

Trewithen Dairy

Greymere Farm, Lostwithiel, PL22 0LW

## Planning Statement

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## 1. Introduction

1.1. This Planning Statement (statement) has been prepared by Bailey Partnership's Chartered Town Planning service on behalf of Trewithen Dairy (the applicant) in support of a full planning application for:

*“A new 30m x 60m refrigerated/TET store and 6 additional finished milk tanks, new entrance and changing rooms, extension to existing processing room and an upgrade to the Effluent Treatment Plant and associated works.”*

1.2. This statement provides a description of the site and proposed development and an analysis of the main planning considerations raised by the proposals. It contains reference to both local and national planning policy and provides an overall assessment of the proposal.

1.3. The following documents are provided in support of this application:

- Cover Letter
- CIL form
- Application form
- Planning Statement (this Statement)
- Design and Access Statement  
32387-TDPN-BPC-XX-XX-RPT-A-000-002
- 210615 Daily Vehicle Movements
- Phase 1 Land Contamination Study
- Heritage Impact Assessment
- Preliminary Ecological Appraisal (PEA)
- Foul Drainage Assessment Form
- Drawings
  - Site Location Plan TDP BPC XX XX DR A 910 001 P05
  - Site Block Plan as Existing Sheet 1 TDP BPC XX XX DR A 910 002 P05
  - Site Plan as Existing TDP BPC XX XX DR A 920 001 P01
  - Site Elevations as Existing TSP XX XX XX DR A 920 002 P02
  - Site Cross Sections as Existing Sheet 1 TDP BPC XX XX DR A 067 001 P01
  - Site Cross Sections as Existing Sheet 2 TDP BPC XX XX DR A 067 002 P01
  - Site Block Plan as Proposed Sheet 1 TDP BPC XX XX DR A 061 001 P09
  - Site Plan as Proposed TDP BPC XX XX DR A 061 002 P06
  - Site Elevations as Proposed TDP BPD XX XX DR A 062 001 P08
  - Site Sections as Proposed Sheet 1 TDP BPC XX XX DR A 068 002 P02
  - Site Cross Sections as Proposed Sheet 2 TDP BPC XX XX DR A 068 003 P03

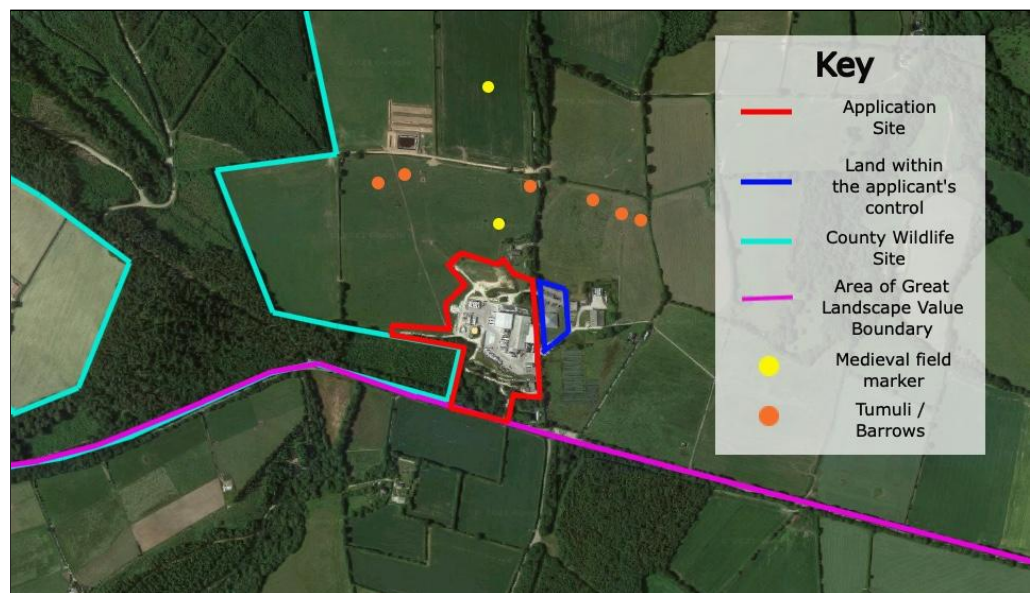
- Ground Floor Plan as Proposed Fridge Storage, covered TET Area and Changing Facility TDP BPC XX XX DR A 061 010 P08
- Ground Floor Plan as Proposed Changing Room Facility and New Entrance TDP BPC XX XX DR A 069 003 P02
- First Floor Plan as Proposed Changing Room Facility and New Entrance TDP BPC XX XX DR A 069 004 P02
- Sections & Eastern Elevations as Proposed Changing Room Facility and New Entrance TDP BPC XX XX DR A 069 005 P02
- Process Room Extension and Chemical Store Lower Ground Floor Plan as Proposed TDP BPC XX XX DR A 066 001 P1
- Process Room Extension and Chemical Store Ground Floor Plan as Proposed TDP BPC XX XX DR A 066 002 P0
- Process Room Extension and Chemical Store First Floor Plan as Proposed TDP BPC XX XX DR A 066 003 P0
- Process Room Extension and Chemical Store Sections & Elevations TDP BPD XX XX DR A 066 004 P0
- CASP GA Layout TREWITHEM-ETP-101B 01

## **2. Site Location and Description of Development**

- 2.1. The site is known as “Trewithen Dairy, Greymere Farm, Lostwithiel, PL22 0LW”.
- 2.2. The site is located across three parishes; Cardinham (majority of site); St Winnow to southern extremity of site; and Broadoak to the east.
- 2.3. The application site is located in an open farm land between Dobwalls and Lostwithiel.
- 2.4. The site is approximately 0.75 hectares, and is situated approximately 8km to the east of Bodmin. The A390 lies approximately 3km to the south of the site, and links the site to St. Austell, Truro and Liskeard. The site is approximately 5km northwest of the A38, the main route from Plymouth to Cornwall.

### 3. Constraints

- 3.1. Although the site does not lie within any designated areas (no “footnote 6” policies of the Framework are applicable<sup>1</sup>), the site has several constraints that are considered throughout this Statement.
- 3.2. The site is situated within the Mid Fowey Area of Great Landscape Value. Immediately south of the site lies the Boconnoc Area of Great Landscape Value and to the northwest of the site lies a County Wildlife Site.
- 3.3. There are a number of scheduled monuments located in close proximity to the site, as shown in Figure 1 below. A group of round barrows are situated to the north of the site, together with other barrows and a field marker to the northwest (Figure 1).



**Figure 1:** Historic and environmental constraints<sup>2</sup>

<sup>1</sup> The Framework states in “footnote 6”: “*The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.*” (Footnote 6, the Framework, Page 6)

<sup>2</sup> Taken from google.co.uk/maps, edited by Author

#### **4. Proposals**

4.1. This full planning application seeks permission for Phase 1 of 4 for improvement works to Trewithen Dairy.

4.2. Phase 1 comprises:

- 30m x 60m refrigerated store with loading bay area, with a relocated TET trolley depot and associated external service yard;
- Double-height entrance building and a two storey changing room with a visitor lobby and viewing area;
- 11m x 9m Process Room Extension, relocated chemical store and generator provision; and
- 6 no. 16m high external finished milk storage vessels.

4.3. Further phases of the development are detailed in Section 6, below.

## 5. Relevant Planning History

- 5.1. In this instance the most relevant applications are:
- 5.2. **PA12/11283** for '*Alterations and extension to dairy with associated works including a new foul drainage system*' was approved with conditions on 15th May 2013.
- 5.3. **PA13/03883** for '*Erection of new office building for dairy with associated external works including access and car parking*' was approved with conditions on 24th July 2013.
- 5.4. **PA13/11438** for '*Non Material Amendments for General Amendments to suit site, landscaping amendments, parking layout and access, change of roof tiles, extent of cladding changed in respect of decision notice PA13/03883 (Erection of new office building for dairy with associated external works including access and car parking)*' was approved on 7th January 2014.
- 5.5. **PA14/00598** for '*Erection of two monolith signs, one to be single sided and the second to be double sided*' was approved with conditions on 26th February 2014.
- 5.6. **PA15/09830** for '*Extension to the existing ground mounted PV array of up to 100kW*' was approved with conditions on 7th January 2016.
- 5.7. **PA17/04711** for '*Erection of extension to existing dairy facility and water treatment facilities.*' was approved with conditions on 11th July 2017.
- 5.8. **PA17/09187** for '*Erection of extension to existing refrigeration building and heavy transport yard*' was approved with conditions on 8th March 2018.
- 5.9. **PA18/05587** for '*Submission of details to discharge condition 4 in relation to decision notice PA17/09187*' was deemed not acceptable in August 2018.
- 5.10. **PA18/09064** for '*Submission of details to discharge condition 4 of decision notice PA17/09187*' was discharged, with the S52 and S106 application in October 2019.
- 5.11. **PA19/00753** for '*Erection of extension to existing Dairy facility and water treatment facilities*' was approved with conditions on 17th April 2019.
- 5.12. The extensive planning history set out above demonstrates Trewithen Dairy's continual investment in and development of the facility.



## 6. Pre-Application Enquiry

6.1. A pre-application enquiry was submitted earlier in the year, reference no. PA21/00682/PREAPP, for 4 phases of works to the dairy:

**Phase 1:** A new 30m x 60m refrigerated/TET store and 6 additional finished milk tanks, new entrance and changing rooms, extension to existing processing room and an upgrade to the Effluent Treatment Plant and associated works.

**Phase 2:** A 30m x 25m footprint bottle making factory with a ridge height of 16m, complete with two silos to store pellets and bridge conveyor that crosses the public highway and connects into the existing building.

**Phase 3:** A 2000m<sup>2</sup> extension to the creamery factory, with an internal height of 7m and the rerouting of the arctic access road to the refrigerated loading zone.

**Phase 4:** Consideration of the viability of realigning the existing unclassified highway, which passes through the site to the eastern boundary of the development.

6.2. This application forms Phase 1. The proposals are the first stage of development for the dairy and will represent a significant step towards modernisation and improvement of the existing facilities, securing the long term future of the dairy.

6.3. The principle of development was clearly accepted in the pre-application response. The response emphasised the support the proposed works would have from paragraphs 80 to 84 of the Framework which attach significant weight to supporting economic growth and productivity.

6.4. The following matters were identified as the main material planning considerations:

- **Highways and Access;**
- **Landscape and Habitat Impact;**
- **Historic Environment;**
- **Trees;**
- **Flooding;**
- **Protected species/ecology;**
- **Contaminated Land;**
- **Residential Amenity;**

6.5. The above mentioned considerations will form the basis of the assessment provided in Section 9 of this Statement.

- 6.6. Subsequent discussions with the planning officer confirmed that owing to the urgent nature of Phase 1, a flexible approach would be taken with regards to validation with some supporting documents/information provided during the application process.

## 7. The Adopted Development Plan (DP)

7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan (DP) unless material considerations indicate otherwise. In this instance the Cornwall Local Plan (Adopted 2016) forms the DP.

7.2. The relevant DP policies are as follows:

- Policy 1 - Presumption in favour of sustainable development
- Policy 2 - Spatial Strategy
- Policy 2a - Key Targets
- Policy 3 - Role and function of places
- Policy 5 - Business and Tourism
- Policy 12 - Design
- Policy 13 - Development standards
- Policy 14 - Renewable and low carbon energy
- Policy 21 - Best use of land and existing buildings
- Policy 22 - European protected sites mitigation of recreational impacts from development
- Policy 23 - Natural environment
- Policy 24 - Historic environment
- Policy 25 - Green infrastructure
- Policy 26 - Flood risk management and coastal change
- Policy 27 - Transport and accessibility
- Policy 28 - Infrastructure

7.3. The above policies are addressed in Section 9 below.

## 8. Other Material Planning Considerations

### ***National Planning Policy Framework 2019 (Framework)***

- 8.1. The Framework sets out the Government's planning policies for England and how these are expected to be applied.
- 8.2. The Framework is an important material consideration that, on its own, is of such weight that it can justify a decision contrary to the relevant policies of the DP.
- 8.3. Paragraph 8 sets out the three dimensions to sustainable development which are "*economic, social and environmental*". These dimensions are discussed in detail in Section 9.

- 8.4. Paragraph 11 of the Framework states that there is a:

*"presumption in favour of sustainable development... for decision-taking this means:*

*(c) Approving development proposals that accord with the development plan without delay"* (Paragraph 11, the Framework)

### ***Economic Growth***

- 8.5. Paragraph 80 of the Framework positively promotes economic growth and productivity:

*"...Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development..."* (paragraph 80, the Framework).

- 8.6. Additionally, paragraph 81 of the Framework states that planning policies should set out a clear economic vision and strategy to positively and proactively encourage sustainable economic growth, and identify strategic sites for local and inward investment.

### ***Rural Economy***

- 8.7. Paragraph 83 notes that:

*"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*” (Paragraph 83, the Framework).

8.8. Paragraph 84 goes on to state:

*“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements...”* (Paragraph 84, the Framework).

### **Supplementary Planning Documents**

#### **Cornwall Design Guide 2013**

8.9. Whilst not formally comprising part of the adopted DP the Council's Supplementary Planning Guidance, the Cornwall Design Guide (adopted March 2013), is a relevant planning consideration.

8.10. The SPD has been considered in the assessment in Section 6.

#### **Draft Cornwall Design Guide**

8.11. A new draft Cornwall Design Guide was published and consultation was undertaken between 20th January and 2 March 2020. Responses received from the consultation are currently being reviewed which will inform the finalisation of the documents prior to adoption.

8.12. Once adopted the draft Cornwall Design Guide will be a material consideration within the planning process and supersede the currently adopted Cornwall Design Guide 2013.

8.13. Although the draft Design Guide is still in the early stages of adoption and little weight currently being afforded to it, regard has been given to the proposed SPD.

#### **Cornwall Council Climate Emergency Development Plan Document (DPD)**

8.14. Cornwall Council declared a climate crisis in 2019, and subsequently proposed to be carbon neutral by 2030. To achieve this target, policies within the Cornwall Local Plan are required to be updated, so the Climate Emergency DPD pre-submission consultation was published in February 2021. The policies within the DPD aim to replace and introduce new policies, to protect against climate change, while sitting alongside Government legislation.

8.15. Under Regulation 19 of the Planning Act, Public consultation of the DPD was undertaken from 26th February to the 16th April 2021. Following any amendments necessary, as a result of the consultee comments, the DPD will be submitted to the Secretary of State and the independent Planning

Inspector to see if the DPD is legally sound and suitable for adoption. Once adopted the Climate Emergency DPD will form part of the adopted PD.

- 8.16. At present, with the Climate Emergency DPD re-submission consultation having been published, some weight can be afforded to the DPD.

***Draft St Winnow Neighbourhood Plan (dSWNP)***

- 8.17. The site is within the St Winnow Neighbourhood Area Designation. Nevertheless, at present there has been no draft neighbourhood plan published and consequently, no weight can be afforded to the dSWNP at this time.

## 9. Assessment

### ***Principle - Accord with DP***

- 9.1. The site is an existing dairy farm and therefore the site is an established rural enterprise. There is clear support afforded to the proposals from Policy 5: Business and Tourism 1. d), as the proposals represent an extension to an existing business where re-location would be impractical or not viable.
- 9.2. The proposals will enable the existing business to develop and grow the enterprise, supporting its long term future.

### ***Principle - Accord with the Framework***

- 9.3. The principle of development has been established through paragraph 83 (a) and b) of the Framework, which supports the sustainable expansion and growth of all types of businesses in rural areas. The proposals will enable the expansion of Trewithen Dairy through improvement works which are essential to the daily running of the business as well as safeguarding its long term future.
- 9.4. Paragraph 84 of the Framework clearly recognises that in rural areas sites to meet local business needs will often need to be found beyond existing settlements. Furthermore, paragraph 84 states that development should be sensitive to its surroundings and does not have an unacceptable impact on local roads. These points are discussed in detail below.

### ***Need***

- 9.5. Trewithen Dairy requires the proposed facilities, namely the refrigerated store with loading bays, milk tanks, extended processing room, upgraded effluent treatment plant and changing rooms to be able to continue to maintain the high demand for dairy products that they are currently seeing.
- 9.6. At present, empty bottles are brought to site by lorry across several trips each week. The proposals will allow Trewithen Dairy to make bottles at the facility, reducing the number of vehicle movements to site to deliver bottles.
- 9.7. The facilities will also allow the dairy to operate more efficiently, and limit the amount of manual handling needed, creating a safer work environment for those working on site.
- 9.8. Policy 1 of the CLP identifies that proposals which accord with the policies within the local plan will be regarded as sustainable development and will be approved.

- 9.9. As set out above the proposals are in accordance with Policy 5 of the CLP which deals with business and tourism within Cornwall. The proposals will allow Trewithen Dairy to continue to supply dairy products across the country. The proposals also mean that the business has sufficient space to expand production.

### ***Design***

- 9.10. The design of the proposed refrigerated loading bay, covered trolley depot and high level automated bridge can be seen within the context of the existing built form which is in itself considerable in size and scale.
- 9.11. Policy 12 of the CLP sets out the need to achieve high quality safe and sustainable design in all developments. The proposals set out in this statement are in accordance with Policy 12, in particular point 1(b), which notes that continuity should be provided with the existing built form, respecting and working with the natural and historic environment. The refrigerated loading bay and covered trolley depot are comparable and entirely compatible with the scale and massing of the existing agricultural buildings at Greymere Farm.
- 9.12. The proposals utilise land which has been previously developed and are viewed in context with the existing built environment at Trewithen Dairy. The size and scale of the proposals are directly comparable to that of the existing buildings on site. Accordingly, when considered against the immediate context there are no discernable impacts upon the visual appearance of the area. This approach is supported by paragraph 84 of the Framework, which states that the re-use of previously developed land should be encouraged where suitable.
- 9.13. Paragraph 117 and 118 also support the re-use of previously developed land. It should be noted that the proposed trolley area is covering an existing area of hardstanding, and is therefore considered as previously developed land and within the confines of an existing and established business.
- 9.14. The supporting Design and Access Statement and proposed plans and drawings provide further information on the appropriateness of the design and use of materials.

### ***Highways and Access***

- 9.15. The Council's Highways Officer provided a response to the pre-app and amongst their recommendations was that an application should be supported by a Transport Assessment. The justification for the request was in order to evidence existing vehicle movements and subsequent vehicle movements associated with each phase of development.



- 9.16. The supporting document titled *210615 Daily Vehicle Movements*, clearly provides the information requested by the Council's Highways Officer and demonstrates that the existing and proposed vehicle trips associated with the site remain constant.
- 9.17. Paragraph 109 of the Framework is clear that:
- “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”* (Paragraph 109, Framework).
- 9.18. Accordingly, there is no significant detrimental impact upon the local road network or indeed highway safety.
- 9.19. Trewithen Dairy has an existing car park and cycle parking for its employees and visitors. Due to the isolated location of the farm, most of those commuting use their own private vehicles. The proposals are in accordance with Policy 13 of the CLP, which sets out that an appropriate level of off street parking and cycle parking are provided.

### ***Historic Environment***

- 9.20. A Heritage Impact Assessment is provided in support of the proposals. Whilst the findings of the report are not repeated within this Statement, the assessment recognises the high significance of the Bronze Age barrows but concludes that the proposals will not alter their setting and therefore result in no change to their significance.

### ***Trees***

- 9.21. As confirmed through the pre-application enquiry there are no protected trees on the site. The proposed works do not impact upon any trees within the site and accordingly, there is no arboricultural impact to consider in this instance.

### ***Flooding***

- 9.22. The application is supported by a Foul Drainage Assessment Form. The form identifies that the foul drainage system will not connect to the mains foul drainage system, and will instead go to a package treatment plant. Soakaways will also be utilised for surface water.

### ***Protected Species/Ecology***

- 9.23. A Preliminary Ecological Assessment (PEA) has been undertaken and the findings of which are submitted in support of this application. The report identifies the need for further survey work in regard to reptiles and this survey is underway with the resultant report expected imminently.

- 9.24. Owing to the fact that the proposals are deemed to be “major development” the proposals will be required to demonstrate a 10% Net Gain in biodiversity. The PEA clearly concludes that:

*“An area of ruderal/ephemeral 0.06 hectares and hazel scrub 0.08 hectares will be mitigated for onsite, by creating an area of scrub of 0.10 hectares and profiling of the track edges will create ephemeral (reptile habitat) which exceeds 0.07 hectares in extent. This exceeds the BNG 10% target”.*

- 9.25. Accordingly, the applicant is willing to accept a suitably worded condition of consent to ensure that a net gain in biodiversity is achieved.

### ***Contaminated Land***

- 9.26. A Phase I Land Contamination Desk Study has been undertaken by Cornwall Consultants Ltd in support of the proposals. The report has concluded that the overall risk from exposure to potential contaminated land, including natural geology, hydrocarbons and offsite pollution incidents, has been designated as moderate. It should be noted that no further investigation is recommended.

### ***Residential Amenity***

- 9.27. In respect of neighbouring amenity, the three closest dwellings to the dairy are all within the ownership of the dairy. Furthermore, noise from the operations will in fact be less than the existing operations as the proposals seek to enclose an existing external TET storage area and therefore would provide noise attenuation which does not currently exist.

### ***Significant Benefits of the Proposal***

- 9.28. Firstly, the proposals safeguard the longevity of this existing business and significant employer within the area, protecting existing levels of direct employment associated with the dairy, as well as indirect employment. This provides a social and economic benefit.
- 9.29. As set out in detail in the Design and Access Statement, the proposals will dramatically increase the productivity per person employed. This will lead to higher skilled jobs in the areas of Engineering, IT, HR, Sales and Marketing. Linked to these roles is higher average earnings. Whilst there will be a shift from some low-skilled roles the higher skilled jobs will result in a net gain of 1 role alongside better average earnings. This represents a significant social and economic benefit of the proposals.
- 9.30. Economic and social benefits of the proposals include the supporting of employment during construction who in turn would make use of local services

and facilities. The proposal therefore delivers substantial social and economic benefits.

- 9.31. As set out in the document titled *210615 Daily Vehicle Movements*, despite the proposals dramatically increasing productivity of the dairy, vehicle movements remain consistent with that of the existing operation. Therefore, the proposals achieve an environmental gain in increasing the sustainability of deliveries.
- 9.32. The above mentioned significant benefits are considered to be of such weight that these can justify a positive determination of the application.

## **10. Conclusion**

- 10.1. The proposals are plainly in accordance with the adopted DP. Therefore in accordance with paragraph 11 of the Framework the proposal should be approved without delay.
- 10.2. Further, there are significant social and economic benefits resulting from the proposals (as set out at paragraphs 9.28.-9.32.), which carry substantial weight in its favour.
- 10.3. Accordingly, the applicant respectfully requests that the application is approved without delay.