

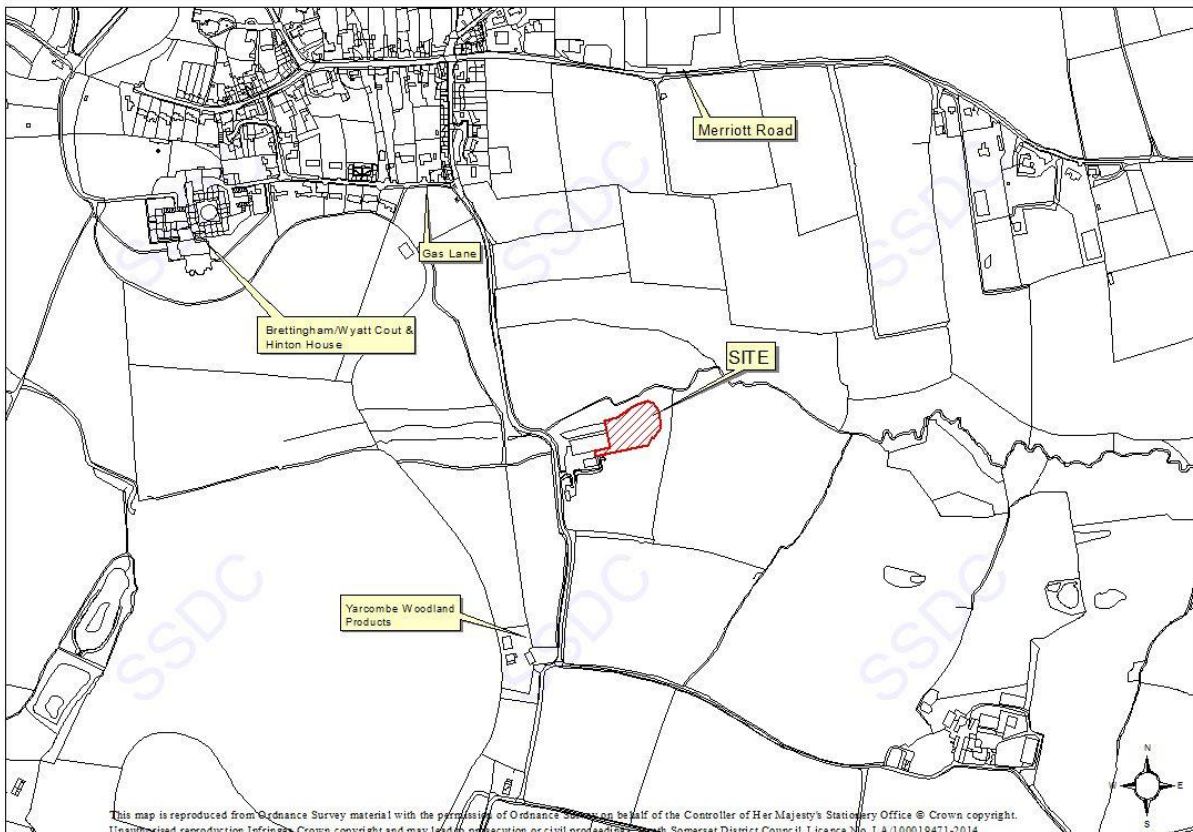
## Officer Report On Planning Application: 14/02907/FUL

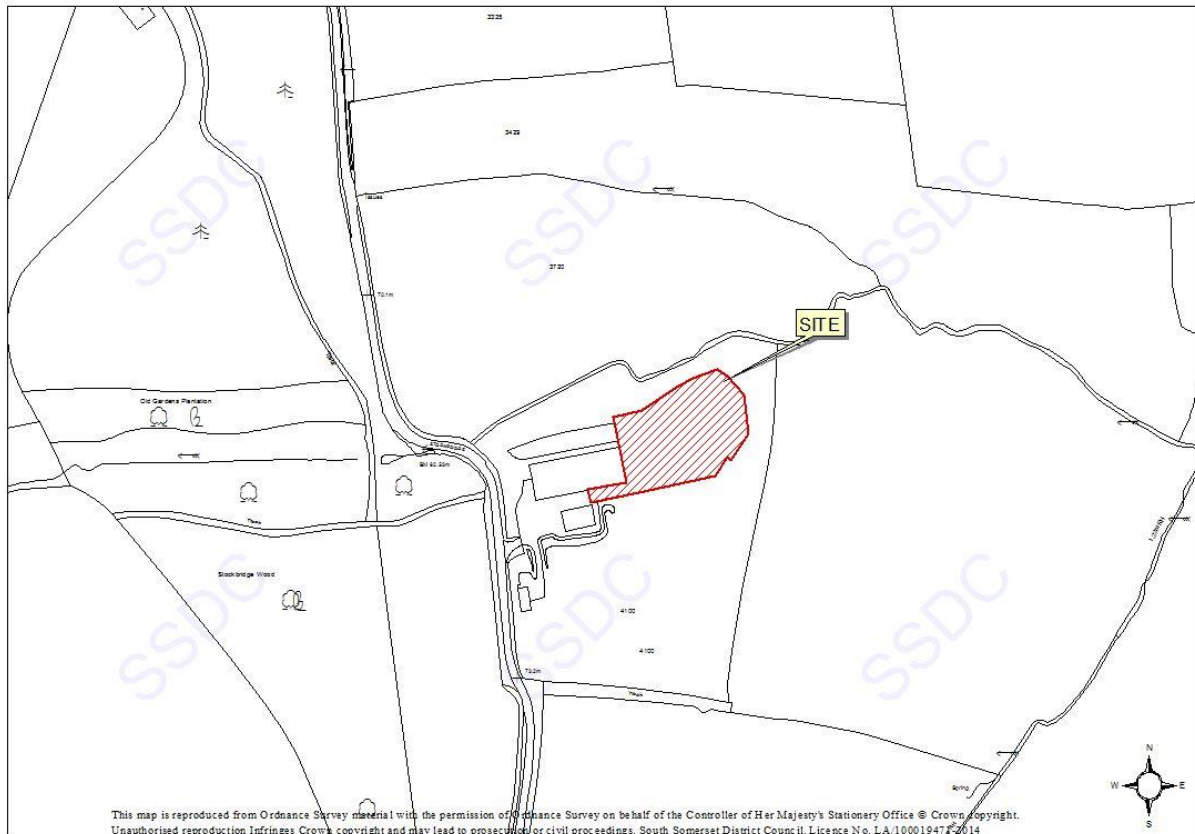
<b>Proposal :</b>	Installation of agricultural Anaerobic Digester (GR 342375/112016)
<b>Site Address:</b>	Stockbridge Farm Stockbridge Road Hinton St George
<b>Parish:</b>	Hinton St George
<b>EGGWOOD Ward (SSDC Member)</b>	Cllr P Maxwell
<b>Recommending Case Officer:</b>	Mike Hicks Tel: 01935 462015 Email: mike.hicks@southsomerset.gov.uk.
<b>Target date :</b>	26th August 2014
<b>Applicant :</b>	Mr Mark Voss
<b>Agent: (no agent if blank)</b>	Mr Nick Williams Berrys Willow House East Shrewsbury Business Park Shrewsbury Shropshire SY2 6LG
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

### REASON FOR REFERRAL TO COMMITTEE

The application has been referred to Area West Committee at the request of the Area Chair and with the agreement of the Development Control Manager.

### SITE DESCRIPTION AND PROPOSAL





The site consists of an existing farm holding located approximately 400 metres to the south of Hinton St George. The holding extends to approximately 60 acres and consists of a beef rearing enterprise.

The proposed site is located directly to the east of the existing farm yard buildings. Ground levels fall from the south to the north of the site. There is an existing agricultural building located to the east of the proposed site with a maximum height of 74.44 metres AOD. Natural ground levels fall towards the northern site boundary which is formed by a line of trees and a stream. The eastern site boundary comprises an existing hedge.

The application proposes a 250kw digester. It is proposed that the digester would be fed by feedstock generated from the holding at Stockbridge Farm and also by an associated holding located at Higher Burrow Farm, approximately 6 miles to the north of the site.

The agricultural business comprises a 700 head beef rearing enterprise. The applicant has confirmed that the cattle are Holstein bull calves which are from local dairy farms and are grown for veal. Numbers between the two sites fluctuate, however on average approximately 60% of the cattle are housed at Higher Burrow and 40% at Stockbridge Farm.

It is proposed that the AD plant would process approximately 5,165 tonnes of feedstock per annum generated from the two sites. The farms already generate this volume of manure and currently the manure is transported via the highway network and 14 tonne trailers from Higher Burrow Farm to Stockbridge Farm and then transported to the adjoining holding, Furland Farm for use as an organic fertiliser.

The feedstock will comprise 4700 tonnes of manure and 465 tonnes of 'TMR' and silage cattle feed. TMR stands for 'Total Mixed Ration'. This is a combination of individual cattle feeds comprising of silage, cereal and protein grains. The 'waste' TMR to be used as

feedstock will comprise the leftovers in the trough which equate to 1-1.5 tonnes a day. Currently this waste TMR is placed with manures and left in heaps prior to spreading.

It is proposed that manure would be transported to the site during the day and stored within the site prior to feeding into the digester. The resulting liquid digestate would be fed into the existing irrigation system on the adjoining holding, Furland Farm. This would involve connection via an underground pipe. The solid residue would be used as cattle bedding at the Higher Burrow and Stockbridge farm sites. It is proposed that the movements back to Higher Burrow will take place within the empty trailers once they are empty of manure.

The applicant has provided lab test results which indicate the amount of gas that would be produced by the manure. The size of the AD plant as proposed is a result of these test results to ensure that the AD plant can be operated from feedstock generated at the two sites. The test results indicate that the manure produces 108m<sup>3</sup> CH<sub>4</sub> (methane) / fresh tonne of manure and 218m<sup>3</sup> CH<sub>4</sub> / fresh tonne of waste feed. For comparison, the average figure for manure would be approximately 46m<sup>3</sup> CH<sub>4</sub> / fresh tonne.

Building operations would primarily comprise the following:

- Concrete access road and ramp leading to a lower concrete containing the AD plant. Ground levels would be 62.5 AOD, approximately 4 metres lower than ground levels around the existing adjoining agricultural building.
- There would be a higher concrete yard adjoining the existing agricultural building located at 66.5 AOD and would contain the Combined Heat and Power (CHP) Plant.
- The proposed digestate store tank would be located on the lower yard and would be circular in shape with a flat top. It would have a maximum height of 6.8 metres and would measure 20 metres in width.
- The liquid buffer tank would be circular in shape and would measure 7 metres in width by 4 metres in height.
- The digester tank would be circular in shape and would contain an upper element with a dome roof. The lower element would measure 20 metres in width by 7 metres in height. The dome roof would have a maximum height of 12.3 metres (74.8 AOD).
- The digestate store tank would measure 25 metres in width and would have a maximum height of 7 metres.
- The separator Clamp would be located between the digester tank and digester store. It would measure 1.2 by 4 metres and would have a maximum height of 4 metres.
- A bund is proposed to the northern site boundary. Amended plans have been received which have lowered the bund height by 1 metre to 64.5 AOD and re-profiled the outer face of the bund.
- Indicative landscaping details have been shown to include buffer planting to the north and east of the AD plant consisting of a mix of native species.
- It is proposed that the tanks would be clad in juniper green.

In terms of the process, manure would be fed into the digestion tank which is located closest to the existing agricultural building. The tank to the north eastern corner of the site consists of the digestate store. This is where the digestate is stored following being passed through a separator that separates it into liquid and solid form. The solid residue is collected here whilst the liquid digestate is passed into the digestate store prior to spreading onto neighbouring farmland via an underground connection to the existing irrigation system within the adjoining holding, Furland Farm.

Electricity would be exported via underground connection to the adjoining overhead powerlines to the west of the site.

Background to Anaerobic Digestion (AD)/Principle of development:

Anaerobic digestion is a process whereby bacteria breaks down biodegradable materials in a sealed container to produce a biogas. The gas can be used to generate electricity and heat through a Combined Heat and Power (CHP) unit which produces electricity. Electricity can be used on site and also exported into the local electricity grid.

The process generates both liquid and solid residue (digestate). The digestate can be used as fertiliser whilst the solid residue can be used for a variety of uses such as livestock bedding. The digestate produces significantly less odour when compared to traditional organic fertilizers.

It should be noted that farm-based AD plants are regulated by the Environment Agency (EA) through Environmental Permitting Regulations, rather than through the planning system.

Both national and local policy support the increase in the use and supply of renewable energy. These considerations are discussed further within the report below.

The proposed development would support an existing agricultural business and would comply in principle with the Governments National Anaerobic Digestion Strategy and Action Plan published in 2011. Within this strategy, there is a commitment to increasing energy from waste through anaerobic digestion.

The principle of the development is considered to be acceptable subject to compliance with the relevant development plan policies in respect to the character and appearance of the landscape, the nearby Grade II Listed Park, residential amenity and highway issues.

## **HISTORY**

09/04195/FUL - Erection of an agricultural building and bio gas green energy plant with associated access, yard, areas and landscaping works (approved 2010).

There have been various applications for farm buildings and in relation to the farm shop on the opposite side of the road.

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the Local Planning Authority considers that the relevant development plan primarily comprises the saved policies of the adopted South Somerset Local Plan (2006). However, the emerging Local Plan which will replace the adopted Local Plan is in an advanced stage of adoption. The proposed 'Submission South Somerset Local Plan (2006 - 2028)' was submitted to the Planning Inspectorate for Independent Examination in January 2013. A series of Examination Hearing Sessions were held during May and June 2013, which resulted in the Inspector issuing a Preliminary Findings Letter to the Council outlining some issues of concern. The Examination resumed in June 2014 following additional work being undertaken by the Council to address the Inspector's concerns. It is anticipated that the emerging Local Plan will be ready for adoption early in 2015. Having regard to the advanced stage in the adoption of the emerging Local Plan, emerging policies can be afforded some weight in determining the application.

The saved policies of most relevance to the proposal within the adopted Local Plan:

ST3 Development in the open countryside  
ST5 - General principles of Development  
ST6 - Quality of Development  
EH8 Historic Parks and Gardens  
EC3 - Landscape Character  
EP2- Noise generating uses  
EP3- Light pollution  
EP4- Waste generation  
EP7- Odour and amenity  
EP9- Pollution control  
ME5- Farm diversification

The saved policies of most relevance to the proposal within the emerging Local Plan:  
Policy EQ1- Addressing Climate Change in South Somerset

Policy-related Material Considerations

National Planning Policy Framework (the NPPF) is a material consideration.

Chapter 1. Building a strong, competitive economy

Chapter 3. Supporting a prosperous rural economy

Chapter 4. Promoting sustainable transport

Chapter 10. Meeting the challenge of climate change, flooding and coastal change

Chapter 11. Conserving and enhancing the natural environment 25

Chapter 12. Conserving and enhancing the historic environment

National Planning Practice Guidance (the NPPG) is a material consideration.

South Somerset Sustainable Community Strategy

Goal 8 - Quality Development

Goal 10 - Energy

Goal 11 - Environment

The NPPF has significant weight in the determination of this application. Of note the proposal would meet the definition of renewable energy set out in the NPPF and the NPPG.

Paragraph 17 of the NPPF sets out 12 core planning principles for the planning system. Of relevance to this proposal one of these planning principles states that planning should:

"support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy");

More specifically paragraph 98 states that in determining applications for renewable energy Local Planning Authorities should approve the application if its impacts are (or can be made) acceptable. These impacts will be discussed within the main body of this report and in this instance, impacts of the development are considered to be noise and other pollution, highway and landscape impacts. Whilst the NPPF is supportive of renewable energy development and chapter 3 is supportive of promoting a prosperous rural economy, chapters 4, 11 and 12 also relate to ensuring that appropriate weight is given to protecting the natural environment and general amenity.

In relation to Local planning policy, the adopted Local Plan is relevant. Local Plan Policies are given a degree of weight in accordance with their consistency with the NPPF. Saved

Policies that are relevant to the proposal are listed above and relate primarily to consideration of the impacts of planning proposals in relation to general amenity (noise, visual impact etc.).

Within the emerging Local Plan, Policy EQ1 relates specifically to addressing the impacts of climate change. Policy EQ1 states (inter alia) that:

"Development of renewable and low carbon energy generation will be encouraged and permitted, providing there are no significant adverse impacts upon residential and visual amenity, landscape character, designated heritage assets, and biodiversity".

## **CONSULTATIONS**

### **Hinton St George Parish Council**

Please note that Hinton St George Parish Council recommend approval for the above application with the following conditions:

That a proviso is placed such that the plant cannot receive additional fuel from sources other than Stockbridge Farm or Higher Burrow Farm.

That vehicles transporting the fuel will not pass through the village of Hinton St George.

### **Highway Authority**

First response:  
No observations

Second response:  
This is an agricultural activity in the countryside so is acceptable in principle. It appears that the overall number of vehicle movements will drop as a result of the development proposed and that the farmer takes efforts to spread these movements over a number of local roads to reduce the impact even further. As such there is no reason why the application should attract a highway objection.

Third response:  
The Highway Authority have been consulted in relation to the amended proposed vehicle routing and in relation to the weight of vehicles resulting from the use of larger trailers. No substantive comments have been received from the Highway Authority. Members will be updated during the committee meeting.

Notwithstanding the above, the following additional comments have been received:  
The routes should avoid the weight restriction where vehicles exceed this, however this should form a guide only as local circumstance on rival roads may impact on route choice.

### **Landscape Officer**

First response:  
I believe there are a number of issues:

1) The site lays against the immediate edge of Hinton Park, which is a grade 2 registered historic park and garden (HP&G). The east edge of the park is denoted by an enclosing tree belt, whilst open countryside to the east - which comprises its setting - is primarily open agricultural land, with only a sparse, sporadic, development presence. Stockbridge Farm is

the only farm building group alongside the park's immediate edge, and this development is a recent rather than a historic addition.

Whilst farm buildings have been accepted as an appropriate form of development at the park's edge, this plant is of an industrial character, particularly with its expression of large volume cylinder tanks. As such, this expression is completely at variance with local character, and would thus fail to meet LP policy ST5 criteria 4.

2) The visibility of development becomes an issue when development form is considered to be contrary to local character, to thus present its incongruity to public view. In this instance, I would acknowledge that the site is not obtrusive. It lays within a headwater valley of the Merriott Brook, and I note it to be screened from the adjacent road by the farm buildings, whilst residential views are limited to residential dwellings by Furland Farm, and from properties at/adjacent the head of South Street, Hinton St George. Occasional local views can be gained from the village hall and community woodland, but as the woodland cover matures these will lessen. Longer public views toward the site are in the main obscured by tree lines and hedgerows.

3) We have noted that AD plants of this scale within the district have required the import of waste to become viable. This is a small unit, and such a need is likely here. If this is the case, then there is a potential traffic impact, which is also a landscape impact, for the local lanes are narrow and little trafficked. I consider an increase in traffic volume and scale on the local lanes will potentially impact upon the tranquillity of the area, but without detail, am unable to quantify this.

4) There are elements of the proposed layout that are not sympathetic to the local landscape. A bund to a 3 metre height with steep side slopes is clearly artificial, and will be incongruous in character. Nor is there any indication of any landscape mitigation.

Looking at these issues, it appears that the proposal will be at variance with local character, and this point is given greater weight due to the location of the AD Plant within the setting of the HP&G, and thus there are grounds for a landscape objection. However, there is limited public perception of this proposal, and it would appear that there is scope to further reduce these views by landscape mitigation, which would balance the adverse character impact in-part. Similarly, there may be scope to modify the bund arrangement. Whilst I anticipate traffic impacts, these are not quantified. Consequently I would advise that if this proposal is to be considered acceptable from a landscape standpoint, further detail/modification is required;

- (a) Planting mitigation is incorporated into the scheme pre-determination, to limit views toward the site, with particular attention to the north and southeast sides of the plant;
- (b) The outer face of the bund is relaxed to enable planting, with land outside the plant remodelled to easier gradients, to allow substantive planting, and;
- (c) Traffic detail is confirmed to enable all parties to judge if they are acceptable.

If a satisfactory landscape and ground modelling scheme can be worked up and agreed, and traffic volumes are acceptable, than on balance we may get to a stage where there is no landscape objection to the proposal.

Second response:

In relation to the bund, this appears more sympathetic and I think is acceptable.

The area indicated for planting is fine as a basis for a detailed scheme, but I would also foresee the need for individual tree planting across the face of the bund, to the edge of the

concrete yard. If you're minded to approve, then please condition the requirement for a detailed planting proposal, to be submitted and approved pre-commencement - which can incorporate this additional planting.

### **Garden History Society**

Under a new working arrangement Somerset Gardens Trust works closely with the Garden History Society (the statutory Consultee on Registered Parks and Gardens) to comment on planning applications affecting gardens and landscapes that are listed and unlisted heritage assets. Our comments on applications are forwarded to, and kept by, the Garden History Society.

Hinton Park is on the English Heritage Register of Historic Parks and Gardens (Grade II). A Park associated with Hinton House existed in the early C16 and was gradually extended so that by 1569 it was estimated to have a circumference of 4miles (6.5km). The Park is recorded at Hinton on both Saxton's map of Somerset (1575) and Speed's map (1610). Expansion continued into the mid C18 taking in much of the former south and west fields in the parish of Hinton, and land in the parish of Dinnington. Road diversions effected between 1766 and 1772 and the clearance of the hamlet of Croft allowed the park to achieve its present size. Ornamental planting in the park began as early as 1652 when cherry trees were purchased in London and continued until c 1817 when 'American' clumps were formed near the house. The present configuration of plantations within the park appears to date from the early C19 programme of improvement. (Quoted from the EH listing description).

The Somerset Heritage Centre holds as archive of Poulett Papers from one of which the following description of the views from the Hinton Park is taken. The Estate affords some exquisite Nature Pictures, and from any of the hills one looks upon some of the best land in England, land which is usefully occupied, and land yielding such pasture, root, and orchard crops as to make up in measure for the less profitable cereals.

The views then, from the Hinton entrance gate, the Castle Hill, the Lopen Hill, hills in the park, and up by Chillington Down present wide expanses, and in some instances panoramas even, of great natural beauty .This perfectly describes the setting that contributes to the significance of the Registered Park.

In the Planning Statement accompanying the application Point 1.2 Site Location states 'The Farm occupies a rural location predominantly surrounded by agricultural pasture and arable land interspersed with copses of trees and small rural settlements.'

Again reinforcing the wider setting and rural nature of the views from, and into, nearby Hinton Park.

Other contributors, including your own SSDC Landscape Architect, have remarked on the size of the Stockbridge Farm AD which would introduce an industrial development on the very edge of Hinton Park. During the winter months cover afforded by deciduous trees will be reduced and the current gentle nature of the agricultural land and farm will be changed.

While mindful of the Government support for renewable energy projects we would urge that NPPF 129 is given equal weight. 'Local planning authorities should identify and assess particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimize conflict between the heritage asset's conservation and any aspect of the proposal'.



If you are mindful to approve the application we would ask that your Landscape Architect is closely consulted on any landscape mitigation to ensure there is minimal impact on the historical views from Hinton Park.

### **Environment Agency**

No objections subject to conditions and informatives being included within the decision.

A condition is requested to include a waste management plan to demonstrate there is sufficient storage for the digestate, sufficient land available to spread on and how the cropping regime and nutrient requirements may affect this. It is considered that this has been discussed sufficiently during consideration of the application, however, further details are considered to be reasonable to be included as a planning condition.

A further condition to include details of the construction of the storage facilities is requested.

Second response:

The amended plans in relation to the re-profiled bund would be acceptable.

### **Environmental Protection Department**

First response:

Such installations as proposed are subject to permitting under the Environmental Permitting (England and Wales) Regulations 2010.

Accordingly the standard rules permit that the site will have to operate under covers issues such as odour and noise and vibration.

It is generally regarded that the Environmental Permitting ( England and Wales ) Regulations 2010, is the primary legislation to control odours and noise.

That being the case I raise no objections to the application.

Subsequent comments:

Resulting noise at noise sensitive properties should be well below background noise levels in the area. For example in the centre of Yeovil background could be as high as 35dB. Distance attenuation alone will reduce levels down to about 25 dB at 300m from source.

The AD plant would be subject the Environmental Permitting (England and Wales) Regulations 2010. Section 3.3 and 3.4 cover odour and noise.

The findings of the noise assessment confirm my opinion on the issue of noise.

### **Climate Change Officer**

This is a very sustainable renewable energy development of exactly the type the council should be supporting.

The plant will generate electricity equivalent to that consumed by 450 South Somerset households (as compared to the 223 dwellings in Hinton St George). It will provide local electrical base load to compliment the more intermittent generation from photovoltaics in the area and displace grid electricity that can see losses of up to 11% over the long distances from large central power stations.

From a carbon efficiency perspective, injection of gas to the grid is preferable because heat

from AD plant is often wasted. However, gas injection at the scale of this particular plant is relatively expensive and the DAS includes an explanation of how the heat will be made good use of.

I strongly support this application.

#### **Drainage engineer:**

I've looked at the drainage details submitted as in respect of the above and I'm happy that proper provision is being made to deal with this

#### **Ecologist:**

The site is principally arable and disturbed ground and therefore not particularly ecologically sensitive. I've noted the 'Extended Phase 1 Habitat Survey Report'. This didn't identify any particularly significant ecological issues. The most significant issue is the risk of pollution to the nearby stream. I believe the Environment Agency would normally comment and recommend conditions in this respect.

### **REPRESENTATIONS**

Letters of objection have been received from owner/occupiers of 37 nearby dwellings and letters of support have been received from owner/occupiers of 2 nearby dwellings.

The following objections have been made:

#### **Highways:**

- The application will result in larger vehicle loads through Hinton St George and increases in most months of the year.
- Hinton St George is a conservation Area and inappropriate to accommodate additional traffic due to weight limit, lack of footpaths, potholes, muddy, liable to flooding, narrow width of road etc.
- The increase in size of trailers to 14 tonnes is unsuitable due to the above.
- The application will be detrimental to safety of drivers, pedestrians, cyclists, horse riders and children due to the above considerations.
- Restrictions should be placed on the routes vehicles can take to avoid Hinton St George.
- Planning permission was refused in 2006 for a concrete processing operation on the basis of the impact on the junction with the A30 and the 'substandard' nature of the access lane.

#### **Amenity:**

- Noise will be 24 hours. Noise levels should be evaluated further to include impacts at night.
- The need for 24 hour lighting will be detrimental to amenity.
- The environment Agency states that mitigation will be required to control potential odour issues.

#### **Heritage and Landscape**

- Detrimental impact on the Listed Park.
- Contrary to local landscape character.
- Detrimental to the nearby Conservation Area.
- The existing buildings are visible from a wide area so the proposed development would have a significant impact on the landscape.
- If granted, a landscaping condition should include a combination of trees and shrubs to

screen the development.

#### **Other matters:**

- Claims over the predicted gas yield produced by the manure is not plausible and therefore the highway impacts could be greater than claimed. The origin/accreditation of the lab test results and method of sampling is not stated.
- The area where the digester is to be sited has been raised with large quantities of hardcore. There is a chance of the site subsiding if developed.
- A revised scheme, smaller in scale may be acceptable.
- In the event that the existing farming activities at Higher Burrow Farm reduce, material will have to be brought into the site from elsewhere.
- There have not been sufficient supporting information such as an odour, noise and traffic management plans.
- The development is on an industrial rather than farming scale.
- Local residents have had insufficient opportunity to comment. There has been insufficient consultation.
- Potential to pollute the adjacent stream.
- Impact on wildlife from noise.
- If approved, there should be a condition to state that there shall not be another agricultural worker dwelling on site.

#### **CONSIDERATIONS**

##### **Landscape and visual impact**

Overall, subject to conditions in relation to landscaping and external finishes, the proposal is considered to be acceptable in relation to landscape impact and the impact on the setting of the nearby Listed Park.

The Historic Garden Society have commented that paragraph 129 of the NPPF is given equal weight to the governments support of renewable energy schemes. Paragraph 129 states:

"Local planning authorities should identify and assess particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimize conflict between the heritage asset's conservation and any aspect of the proposal".

In addition to the above, paragraph 132 of the NPPF states (inter alia) that:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be".

Having regard to the above, great weight must be given to the impact on the Listed Park. The scale and siting of the proposal is such that the impact on the Listed Park would be relatively limited in terms of views from vantage points into and out of the Park. It is noted that the Councils Landscape officer raised initial concerns over the development being at variance with the local landscape character. The Landscape Officer further commented that there are limited public views of the site and that it has merit in this regard and that alterations to the bund and additional soft landscaping would mitigate the impact of the development to an acceptable degree.

Furthermore, the site is considered to be relatively well related to the existing farm buildings,

being located directly to the east of the adjoining agricultural building. The site is located approximately 90 metres from the boundary of the nearby Listed Park. However, given the distance involved and the siting of existing buildings between the site and the Listed Park, it is considered that the impact would be acceptable. The Landscape Officer has viewed the amended plans which show alterations to the bund and indicative locations for native tree planting and has commented that the landscape impact from the amended scheme would be acceptable.

Overall, subject to conditions, the landscape impact of the proposal is considered to be acceptable and would not harm the setting of the nearby Listed Park.

The application states that the external finishes for the digester tanks and stores would be juniper green. The Councils landscape Officer has commented informally that lighter shades would assimilate better into the landscape than the shades indicated on the proposed plans. Notwithstanding this, it is considered that this issue can be addressed through a planning condition.

### **Residential amenity**

#### **Noise**

The Councils Principal Environmental Protection Officer (the EPO) has not objected to the scheme and has further commented that Anaerobic Digestion Plants of this scale are regulated by the Environment Agency via the Environmental Permitting (England and Wales) Regulations 2010. These regulations cover issues such as noise and odour. This scheme covers a range of issues and ensures best practice in relation to a range of processes and associated environmental impacts.

The application site would be located approximately 400 metres from the nearest noise sensitive properties. The most significant element of the scheme in relation to noise is the Combined Heat and Power Unit. This would generate a noise level of 75 dB(A). at 1 metre from the plant. This noise level is similar to that of a typical vacuum cleaner. The EPO has further commented that this level of noise would not be of concern given the function between noise dampening and distance. In addition to the above, the applicant has submitted a noise assessment which states that noise levels at the nearest residential properties would be approximately 20 dB(A). The EPO has provided additional comment on this report stating that it confirms his opinion and findings.

Concerns have also been raised over vehicle reversing 'beepers' and the impact of these on residential properties. It is considered that it would not be reasonable to condition control of these through a planning condition given the manure is already transported to the site and this proposal would result in a reduction in vehicular movements. However, it is recommended that an appropriate informative is included within the decision notice.

Having regard to the above, it is considered that the proposal is acceptable in relation to noise impacts.

#### **Odour**

The EPO has raised no objections in relation to odour and has commented in relation to the Environment Agency permit scheme. It should be noted that anaerobic digestion takes place in air tight containers and therefore odours cannot escape during digestion. In addition the resulting digestate is considerably less odorous than manure and slurry. Currently manure is transported and stored in heaps at Stockbridge Farm prior to spreading on the fields at the

surrounding holding, Furland Farm.

The digestate would be pumped through an umbilical cord into the adjoining agricultural holding at Furland Farm. Having regard to the nature of the digestion process, it is considered that this process would not result in a substantive increase in odour emissions over the existing situation and is therefore acceptable in this regard.

Regard should be given to the judgement of a Planning Inspector on this issue. In paragraph 17 of the decision notice reference 2188741 the inspector states:

"Crucially, odour control forms a part of the EA's regulatory responsibility. It is not something that is a material planning consideration unless the extent of regulation the EA can impose would not deliver a level of odour commensurate with the other surrounding land assume that things might go wrong, and adopt a precautionary stance on that basis. It must be accepted that when the plant and equipment are operating under normal conditions, they would reflect the manufacturer's instructions and, thus, operate efficiently. Any shortcomings would then be addressed by the Regulator, the EA".

## **Highways**

The impact on the local highway network has been of significant concern to local residents. It should be noted that the manure that would feed the AD plant is currently transported from the nearby holding, Higher Burrow Farm to Stockbridge Farm and the application states that this situation would continue regardless of the outcome of this planning application. The proposed AD plant would utilise the manure that the currently produced and transported to Stockbridge Farm.

The Highway Authority have been consulted on the application and initially commented that they had no observations to make. A written response was subsequently requested by the Council and the Highway Authority commented that due to the reduction in movements there would be no grounds for objecting to the proposal.

During consideration of the proposal, it has been drawn to the applicants attention that the vehicle routing options include roads that are subject to a 7 tonne weight restriction. The applicant has subsequently submitted amended vehicle routing options that include a short stretch of the A30. Concerns have been raised over the use of the A30 for tractors and trailers and over the increase in weight of vehicles. Whilst the Highway Authority have not raised this as a concern, further comment has been requested from the Highway Authority in relation to these specific issues and committee members will be updated with these comments at the committee meeting.

Documents submitted with the planning application indicate that existing manure, silage and straw loads from Higher Burrow to Stockbridge Farm total 368 movements per annum and with the addition of straw movements there are currently a total of 389 movements to service Stockbridge Farm. These are spread throughout the year with activity taking place every three months consisting of 92 loads during each active month.

The first impact of the development would be a reconfiguration of existing vehicular movements from concentrated periods every three months to a lower continuous level of movements to ensure a continuous supply for the AD plant. The resulting monthly level would be 15 loads a month. This would represent a substantial reduction from the existing 92 loads that take place during the active months.

Secondly, there would be a reduction in overall numbers over the year as the applicant

proposes to use larger trailers to transport manure, increasing the payload of trailers from 7 tonnes to 14 tonnes. Furthermore, there would be a reduction in straw bedding imports to the holdings as the solid digestate would be used as cattle bedding. Overall, the application submissions predict 160 vehicular movements per annum (assuming that larger trailers are used) to service the digester. This is a reduction in number over the existing situation.

Concern has been raised over the possibility of the feedstock generated by the two holdings not being sufficient to service the digester. The applicant has commissioned laboratory tests which demonstrate that the manure produces a higher amount of energy from methane (CH<sub>4</sub>) compared to typical manure. The implication of this is that the weight of manure required to feed the digester would be lower than for average manure. In the event that the manure does not continue to be so rich, greater amounts will be required, thereby generating additional vehicular movements. The applicant has provided an explanation as to the content of the manure. The cattle are grown for veal and therefore they are fed a rich diet with average dry matter content at between 60 and 86%. The industry standard is to feed a moist mix as more silage is used averaging 40-45% DM. The resulting higher organic content of the manure results in greater amount of energy from methane. As such the overall vehicular movements to service the digester (13 a month) are considered to be very low. Notwithstanding this, it is considered in the event that the predicted number of vehicular movements is inaccurate, a higher number of vehicular movements would result, (for example 480 movements a year or 40 a month) it is considered unlikely that the impact could be judged as being severe. Further clarification has been requested in relation to the threshold for acceptable movements along the access road. Committee members will be updated with these comments at the committee meeting.

It should be noted that planning permission was refused in 2006 under reference 06/00784/COU for the development of a ready mix concrete plant, located at Oakland Farm. The plant would have resulted in 7 heavy vehicle movements a day and was refused due to the 'substandard' nature of the junction with the A30 at Liddon Hill and the lane from the junction to the site.

The proposed lorry movements within the 2006 scheme are considered to be significantly greater (7 a day) as opposed to the current predicted movements of 3 a week.

In relation to the weight of vehicles, the proposed access road from the A30 is not subject to a weight restriction and the Highway Authority have not raised this as a concern.

Concerns have been raised over safety issues in relation to the size of vehicles and issues such as the lack of forward visibility and width of the access roads. In countryside locations such as this, it is widely accepted that agricultural enterprises have to use large vehicles for a variety of reasons. Furthermore, alterations could be made to the existing agricultural activities at Stockbridge without planning control that would result in significant increases in heavy vehicle movements.

Overall for the reasons outlined above, the proposal is considered to be acceptable in relation to highway impact.

### **Loss of productive agricultural land**

The proposal would result in a total loss of productive land of approximately 0.5 hectares. The Provisional Agricultural Land Classification map provided by Natural England indicates that the site is located within Grade 1 and Grade 2 Land. Grade 1 and Grade 2 are the two highest grades, being classified as Excellent and very good respectively.

Paragraph 112 of the NPPF states that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile land and where development is necessary, poorer quality should be used in preference to higher quality.

In this instance, the loss of high quality land is acknowledged but is considered to be acceptable. The area to be lost would be relatively modest in relation to the overall area. In addition the proposed development is ancillary to the existing farming operations and would support the agricultural business economically and would contribute to the productive agricultural use of the land by way of production of fertiliser and animal bedding. Furthermore, the development would make a contribution to renewable energy provision and the Councils emerging policy on tackling climate change. As such the benefits of the proposal are considered to outweigh the loss of this section of the agricultural field and would therefore accord with Saved Policy EC1 and the relevant sections of the NPPF.

### **Ecology**

Paragraph 109 of the NPPF state (inter alia) that "the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible"

An extended phase 1 habitat survey has been submitted with the application which consists of an assessment of the site following a field survey in June 2014 in relation to protected species. The report concludes that there is no evidence of protected species being present within the application site. The report identifies that the most significant ecological impact would be on the adjacent stream to the north of the site. The report identifies mitigation measures to limit the impact on ecology including pollution prevention measures, care over placement of external lighting and best practice in relation to impacts on badgers during construction.

In relation to enhancements to biodiversity, the report suggests suitable tree species for inclusion within the landscaping scheme, bird nesting boxes and creation of a species rich grassland. The Councils ecologist agrees with the findings and recommendations of this report. It is considered that suitable ecological enhancements can be incorporated into the soft landscaping scheme in order to mitigate the impact of the development.

### **Appeal decision**

Appeal decisions by Planning Inspectors for schemes under similar circumstances are a material consideration that must be given substantial weight in the determination of planning applications.

Reference has been made by objectors to this scheme of a decision by Mid Devon District Council in relation to refuse planning permission for a 200kw AD plant at Nomansland near Tiverton. Reference is made to this decision with a view to justifying refusal of this application.

The application subsequently was considered at appeal under reference 2211282 whereby the Inspector granted permission for the scheme with costs awarded in favour of the applicant.

### **Environmental Impact Assessment**

The requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 have been considered. The proposed development is considered to fall within Schedule 2 (3a) and (11b). However, The site area, including landscaping and

associated development in relation to the connection with the electricity grid and the adjoining irrigation system would exceed 0.5 hectares and as such, a screening opinion has been undertaken to determine whether an EIA is required.

It was determined that the potential effects of the proposed development were not so significant as to require an Environmental Impact Assessment.

## **SECTION 106 PLANNING OBLIGATION/UNILATERAL UNDERTAKING**

Not applicable to this application.

## **CONCLUSION**

Paragraph 98 of the NPPF states that Local Planning Authorities should approve applications for renewable energy where the impacts are (or can be made) acceptable. None of the specialist consultees have objected to the application and a package of planning conditions is recommended to mitigate the impact of the development and to ensure that the impacts of the development are acceptable.

## **RECOMMENDATION**

Grant Permission subject to receipt of no substantive additional comments or objections from the Highway Authority being received.

01. The proposed development will satisfactorily respect the character and appearance of the area, will preserve the setting of the nearby Listed Park, will provide a needed and efficient means of dealing with farm waste, will contribute to renewable energy supply and will not have an adverse impact on residential amenity or highway safety in accordance with Saved Policies ST3, ST5, ST6, EH8, EC2, EC3, EP 2, EP3, EP4, EP7, EP9 and ME5 of the adopted South Somerset Local Plan and Chapters 3, 10, 11 and 12 of the National Planning Policy Framework.

## **SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The feedstock to serve the anaerobic digester hereby approved shall be limited to manure and farm waste associated with Stockbridge Farm as identified on unnumbered site location plan date stamped 30th June 2014 and from Higher Burrow Farm as identified on document titled 'Appendix 2 Higher Burrow Buildings Plan' date stamped 13th August 2014.

Reason: In the interests of general amenity and to preserve the setting of the Listed Park to accord with Saved Policies ST6 and EH8 of the adopted South Somerset Local Plan.

03. The development hereby permitted shall not be commenced until samples of all of the materials, colour and finish to be used for external surfaces of the digestion and storage tanks and have been submitted to and approved in writing by the Local



Planning Authority. Once agreed, no alterations or changes shall be made to the buildings without the written consent of the Local Planning Authority.

Reason: In the in interests of visual amenity and to preserve the setting of the Listed Park to accord with saved Policies ST6 and EH8 of the adopted South Somerset Local Plan.

04. The development hereby approved shall not be commenced until details of the surfacing materials for all hardstanding and access tracks have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding and in the interests of visual amenity and to preserve the setting of the Listed Park in accordance with Saved Policies ST6 and EH8 of the adopted South Somerset Local Plan.

05. The anaerobic digester hereby approved shall not be brought into its intended use until the digestate pipeline has been implemented and is operational in accordance with details that have been submitted and approved in writing by the Local Planning Authority. The pipeline shall be retained and operated as such thereafter and it shall be the only means by which the digestate is transported to fields for spreading.

Reason: In the in interests of general amenity and to preserve the setting of the Listed Park to accord with saved Policies ST6 and EH8 of the adopted South Somerset Local Plan.

06. The anaerobic digester hereby approved shall not be brought into its intended use until the digestate pipeline has been implemented and is operational in accordance with details that have been submitted and approved in writing by the Local Planning Authority. The pipeline shall be retained and operated as such thereafter and it shall be the only means by which the digestate is transported to fields for spreading.

Reason: In the in interests of general amenity and to preserve the setting of the Listed Park to accord with saved Policies ST6 and EH8 of the adopted South Somerset Local Plan.

07. The development hereby approved shall not be commenced until details of underground and over ground development to connect the development to the electricity grid have been submitted to and approved by the Local Planning Authority.

Reason: In the in interests of general amenity and to preserve the setting of the Listed Park to accord with saved Policies ST6 and EH8 of the adopted South Somerset Local Plan.

08. Within 3 months of the cessation of the use of the development hereby approved, a scheme for removal of all buildings, structures, hard standings, plant and machinery, roadways, fencing or other structures in association with the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. The scheme shall include details of the restoration and a timetable for completion. The scheme shall be fully implemented within 3 months of the date of approval.

Reason: To safeguard the amenities and character of the area in accordance with Saved Policies EC3 and ST6 of the adopted South Somerset Local Plan.

09. No development approved by this permission shall be commenced until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the phasing of construction, routing for construction vehicles, parking for construction and contractors vehicles, expected number of construction vehicles per day and a scheme to reduce the number of construction and associated vehicles traveling to the site has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason: To safeguard highway safety and general amenity in accordance with in accordance with Saved Policies EP6, ST5 and ST6 of the adopted South Somerset Local Plan.

10. No external lighting shall be erected on the application site unless details including size, design, location and degree of luminance have been previously submitted to and agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities and character of the area and to preserve the setting of the Listed Park in accordance with Saved Policies ST6, EC3 , EP3 and EH8 of the adopted South Somerset Local Plan.

11. No development shall commence unless a surface water drainage scheme for the site (to accord with SuDS requirements where necessary), based on the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system in accordance with Saved Policies ST5 and EP9 of the adopted South Somerset Local Plan and guidance in the NPPF.

12. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping, including a scheme for the provision of biodiversity enhancements. The landscaping scheme shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the amenities and character of the area and in accordance with Saved Policies EC3 and ST6 of the adopted South Somerset Local Plan.

13. Within 3 months of the cessation of the use of the development hereby approved, a scheme for the removal of all buildings, structures, hard-standings, plant and

machinery, roadways, fencing or other structures and equipment brought onto or erected on the land for the purposes of the development shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of restoration and a timescale for completion. The scheme shall be fully implemented within 3 months of the date of approval.

Reason: To safeguard the amenities and character of the area and in accordance with Saved Policies EC3 and ST6 of the adopted South Somerset Local Plan.

14. The development hereby approved shall not be commenced unless a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the phasing of construction, pollution prevention measures (to include details of the construction of the storage tanks), hours of construction, routing for construction vehicles, parking for construction and contractors vehicles. The development shall thereafter be carried out in strict accordance with such details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard highway safety and rural amenity in accordance with Saved Policies EP6, ST5 and ST6 of the adopted South Somerset Local Plan.

15. The development hereby approved shall not be commenced unless a farm waste management plan to include details of the storage capacity for digestate in relation to the area for spreading of the digestate and details of how the cropping regime and nutrient requirements may affect this.

Reason: To safeguard the amenities and character of the area and highway safety in accordance with Saved Policies EC3, ST5 and ST6 of the adopted South Somerset Local Plan.

#### **Informatives:**

01. The following informatives have been provided by the Environment Agency: This activity will require a Permit under the Environmental Permitting Regulations 2010. The Environment Agency is required to consider all forms of pollution when issuing an environmental Permit. Odour can be classed as pollution if it causes offences to man's senses. If a permit is issued for this site, it will require the operator to take all appropriate measures to prevent or minimise the emission of offensive odours from the activity. However, this does not mean that there will be no odour from these activities.

02. The proposal is to separate and dry the fibre element of the digestate and use it as animal bedding. The applicant is advised that the current situation is that this cannot be done without seeking an End of Waste Submission for the digestate fibre. The applicant is further advised to contact the Environment Agency to discuss this requirement further. If the applicant wishes to discuss their future proposal then they should contact Dan Aplin in our Environment Management Team on 01278 484617.

03. All new, substantially enlarged or re-constructed slurry lagoons must comply with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010. To comply, it has to be built in accordance with British Standards set out in CIRIA (Construction Industry Research and Information Association) Report 126. The applicant is advised to contact our local Environment Management team on 01278 484617 for further guidance.

04. The applicant is advised of the requirement to notify the Environment Agency in writing at least 14 days before construction. The appropriate forms are available at: <http://publications.environment-agency.gov.uk/pdf/GEHO0810BSXI-e-e.pdf> The Environment Agency will then be able to determine whether an inspection or any modifications to the construction plans might be required. This does not necessarily need to be covered as part of the planning process, but neither will it be considered as part of the permit application. We therefore recommend that the applicant demonstrate how they will ensure compliance with the SSAFO regulations at an early stage. Aspects such as 'will the silage effluent be directed into the AD plant' can be discussed.

Should any of the material for the construction of the proposed bund be imported then a permit or exemption will be required. If earth embankments are proposed to surround the slurry facilities then the material used will need to be suitably tested and agree with the Environment Agency to ensure that it is fit for the purpose of containing.

05. Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

In accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction.

If any waste is to be used onsite, the applicant will be required to obtain the appropriate waste exemption or permit from us. We are unable to specify what exactly would be required if anything, due to the limited amount of information provided.

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility.

If the applicant requires more specific guidance it is available on the Environment Agency website: [www.environment-agency.gov.uk/subjects/waste/](http://www.environment-agency.gov.uk/subjects/waste/).

06. The applicant is advised that the amenities of nearby occupiers should be considered in relation to the use of vehicle reversing alarms.