

County of Cornwall

CORNWALL COUNTY COUNCIL
TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER, 1995

Notice of Refusal of Permission for Development

To: SITA Cornwall Ltd
of: SITA House
Grenfell Road
Maidenhead
Berkshire SL6 1ES

per: Mr S Molnar
Terrence O'Rourke
Everdene House
Deansleigh Road
Bournemouth BH7 7DU

CORNWALL COUNTY COUNCIL being the Waste Planning Authority **HEREBY REFUSE** permission for the development proposed in your application received as valid 22 April 2008 of land situate at **Rostowrack Farm, Wheal Remfry, Goonvean and Parkandillick Dryers, St Dennis, St Austell** namely the '**Cornwall Energy Recovery Centre**' and associated works being Grid Ref SW 937572 of Sheet No. SW 9357 within the Parish of St Dennis of the Restormel Borough.

The Reasons for the Council's decision to refuse permission are as follows:-

- 1) The proposed energy from waste facility in this location is contrary to the Waste Planning Authority's policies by virtue of failing to meet the criteria set out within Policy L6, L6A and L6B (Energy from Waste) of the Cornwall Waste Local Plan 2002.
- 2) The proposal would have an unacceptable impact on landscape character and visual impact by virtue of its scale, massing and height; the significant encroachment into undeveloped countryside, and the proposed loss of established Cornish hedge. This is contrary to Policy SD3 (The Environment and Natural Resources) of the draft Regional Spatial Strategy 2008; Policy 1 (Principles for Sustainable Development), 2 (Character Areas, Design and Environmental Protection) and 6 (Waste Management) of the Cornwall Structure Plan 2004; Policy L6A, L6B (Energy from Waste) and C1 (Operational Practice) of the Cornwall Waste Local Plan 2002, and Policy 6 (Development and Design Principles), 10 (Energy Supply), 11 (Protecting the Borough's Heritage) and 18 (Protecting the Wider Countryside) of the Restormel Borough Council Local Plan 2001.
- 3) The proposal would have an unacceptable impact on historic landscape and Listed Buildings. This is contrary to Policy 2 (Character Areas, Design and Environmental Protection), and 6 (Waste Management) of the Cornwall Structure Plan 2004; Policy C1 (Operational Practice) of the Cornwall Waste Local Plan 2002, and Policy 11 (Protecting the Borough's Heritage), 18 (Protecting the Wider Countryside), 24 (Areas of Great Historic Value), 25 (Scheduled Ancient Monuments), 26 (Local Archaeological Sites) and 33 (Listed Buildings) of the Restormel Borough Council Local Plan 2001.

Dated the 31st day of March 2009



County Hall,
Truro

Assistant Director: Spatial Planning (Head of Planning
& Regeneration [Designate] Cornwall Council)
(The Officer appointed for this purpose)

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REASONS FOR REFUSAL CONTINUED:-

- 4) The proposal would have an unacceptable impact on the network and users of public rights of way. This is contrary to Policy 2 (Character Areas, Design and Environmental Protection), 6 (Waste Management) and 13 (Tourism and Recreation) of the Cornwall Structure Plan 2004, and Policy C1 (Operational Practice) of the Cornwall Waste Local Plan 2002.
- 5) The proposal would have an unacceptable impact on residential amenity due to noise both during the construction and operational stage, particularly in respect of those properties located at "La Mount Corner", Rostowrack and Bodella Farms; north-west Treviscoe and properties immediately adjacent to the proposed haul road. This is contrary to Policy 3 (Use of Resources) and 6 (Waste Management) of the Cornwall Structure Plan 2004; Policy C1 (Operational Practice) of the Cornwall Waste Local Plan 2002, and Policy 37 (Noise) of the Restormel Borough Council Local Plan 2001.
- 6) The applicant has inadequately considered the availability of alternatives, the development of which may have given rise to lesser environmental impacts. This is contrary to Policy SD1 (the Ecological Footprint) of the draft Regional Spatial Strategy 2008; Policy 1 (Principles for Sustainable Development), 3 (Use of Resources) and 6 (Waste Management) of the Cornwall Structure Plan 2004, and Policy C1 (Operational Practice) of the Cornwall Waste Local Plan 2002.
- 7) The proposal by virtue of its scale, size and proximity to surrounding areas would have significant adverse impacts upon the environment and setting of those areas. This is contrary to the regeneration ambitions of the china clay area within the china clay Strategic Investment Framework which proposes regeneration of communities, landscape and the economy as well as improving the well being of such communities. This is contrary to Policy SD1 (the Ecological Footprint) of the draft Regional Spatial Strategy 2008; Policy 1 (Principles for Sustainable Development), 2 (Character Areas, Design and Environmental Protection), and 6 (Waste Management) of the Cornwall Structure Plan 2004; and Policy 11 and 12 (Protecting the Borough's Heritage) of the Restormel Borough Council Local Plan 2001.
- 8) The proposed development would be contrary to sustainable development objectives by its dependence on the transportation of waste by road, and increasing distances between the origin of waste and its disposal. For these reasons the proposal conflicts with Policy W2 (Waste Facilities and the Waste Hierarchy) and SD1 (the Ecological Footprint) of the draft Regional Spatial Strategy (2008); Policy 1 (Principles of Sustainable Development) in the Cornwall Structure Plan 2004 and Policy 1 (Plan Strategy Policies) of the Restormel Borough Council Local Plan 2001.

Dated the 31st day of March 2009



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