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Your Ref: PP-09530469
Our Ref: 0163/04/210301

1 March 2021

Dear Peter,

Planning Application PP-09530469

Proposed Sustainable Distillery Research Centre on Land Adjacent to the United Downs Deep Geothermal Power Project

On behalf of the applicant and our client, Cornish Geothermal Distillery Company Limited, we hereby submit an outline planning application with all matters reserved, except access, for a Sustainable Distillery Research Centre. The Centre will develop pioneering patent-pending technologies aimed at decarbonising the distillery sector, from malting and fermentation, to distillation and maturation, using geothermal heat and power.

The benefits of the Sustainable Distillery Research Centre include:

- Global research platform bringing people, technology and skills together to explore creating a sustainable future for generations to come.
- Zero carbon development utilising geothermal heat and power technology, helping to respond to the climate emergency.
- £3.5m to £4.0m investment by an ethically and sustainably-focussed new business with, if successful with a forthcoming funding application, support from the Department for Business, Energy and Industrial Strategy's (BEIS) 'Green Distilleries'

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programme, building on the £75,000 already awarded by that programme to Cornish Geothermal Distillery Company Limited in January 2021.

- The possibility of showcasing sustainable technology to G7 world leaders in June.
- Creation of 6 permanent and skilled jobs, plus wider supply chain multiplier effects.
- Creation of construction jobs, on-site and off-site, with aspirations to utilise Modern Methods of Construction and sustainable building materials.

Obtaining planning permission is critical to the realisation of these benefits.

The planning application for the Sustainable Distillery Research Centre is not a 'major' planning application so is capable of being determined within eight weeks. Determination of the application within this timescale is also critical if its benefits are to be realised.

The Site and the Proposed Development

The application site is located on land to the south of the United Downs Industrial Estate and at the northern edge of the former United Mines landfill site. It is accessed from the service road of the former landfill site, not via the industrial estate. The application site measures 9,300 square metres in area.

The application site is not within the World Heritage Site and will not impact on car racing activities at the United Downs Raceway.

The United Mines Landfill operated between the 1970s and 2010. The landfill has since been capped, has gas and groundwater monitoring in place, is undergoing habitat restoration, and is controlled by an Environmental Permit. It is possible to safely build the proposed development in this location without compromising the former landfill site or environmental protection.

The rationale for the application site's location is due to it being adjacent to the United Downs Deep Geothermal Power Project (UDDGP), which is located within the industrial estate and run by Geothermal Engineering Limited. The UDDGP is a project in which Cornwall Council, the European Regional Development Fund and Thrive Renewables plc have made strategic investments. The aim of the UDDGP project is to produce power and heat from the hot granite rocks deep below the ground in the area. Two deep, directional wells have successfully been drilled. The proposed Sustainable Distillery Research Centre will make use of both heat and power from the UDDGP source. In order to maximise energy efficiency, minimise energy loss and minimise capital expenditure it is necessary for the heat and power user to be as close as possible to the supply.

The proposed Sustainable Distillery Research Centre will have five principal elements:



1. Demonstrator geothermal energy centre;
2. Demonstrator rum distillery;
3. Demonstrator rum cask maturation pod;
4. Area for warehousing, research and development, rum cask processing and filling, rum cask repair (cooperage); and
5. Area for research and development laboratory, office, presentation room, storage, kitchen, rest area and WC.

There would also be an service road, vehicle turning head and parking area as well as associated drainage and utilities.

This outline planning application for the Sustainable Distillery Research Centre establishes a maximum floorspace of 800 square metres in the B2 'general industrial' Use Class.

Details of the site layout, scale, appearance and landscaping will be subject to a reserved matters application in due course.

The intention is that the five elements described above would be housed in a single rectilinear building. Indicative plans, sections and elevations are submitted.

There would be no general public access. Visits would be occasional and by appointment.

Submitted Planning Application Documents

A list of the submitted planning application drawings and other documents is provided at the end of this letter.

Planning Application Fee

The planning application fee of £4,620 has been paid via the Planning Portal. It has been calculated on the basis of £462 for each 0.1 hectare (or part thereof) of the site area where the site area is 9,300 square metres.

Relationship to Proposed Geothermal Rum Cask Maturation Facility

As you are aware, Cornish Geothermal Distillery Company Limited submitted its outline planning application PA20/09415 for a Geothermal Rum Cask Maturation Facility on land at United Downs in October 2020 and the application was expected to be considered by the West Sub-Area Planning Committee on 8 March.

However, on 4 February you wrote to us advising that UNESCO has intervened in the project due to that application's location within the World Heritage Site and its concern about impacts on heritage assets. UNESCO required comments from the Council on the



development proposal by 15 February, after which the International Council on Monuments and Sites would then examine the application on behalf of UNESCO. Accordingly you advised us that you have been instructed to hold off determining the planning application pending the outcome of that review.

You further advised us on 15 February that the Council had made its representations to UNESCO, via the Department for Culture, Media and Sport, but were not able to advise on the subsequent timescales involved with the UNESCO review, so the planning application can still not be determined for the time being.

Notwithstanding UNESCO's intervention, planning application PA20/09415 was already subject to objections from certain heritage consultees and from the car racing lobby. Our considered response to these concerns was set out in our letter to you of 26 January and we need not repeat them here, suffice it to say that those objections pose a potential threat to the success of that planning application, notwithstanding our analysis that the proposed development is compliant with heritage and other Development Plan policies and would derive a significant range of benefits.

Cornish Geothermal Distillery Company Limited wishes planning application PA20/09415 to remain an active planning application and looks forward to its determination in due course.

However, in order for Cornish Geothermal Distillery Company Limited to apply for and have a chance of securing the vital additional BEIS 'Green Distillery' funding it requires, the winners of which will be announced in early June, Cornish Geothermal Distillery Company Limited requires planning permission for a proposed development which incorporates the technologies for which funding is sought. Given the considerable uncertainty with planning application PA20/09415, Cornish Geothermal Distillery Company Limited has had no other choice but to rapidly come forward with alternative and much smaller-scale proposals for the Sustainable Distillery Research Centre on a different site.

Documents submitted with planning application PA20/09415 explained how development of the proposed Geothermal Rum Cask Maturation Facility on the former landfill site was not feasible or viable. This is still the case for the proposed Geothermal Rum Cask Maturation Facility, but is very different for the proposed Sustainable Distillery Research Centre, which is feasible and viable, due to (a) its smaller scale on the very edge of the former landfill site meaning the geotechnical and geoenvironmental issues are considerably reduced, and (b) its location adjacent to the UDDGP meaning that the heat and power connection distance and cost is considerably reduced.



Planning Policy Analysis

Decision-Taking Framework

Decisions on planning applications must be taken in accordance with policies in the Development Plan unless there are material considerations that indicate otherwise. The Development Plan for this location comprises:

- Cornwall Local Plan (CLP): Strategic Policies 2010 – 2030, Adopted November 2016;
- Cornwall Site Allocations Development Plan Document (DPD), Adopted November 2019; and
- Gwennap Parish Neighbourhood Development Plan (NDP) 2019-2030, Made March 2020.

A high degree of weight is afforded to the CLP and NDP policies in decision taking.

The DPD categorises the nearby industrial estate to the north-east as Strategically Important Employment Site: C-E1 United Downs but the application site itself is not covered by the DPD so it is not considered further.

The weight afforded to material considerations, for example the National Planning Policy Framework ('the Framework'), varies on a case-by-case basis.

Principle of Development and Sustainable Energy

The primary purpose of the proposed development is a Sustainable Distillery Research Centre including demonstrator technology for rum distillation, rum cask maturation and geothermal energy. The proposed development will also create employment.

CLP Policy 2, clause 3 states:

"3. Proposals will be welcome that improve conditions for business and investment in Cornwall, in particular by:...

(g) Supporting smart specialisation sectors including; food; aerospace; marine; renewable energies (including geothermal); and cultural industries..."

The proposals are patently "welcome" under CLP Policy 2.

CLP Policy 2a sets a target for the Plan to provide for 38,000 full time jobs and 704,000 square metres of employment floorspace. The proposed development would contribute to both by creating 6 permanent jobs (plus wider supply chain multiplier effects) and 800 square metres of employment floorspace.



CLP Policy 21 promotes the best use of land and existing buildings, specifically use of previously developed land / buildings and despoiled, degraded, derelict and contaminated land, provided the land is not of high environmental or historic value. NDP Policy H3 has similar themes. In developing a small site on the edge of a former landfill site the proposed development accords with these key aspects of CLP Policy 21 and NDP Policy H3.

In relation to CLP Policy 5, clause 1c, there is a clear and overriding need case for the proposed development to be located at the application site due to its proximity to UDDGP.

CLP Policy 14 supports increased use and production of renewable and low carbon energy generation including development proposals which make use of waste heat. CLP Policy 2, clause 3g, is expressly supportive of geothermal projects. CLP Policy 13, clause 7, encourages connection to existing or planned heat networks. NDP Policy SCC1 has similar sentiments. In making use of geothermal energy, the proposed development is clearly supportable respect of CLP Policies 2(3g), 13(7) and 14 and NDP Policy SCC1.

We would also note that in its use of geothermal heat and power to support the transition to a low carbon economy, the proposed development accords with draft Policy RE5 of the Council's emerging Climate Emergency Development Plan Document, which is a material consideration.

Ground Conditions

CLP Policy 16 seeks to protect human health in relation to ground contamination.

A Ground Engineering Desk Study has been undertaken and is submitted with the planning application. The report clearly notes a number of risks associated with building on a former mine and landfill site. However the report concludes that by undertaking appropriate ground investigation and monitoring and by adopting a suitable building design and foundation solution, it is possible to mitigate the assessed risks and safely build the proposed development in this location without compromising the former landfill site. Such details can appropriately be left to a planning condition on the outline permission and the reserved matters design stage.

On this basis we conclude that CLP Policy 16 is complied with insofar as one is able to conclude this at this outline planning application stage.

Historic Environment and Landscape

CLP Policy 24 is the principal policy concerning heritage. NDP Policies PH1, PH2 and PH3 variously relate to protection of the historic environment. CLP Policy 23 relates in part to



protection of Cornwall's landscapes. NDP Policy LL4 has regard to sustaining local landscape character.

The application site is not within the World Heritage Site. The boundary with the nearest section of the World Heritage Site is approximately 400 metres east of the proposed Sustainable Distillery Research Centre, on the opposite side of the main road.

The Grade II Listed Eldon's Engine House is located adjacent to that road, also 400 metres from the site of the proposed Sustainable Distillery Research Centre.

The application site is not within a designated landscape. The proposed development is relatively modest in scale at the edge of the former landfill site.

An Historic Environment Impact Assessment (HEIA) is submitted with this planning application. The HEIA identifies that the area within which the application site is located was historically unenclosed common land until the mid-19th century, when it was developed for copper and later arsenic mining. There is currently no evidence for any early (prehistoric or Romano-British) activity in the area.

The HEIA states that the application area is located on the northwest edge of the United Downs mine, with a small number of mining features recorded at its eastern end. Only a single (capped) shaft is likely to survive as a buried feature. Any remains are considered to be of low significance. Any impact on this shaft is currently unknown, but since it has been capped, and is located in an area of several phases of recent landscaping, any further change is unlikely to harm the asset, resulting in no change to its significance, according to the HEIA.

There is no physical evidence for the documented use of the area as a US Army camp during the Second World War.

No attribute contributing to the Outstanding Universal Value (OUV) of the Gwennap Mining District element of the Cornwall and West Devon Mining Landscape World Heritage Site will be harmed by the proposals and there will be no change to the overall OUV of the World Heritage Site, according to the HEIA.

The Grade II Listed Eldons Engine House is located in close proximity to the application site, but it will not be affected by the proposed development and there will be no change to its significance, according to the HEIA.

Accordingly we conclude that the proposed development complies with CLP Policy 24 and NDP Policies PH1, PH2 and PH3 on the historic environment, as well as CLP Policy 23 and NDP Policy LL4 on landscape character.



Biodiversity

CLP Policy 23 also relates to biodiversity: development should conserve, protect and where possible enhance biodiversity interests commensurate with their status. CLP Policy 23 also establishes a hierarchy of impact avoidance, mitigation and compensation:

“Development should avoid adverse impact on existing features as a first principle and enable net gains by designing in landscape and biodiversity features and enhancements, and opportunities for geological conservation alongside new development. Where adverse impacts are unavoidable they must be adequately and proportionately mitigated. If full mitigation cannot be provided, compensation will be required as a last resort.”

The Cornwall Planning for Biodiversity Guide is a material consideration, although will be more applicable at the reserved matters stage.

The emerging Environment Bill is set to introduce a requirement for a minimum 10% biodiversity net gain throughout the planning system, although its progress has recently been delayed by the Government. Cornwall Council intends to introduce the requirement earlier as part of its climate change response. At this stage, however, our interpretation is that minimum 10% biodiversity net gain should be considered a target for the reserved matters stage and is neither currently mandatory nor is it applicable at outline application stage.

CLP Policy 25 deals with green infrastructure. NDP Policy LL2 expects developments to retain features of high nature conservation value.

An Ecological Assessment is submitted with the outline planning application based on the indicative site layout plan. The assessment states that the proposed development makes use of existing car parking and tracks where it is possible to do so, but will result in the inevitable loss of some small areas of habitat including lowland heath (which is c. 10 years old on restored landfill), commonplace plantation woodland, scrub, and grass/ruderal. It also states that in the context of the wider restoration of the former landfill site and given the succession of scrub and woodland which is occurring along the northern fringe of the site, the loss of a relatively small area of lowland heath to the proposed development is not ecologically significant. The submitted biodiversity calculations do show a net loss in habitat units. However it will be possible to convert the retained scrub to high quality heath habitat. Options such as green or brown roofs and ‘grasscrete’ parking could be explored. Off-site habitat compensation could also be considered. These are issues that need to be left to reserved matters since this application is only in outline.



Drainage

CLP Policy 26 is concerned with flood risk management, requiring development to be designed to increase the flood resilience of the area; to minimise, reduce or where possible eliminate flood risk on sites; and to enable or replicate natural ground and surface water flows and decrease surface water runoff. NDP Policies RF1 and RF5 require development to have no detrimental impact on surface water run-off and to manage surface water run-off in accordance with the Cornwall Council Sustainable Drainage Policy. NDP Policy RF3 stipulates that development will not be permitted in flood alleviation areas and floodplains.

A Drainage Strategy Note has been prepared and is submitted with this planning application.

The Drainage Strategy Note states that given the ground conditions anticipated, it is proposed that surface water be collected from areas of roofs and hardstanding and be conveyed to the sewer within the United Downs Industrial Estate via a network of buried gravity drains across the UDDGP site, which has been agreed with the landowner. South West Water have confirmed that the sewer has sufficient capacity to accept greenfield controlled flows from this development. The Drainage Strategy Note goes on to state that flows will be attenuated at source where possible using a green/brown roof, a means of attenuation and storage, and flow control. The subsurface attenuation would be lined with a suitable geomembrane to prevent ground contamination leaching into surface water systems, according to the document. The Drainage Strategy Note also states that given the ground conditions anticipated at the site, an infiltration strategy is considered inappropriate, but a future site investigation is proposed to confirm this assumption.

The Drainage Strategy Note states that foul flows from the development's domestic fixtures will be conveyed to the South West Water combined sewer within the United Downs Industrial Estate. Permission from South West Water to discharge foul flows has been obtained and the applicant has an agreement with the adjacent landowner to lay the necessary pipe to the sewer.

On the basis of this information we conclude that the proposed development complies with CLP Policy 26 and NDP Policies RF1, RF3 and RF5.

Transport

CLP Policy 27 relates to transport and accessibility, in particular requiring developments to, *"...provide safe and suitable access to the site for all people and not cause a significantly adverse impact on the local or strategic road network that cannot be managed or mitigated..."* NDP Policies TM1 to TM5 variously relate to transport-related impacts of



development. NDP Policy EJ8 requires that “adequate” parking must be provided for all developments and promotes non-car based travel wherever possible.

The proposed development will employ 6 people which, in transport terms, is not significant. There would be occasional deliveries, maintenance vehicles, and visitors, but again not at significant levels. Vehicle trips would be expected during normal weekday working hours. The vehicular trips generated by the proposed development are therefore expected to fall within the daily variation of the existing traffic flows along the adjacent ‘C0291’ road and the wider highway network, so will not generate an adverse impact.

Vehicular access will be provided via the existing access to the former landfill site complex.

The nearest bus stops are situated approximately 1.3 km to the north of the site on the ‘C0291’ (known as the Chapel bus stop), within the village of Crofthandy. The services commence at 07:14 hrs and operate hourly between 07:14 to 19:14 hrs across a typical weekday. Services are also provided during the weekend. The application site is in a location that offers a range of travel choices by sustainable modes of transport.

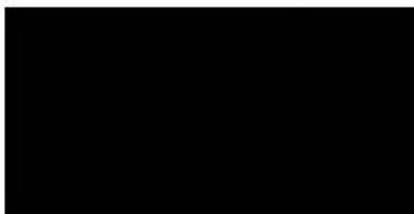
We therefore conclude that the proposed development complies with CLP Policy 27 and NDP Policies TM1 to TM5 and EJ8.

Conclusion

Combining the above factors into a planning balance we submit that the proposed development comprises sustainable development under the ambit of CLP Policy 1, complies with the Development Plan as a whole, and therefore should be granted planning permission at the earliest opportunity.

We very much look forward to the Council’s timely validation of this planning application and its determination at the earliest opportunity, and certainly within eight weeks, which is critical in order to realise the very tangible benefits it will bring to the area.

Yours sincerely,



Ian Roach MRTPI MIEMA CEnv
Director

CC Matthew Clifford, Cornish Geothermal Distillery Company Limited

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Schedule of Planning Application Documents

- Planning application covering letter (this document).
- Planning application form and certificate.
- Community Infrastructure Levy Form 1.
- CGDC-GAL-SA-SP-DR-A-1000 Site Location Plan.
- CGDC-GAL-SA-SP-DR-A-1001 Existing Site Plan.
- CGDC-GAL-SA-SP-DR-A-1002 Indicative Proposed Site Plan.
- CGDC-GAL-SA-SP-DR-A-3001 Indicative Proposed Plans.
- CGDC-GAL-SA-SP-DR-A-4001 Indicative Proposed Section and Elevations.
- Design and Access Statement.
- Ground Engineering Desk Study.
- Ecological Assessment.
- Drainage Strategy Note.
- Historic Environment Impact Assessment.

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