiler The agent has stated that the wood will take several weeks to dry, which would seem to be a very inefficient biomass wood drying process. As the biomass uses renewable energy what does the applicant propose to burn to fuel the boiler. Will the applicant take waste by the lorry load to power the boiler?
- Noise The agent has said that the development will not introduce any significant noise, but noise is a major concern as there will be machinery to handle and cut up the wood eg tractors, chainsaws etc and there are still concerns by neighbours that a generator will be brought in to provide electricity, again adding to the noise.
- Scale it has been stated that this is to be a low scale use of the site. What measures are in place to ensure that it remains low scale ie to keep a low level of increase in traffic and no increase in labour required, noise generated etc?
- Water discharge it has been reported that a newly installed pipe is discharging water onto Gypsy Lane which is clearly not acceptable.

There seem to be contradictory statements regarding traffic and movements, throughout the agent's statements, which need to be addressed and explained please.

There are several planning policies from the NPPF which cover this application and which support the Parish Council's objections as follows:

Planning Policy 83: "Planning policies and decisions should enable:

- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- (b) the development and diversification of agricultural and other land-based rural businesses; "

Cornwall Local Plan Policy 5 c) states that this development should “ demonstrate an overriding locational and business need to be in that location such as farm diversification;”

The above policies relate to the Proportionate Scale points above re this being a commercial venture and not diversification. Also, as noted the applicant is not a farmer and not engaged in a land based rural business.

Planning Policy 84 states “... it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

The Parish Council’s points above re Traffic and Traffic access indicate that this application will have a detrimental effect on the road junction and the Gypsy Lane byway. Also, the land is not previously developed or well related to existing settlements – see the point above re Site.

Again, the majority of the Councillors are **against** this application (1 in favour, remainder against) and **object** on the grounds listed above.

Note: Due to the restrictions placed on the Council as a result of the COVID 19 (coronavirus) pandemic, this response represents the opinion of Cardinham Parish Council identified through a consultation process and will be ratified at the next appropriate meeting of the Council.

Finally, The Parish Council wishes to point out that this is the first time a planning application has come back to the Council to be reconsidered after it has already submitted its comments. The usual procedure is for there to be a planning protocol, which in this case the Parish Council would have been sending a representative ie the Chairman to put their objections to the planning committee.

We would also like to point out that the agent has sent in numerous documents for consideration after the original deadline in April. Why has this change in procedure been allowed and where is the notification of said change in procedure? We would also like to point out that the final document for consideration by the Parish Council was received from Cornwall Council on Friday 22nd May, when the deadline for the (second) submission is the Tuesday 26th May ie **a timeframe of only 3 days**, which consisted of a weekend and a Bank Holiday Monday. This is clearly unacceptable.