

From:
To: [DCAdmin](#)
Cc:
Subject: 2019/93124 additional comments to planning application.
Date: 01 March 2020 18:06:30

29/02/2020

I am writing with some comments on the planning statement submitted by Paul Matthews (2019/62/93124). These are intended to be in addition to my previous comments.

It references some of the points made in opposition to this application by me and says they convey “no objection in principle”. I will try to concisely explain why my opposition is one of principle and why arguments that Very Special Circumstances need not apply or are justifiable, do not constitute sufficient grounds for the approval of this retrospective application which would significantly change the character of the surrounding area.

Information regarding the access track fails to acknowledge that the gateway onto Dean Road is newly created without the relevant permission. The track has been created without permission, the containers have been sited and business proceeded with, all without permission. Is the planning committee really to be swayed by a report, filled with chaff, put together by a former employee of Kirklees planning to try and justify this egregious attempt to drive a coach and horses through normal procedure? I certainly hope not.

I would suggest the proposed on site activities do not constitute a forestry operation but are light industry and as such unsuitable for location in an agricultural green belt setting. There is no exploitable woodland on the site which means the area is intended solely for processing and storage in a place with no supporting infrastructure. Given the need to transport material to the site, process it, dry and distribute it back out again, there is no need for this to be located in an agricultural setting. I would, therefore, challenge the VSC put forward that the business is a “rural enterprise” (p14). The statement indicates that it cannot justify the application on the grounds that it constitutes forestry work but only that it is “akin to forestry work” (p16). I would say there is no good reason why the location cannot be somewhere where Green Belt policy does not apply.

I believe the proposal is in contravention of the stated purpose of NPPF 134 (c) that the green belt serves to “assist in safeguarding the countryside from encroachment”. The statement says the operation will “bring industry and vitality to the area” with “no negative impact” (p19). He also says the site is “semi rural” (p12). He is certainly right that it will bring, in my view inappropriate, industry to the area, encroaching on rural life and the rural landscape. I am also puzzled by the description of the location as “semi rural”. I can only imagine this is because of the effect the unauthorised works have had on a previously “fully” rural location.

It is inconsistent in my view to claim that “the processing of the stored cordwood is de minimis” (p10) and that consequently Green Belt policy should not apply and yet also to highlight that the business is contracted by “Kirklees, Oldham, Tameside, Calderdale, Wakefield and Barnsley councils” and also private clients. I would argue that processing is the defining element of the application. The wood cannot be dried until it is processed, if it is not processed it will just build up in the open taking up ever more space.

The limited capacity for drying wood also calls into question the VSC that “the operation of processing the cordwood into fuel positively contributes to the renewable energy drive” (p14). Is it realistic to suggest that 6 containers will be sufficient for the likely volume of cordwood coming in? Will new government regulations on the sale of wet wood coming into force in 2021 not mean that more drying capacity is likely to be needed? There is, rightly no power supply to the site, what if noisy generators were felt to be needed to accelerate drying

to free up more space for incoming stock?

A further point regarding capacity arises from the assertion that Down To Earth Tree Management is “not a commercial firewood business” (p16). Where is all the incoming wood to go to then? Will it build up until there is no alternative but to seek permission for further expansion or to just do it without permission as has happened so far in this matter?

As an aside, the claim that processing wood “positively contributes to the renewable energy drive” and the assertion that the enterprise is “not a commercial firewood business” seem to me to be contradictory.

I am concerned about the likelihood of expansion to the site should approval be given. As Mr Matthews points out repeatedly “the forestry yard equates to 9.3% of the overall holding” (of 4.94 acres) but at the same time says that the business has expanded since it was founded, has several employees and works regularly for 5 councils. Can the diary submission of activity can be realistically accepted as being typical of future activity? I would question whether the size of the processing and storage area is adequate for this business now and in the future.

Without prejudice, I fear Kirklees is being presented with a “fait accompli” which could well be “the thin end of the wedge”. Is the claim that processing takes up fewer than one month a year one that can effectively be policed or regulated? What is to stop piecemeal expansion into areas which are currently being used for sheep grazing and hay making? I believe that the limited size of the proposed processing area means this site is very far removed from being “the ideal location” (p15).

The issue of noise and other pollution remains a primary concern. The findings of the report prepared by Environmental Noise Solutions Ltd that noise created by chainsaws, log splitters and other equipment “represent No Observed Effect Level” is totally at odds with my own personal experience as resident on the adjoining land. The prevailing wind carries noise directly from the site to Upper Wickens. Electric chainsaws? Really?

With regard to Highways, I am slightly surprised the “initial concerns” of the officers have been “overcome” (p17). Because of the narrowness of the Dean Road and especially the blind spot created by the chicane very near the newly created access is it not a concern that the increased traffic constituted by tractors and staff vehicles could create a potentially dangerous situation, especially from traffic travelling from the direction of Thick Hollins road? There are already 7 drivers living at Upper Wickens (an adjoining residence) with driveway access between 50 and 100 metres from the applicants entrance. There is also the question of mud being spread on the road by entering and exiting vehicles which the statement says “may still be an issue” (p4).

I would also question whether it is appropriate to approve an application which will involve the transport of “diseased” trees (p2) from 5 local authorities into the area if there is a possibility of the transmission of disease to surrounding woodland by wildlife.

I have tried to outline above, in precis, why I believe some of the VSC's put forward are unconvincing, contradictory or irrelevant and would suggest they do not “when considered as a whole” (p16) justify the approval of this application. I think the Green Belt safeguards, intended to maintain the openness of the landscape and to “assist in safeguarding the countryside from encroachment” are at threat here.

The site was a green field and this report is a brazen attempt to retrospectively justify unauthorized and wilful vandalism of an agricultural setting. I hope this application will be rejected.

Sincerely,