

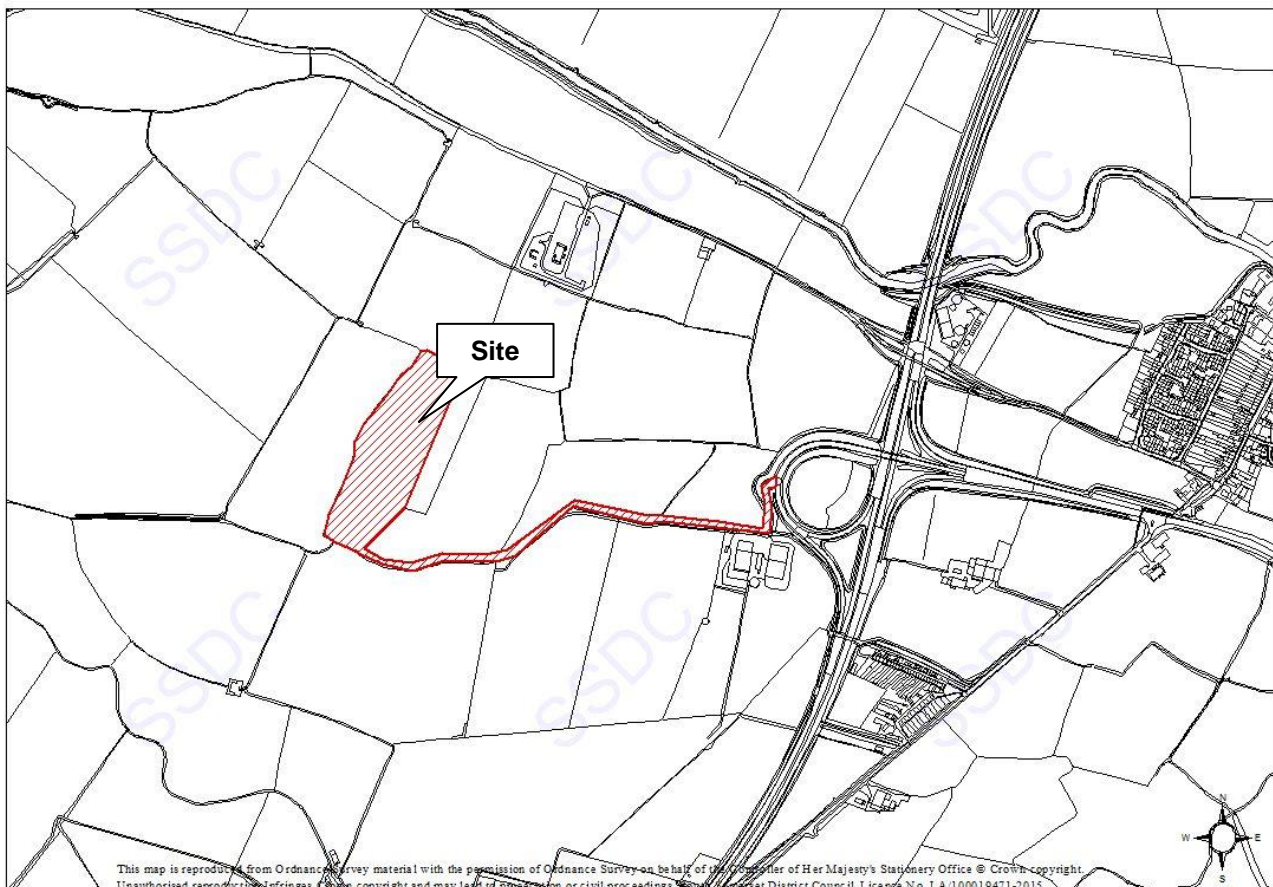
Officer Report On Planning Application: 17/01215/FUL

Proposal :	The construction of an anaerobic digestion plant to include associated equipment and on-site infrastructure for the purpose of generating renewable energy from grass silage and straw and upgrading and improvement of the existing access farm track.
Site Address:	New Spittles Farm Ilchester Mead Interchange Ilchester
Parish:	Ilchester
IVELCHESTER Ward (SSDC Member)	Cllr A Capozzoli
Recommending Case Officer:	Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	18th July 2017
Applicant :	Mr Mark Knight
Agent: (no agent if blank)	Ms Deborah Cairns E4environment Ltd Hilley Farm Pentre Shrewsbury SY4 1 BP
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL

The application has been referred to Area East Committee due to the size of the application site which falls within the category of being a 'major major' application and due to the officer's recommendation to approve the application is required to be determined by Committee under SSDC's adopted delegated procedures.

SITE DESCRIPTION AND PROPOSAL



This application is seeking full planning permission to erect an Anaerobic Digester Plant on land at New Spittles Farm for the purpose of generating up to 40,000 MW of gas per annum to be injected into the national grid.

The site area comprises 3.64 hectares of greenfield agricultural land as well as additional land to form the new access track. The proposed structures and equipment include:

- 2 digester tanks measuring 14m in diameter and 14m high;
- 3 primary digesters measuring 11m in diameter and 14m high;
- Operations building measuring 55m long, 35m wide and 10m high, which contains a separator, CHP (Combined Heat and Power) unit, dryer, digestate storage area and CO₂ liquefaction unit;
- Gas bag measuring 45m long, 35m wide by 1.6m high (above ground);
- 2 clamps for storing feedstocks measuring 30m wide by 30m long by 3m high and 30m wide by 50m long by 3m high;
- Weighbridge;
- 3 propane tanks;
- Gas upgrade equipment, Thyson injection unit (container) measuring 8m long, 3m wide and 3.8m high;
- Gas upgrade equipment, upgrade unit (gas cooling containers) measuring 22m long, 8m wide and up to 15.27m high;
- Flare measuring 9m high;
- Track to connect site to New Spittles Farm.

It is intended that the AD plant will be fuelled by 24,000 tonnes of agricultural matter per annum comprising 14,000 tonnes of clean straw and 10,000 tonnes of grass silage which are to be brought to site by tractor and trailer. Access to the site is proposed via the existing farm access serving New Spittles Farm to the south which gives directly on to the A37 / A303 Ilchester interchange. It should be noted that a scheme for an Anaerobic Digester on land at Bearley Farm to the south, which is being considered by the County Council, is also seeking to utilise this access. The proposal includes the construction of a farm track to connect the site to an existing farm track that leads through the yard at New Spittles Farm. The Transport Assessment that accompanies this application estimates that the proposal will generate up to 22 movements per day between May to October and 14 movements per day between November and April, which includes all deliveries of feedstocks and removal of the digestates and liquid CO₂.

The resulting products are liquid and solid digestate, heat, biogas and CO₂. The resulting heat is to be used to heat the anaerobic digester and operations building. The solid digestate is to be used as fertiliser in particular for the mushroom growing industry whilst the liquid digestate will be converted to an agricultural liquid fertiliser (liquid ammonium sulphate fertiliser and N-water) with any left over waste water recycled back into the AD plant. With regard to the biogas generated, this will be cleaned which involves separating the Methane from the CO₂, with the resulting cleaned gas being pumped directly into the adjacent gas pipeline. The CO₂ will be converted into a liquid form to supply industries such as the food and beverage industries.

The application is located in the open countryside on land associated with New Spittles Farm and is a short distance to the north of the established farmstead but is otherwise some distance from any established settlements. The site is low lying in what can be described as an open semi-moore landscape and is divorced in its situation from any existing built form.

The site sits immediately alongside three high pressure mains gas pipelines, and is within the Inner and Middle consultation zones for this equipment, and is a short distance from a mains gasworks (located to the northeast). The site is located within approximately 3 km of the perimeter of RNAS Yeovilton airbase.

According to the Environment Agency's (EA) formal flood zone maps the site sits within flood zones 2 and 3 (and partially within the functional floodplain). The EA however has confirmed that since these maps were drawn up that in that they have carried out some re-modelling work for this area and that the site is actually within flood zones 1 and 2. There are various watercourses within the locality including Burlington Brook over which the proposed access track will pass.

The site sits partially within the site of a Roman Settlement / Villa and there are other known archaeological sites of interest and potential within the locality dating from the Roman era.

The proposed access track will pass over a public right of way (footpath Y 12/4).

RELEVANT HISTORY

New Spittles Farm:

18/00723/EIASS: EIA Screening and Scoping Opinion in respect of a proposed Anaerobic Digester Plant at New Spittles Farm. EIA not required.

17/01471/DPO: Application to vary S106 agreement dated 19th March 2013 between Richard Don Knight, Heather Diana Knight and South Somerset District Council to allow use of part of land for an AD plant. Permitted.

16/01370/FUL: Proposed Agricultural building extension. Permitted.

15/01545/FUL: The erection of an agricultural storage building. Permitted.

13/02853/REM: The erection of an agricultural workers dwelling. Permitted.

13/01575/FUL: The erection of a silage pit. Permitted.

11/04284/OUT: Outline application for the erection of an agricultural workers dwelling. Permitted.

10/02173/FUL: The erection of an agricultural covered yard. Permitted.

10/00240/FUL: The erection of a covered feed area. Permitted.

10/00242/FUL: The erection of a fodder store extension. Permitted.

09/00206/REM: The erection of an agricultural dwelling. Permitted.

08/02209/FUL: The erection of a general agricultural building. Permitted.

06/03632/OUT: Erection of an agricultural dwelling. Permitted.

06/02157/FUL: The proposed erection of an agricultural apex - lean to building. Permitted

02/02010/FUL: The erection of an agricultural building and the siting of two mobile homes. Permitted.

760069: Erection of new farm buildings. Permitted.

Adjacent land (Bearley Farm):

17/01602/CPO: Installation of an anaerobic digestion facility at Bearley Farm and a linked access road from the site to the A303 via New Spittles Farm. Pending consideration.

14/00230/FUL: Erection of a 1.3 MW anaerobic digester with associated plant and works. Permitted , but this consent has now lapsed.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

EP5 – Farm Diversification

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 - Historic Environment

EQ4 – Biodiversity

EQ5 – Green Infrastructure

EQ7 – Pollution Control

International and European Policy Context

There are a range of International and European policy drivers that are relevant to the consideration of renewable energy developments. Under the Kyoto Protocol 1997, the UK has agreed to reduce emissions of the 'basket' of six greenhouse gases by 12.5% below 1990 levels by the period 2008-12.

Under the Copenhagen Accord (2010), the UK, as part of the EU, has since agreed to make further emissions cuts of between 20% and 30% by 2020 on 1990 levels (the higher figure being subject to certain caveats). This

agreement is based on achieving a reduction in global emissions to limit average increases in global temperature to no more than 2°C.

The draft European Renewable Energy Directive 2008 states that, in 2007, the European Union (EU) leaders had agreed to adopt a binding target requiring 20% of the EU's energy (electricity, heat and transport) to come from renewable energy sources by 2020. This Directive is also intended to promote the use of renewable energy across the European Union. In particular, this Directive commits the UK to a target of generating 15% of its total energy from renewable sources by 2020.

National Policy Context

At the national level, there are a range of statutory and non-statutory policy drivers and initiatives which are relevant to the consideration of this planning application. The 2008 UK Climate Change Bill increases the 60% target in greenhouse gas emissions to an 80% reduction by 2050 (based on 1990 levels). The UK Committee on Climate Change 2008, entitled 'Building a Low Carbon Economy', provides guidance in the form of recommendations in terms of meeting the 80% target set out in the Climate Change Bill, and also sets out five-year carbon budgets for the UK. The 2009 UK Renewable Energy Strategy (RES) provides a series of measures to meet the legally-binding target set in the aforementioned Renewable Energy Directive. The RES envisages that more than 30% of UK electricity should be generated from renewable sources.

The 2003 Energy White Paper provides a target of generating 40% of national electricity from renewable sources by 2050, with interim targets of 10% by 2010 and 20% by 2020. The 2007 Energy White Paper contains a range of proposals which address the climate change and energy challenge, for example by securing a mix of clean, low carbon energy sources and by streamlining the planning process for energy projects. The Planning and Energy Act 2008 is also relevant in that it enables local planning authorities (LPAs) to set requirements for energy use and energy efficiency in local plans.

National Planning Policy Framework

Part 1 - Building a strong, competitive economy

Part 3 – Supporting a prosperous rural economy

Part 4 – Promoting sustainable transport

Part 7 - Requiring good design

Part 10 - Meeting the challenge of climate change, flooding and coastal change

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

Technical Guidance to the National Planning Policy Framework - Flood Risk

The NPPF advises that when determining planning applications, local planning authorities should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

Other Relevant Guidance:

The UK Renewable Energy Strategy (July 2009)

Governments National Anaerobic Digestion Strategy and Action Plan (Department for Energy & Climate Change and DEFRA, 2011)

Planning Practice Guidance for Renewable and Low Carbon Energy (DCLG, March 2013)

The NPPF outlines that local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:

- have a positive strategy to promote energy from renewable and low carbon sources;
- design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;

- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources; and
- identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for collocating potential heat customers and suppliers.

The NPPF further advises that when determining planning applications, local planning authorities should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

The NPPF states that planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

In determining applications, the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Local planning authorities should identify and assess the 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 minimise conflict between the heritage asset's conservation and any aspect of the proposal.

It is considered that the main thrust of the NPPF is to positively support sustainable development, and there is positive encouragement for renewable energy projects. However the NPPF reiterates the importance of protecting important landscapes, especially Areas of Outstanding Natural Beauty, as well as heritage and ecology assets.

South Somerset Carbon Reduction and Climate Change Adaption Strategy 2010- 2014

CONSULTATIONS

Ilchester Parish Council: Object.

Latest comments - After discussion, whilst accepting that the landscape proposed were an improvement, there remains the issue of access, over which the Parish Council has great safety concerns, in using the slip road access into New Spittles Farm from the A.303. The Council still need to have a rock solid assurance that there will be no access to the proposed site via the High Street / West Street & Pillbridge Lane. As the permission for another adjacent Digester has lapsed, there needs to be consideration that the use of the same access, as, if that application is revived, this would greatly increase the danger / road safety. The Council therefore still oppose this application on two grounds, access & flood plain impact. Also, there still needs to be a defined list of what type of waste will be used. The Council also request that as a minimum, Area East Committee visit the site and have this debated at an Area East Committee meeting.

Initial comments – Object for the following reasons:

1. Impact of large structures on the Landscape in open Countryside - no provision in the plans for any screening.

2. Use of slip road from the A.303 to service two digesters - New Spittles Farm & Bearley Farm, Tintinhull, this being a serious safety issue, as there needs to be a traffic management plan in place to ensure that traffic to & from the site is regulated, & have 'no right turn' access or exit.
3. The proposed site lies with a Flood plain area & needs appraisal by the Environment Agency.
4. The Council need an assurance that there will no access to the site via the High Street into Pillbridge Lane, there being a 7.5 tonne weight limit through the centre of Ilchester due to the Town bridge over the river Yeo.
5. Both Authorities SCC & SSSC need to ensure that there is a clear definition of the types of materials being used at each proposed site.
6. There needs to be an assessment of the visual impact of the proposed track from Bearley Farm to New Spittles Farm, as the whole area is susceptible to being flooded.
7. The Council have concerns that two digesters are being considered, being only about a mile or so apart, being serviced by one entrance.

Kingsdon Parish Council (adjacent parish): No comments.

Ash Parish Council (adjacent parish): No comments received.

Tintinhull Parish Council (adjacent parish): No comments received.

Highways England: No objection.

A Transport Statement (TS) in support of the application has been provided. The farm already has direct access to the A303 slip road at the A303 / A37 junction. It should be noted that a similar but separate application has been submitted at the adjacent Bearley Farm site and that both applications propose to use the same existing site access. The cumulative impact of both developments has been considered in the TS.

Accident data indicate that there have been no incidents at the existing farm junction over the most recent five year survey period (01/07/2011-30/06/2016). There have been four recorded incidents over this period in the vicinity of the site access, however, the data shows that none of these were caused due to usage or layout of the site access junction.

Due to the site access being situated on the outside of the apex of the bend, good visibility splays can be achieved in both directions. A sightline of 98m to the left and 104m to the right when measured 4.5m back from the stop line can be achieved. This is in line with standards.

The TS calculates that for the delivery of feedstock, the proposed development will generate 12 two-way trips per day, Monday to Saturday, between the months of May and October as well as four two-way trips per day, Monday to Saturday, between the months of November and April. There will be additional movements of eight two-way trips per day, Monday to Saturday to remove the digestate. The worst case scenario is therefore a trip generation of 20 two-way trips across the course of a day.

A cumulative impact assessment to include the neighbouring Bearley Farm proposal has also been assessed. Combining both proposed developments a worst case impact on the A303 carriageway of 24 two-way vehicle trips over the course of a day. Assuming that a normal 8 hour day is worked, this equates to 3 movements per hour. This is not considered to be material by Highways England.

In summary, the TS considers the transport implications of an AD plant and associated infrastructure at New Spittles Farm. Trip generation for the proposed development is not considered to be material. Junction layout and visibility splays for the site access, which links directly on to the SRN is also considered to be in line with current standards. We are therefore happy that this development is unlikely to have a material impact on the safe operation of the SRN.

County Highways: No observations.

SSDC Highway Consultant: Access is on to the A303 which is under the control of Highways England, please refer to their comments.

SCC Rights of Way: There is a public right of way (PROW) which abuts the proposed development (footpath Y

12/4). We would request improved surfacing of the existing rights of way through the development. Associated infrastructure (e.g. fencing) may be required. Authorisation for such works must be obtained from SCC Rights of Way.

MOD: No safeguarding objection.

Initial comments – Sought clarification that there will be no organic waste stored out in the Open, if they were then this would act as a bird attractant which could increase the birdstrike hazard risk to air traffic using nearby RNAS Yeovilton.

Health & Safety Executive: Does not advise, on safety grounds, against granting planning permission.

National Grid: No comments received.

Environmental Protection: No comments.

Environment Agency: No objection. Since the applicant has produced the Flood Risk Assessment and submitted their application for planning, the Flood Zones have now been updated in line with our latest detailed model for the Somerset Levels and Moors. The site is now mostly located in Flood Zone 1 (as before) but the west of the site is now designated as Flood Zone 2 (medium) instead on Flood Zone 3 (high risk).

Under National Planning Policy the applicant should look initially at land outside of the flood zone for developing this scheme, rather than locating the buildings and other associated infrastructure have been located within Flood Zone 2. However, as this is development is associated with an existing operation your Authority should determine the merits of the sequential approach.

We recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

We have no objection to the proposal, as submitted, providing that the construction of the storage for feed stock to the AD plant complies with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010, as amended 2013.

Lead Local Flood Authority (SCC): No objection.

Somerset Drainage Board: No objection. They initially raised a holding objection due to the lack of information provided with regard to fencing for the new track where it runs close to Burlington Brook and which could potentially have hampered the future maintenance of this watercourse. Such information has now been provided and SDB are now satisfied with the details and therefore lifted their objection.

SSDC Engineers: No comments received.

Climate Change Officer: No

The switch from burning gas to generate electricity – as previous AD plants have done – to injecting gas directly to the gas grid is a very welcome development. This is a far more efficient use of the bio gas generated because a gas engine converting gas to electricity is at most 47.8% efficient whereas gas injected to the grid is used in the main for domestic central heating from gas condensing combination boilers with an efficiency of around 90%. Renewable electricity is increasingly generated from wind, solar and tidal power but renewable gas can only be generated from anaerobic digestion. The UK has one of the best gas grids in the world and it makes strategic sense to maximise bio gas injection.

As pointed out by the Landscape Architect, the landscape impact must be balanced against the benefits of development. These benefits I see as:

- The feedstock is being transported from local farms within a radius of 20 miles

- The feedstock is a by-product of existing farm processes that currently has no use on the farm but is currently transported as far and wide as Cornwall to achieve income.
- The digestate will be dried using heat from the AD plant and sold locally as mushroom compost thus reducing road miles from imported compost.
- Most important of all, the gas will be cleaned and injected to the grid supplying 40,000 MWh/yr enough to supply 3300 houses (Ilchester has 920 dwellings).

This is a very substantial increase in renewable energy generation in the district which will improve the resilience of the local economy. It is exactly the type of development the council should welcome.

Environmental Health: No comment.

Archaeology: The proposal has the potential to impact on archaeology relating to Roman and prehistoric activity I therefore recommend that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made as indicated in the NPPF, this should be secured through condition.

Campaign for the Protection of Rural England (CPRE):

Natural England: No objection. Made reference to their standard advice.

Ecology: No objections. I note the Ecological Appraisal provided and agree with its conclusions that the development is unlikely to raise any significant ecological impacts.

RSPB: No comments received.

Landscape Officer: Considers the proposal to have a minor adverse impact upon landscape character.

Latest comments in response to latest amendments - The revised plans and amended landscape proposal are noted. The increased planting to the southeast will assist in offering screening in views from the southeast, and provide a backdrop to views toward the site structures from the Moors to the north/northwest, whilst the additional planting around the Digesters and Operational building will help to play down the presence of these structures, and long-term screening will be facilitated that little bit earlier due to the reduction in the height of the digester tanks. Consequently, as we have discussed, the visual impact of the proposal will be moderated by this further planting, and further assisted by the muting of the structure tones.

It remains that the adverse change brought about by this form of development upon the intrinsic character of the open moorland is a substantive concern, but with perception of change in landscape character being primarily by visual recognition, and in presenting a planting scheme that now has some cohesion, and a singular scale appropriate to the open moorland, then with a full mitigation scheme, the weight of the landscape case against the proposal is reduced to minor adverse. Hence if you are otherwise persuaded by the environmental case for the scheme, then I acknowledge the mitigation measures to now be appropriate.

If minded to approve, please condition;

- (a) planting as per the submitted plan to be implemented in the planting season immediately following completion of site works, and;
- (b) cladding materials to be approved pre-commencement

Initial comments – I have now reviewed the application material and supporting information seeking to construct an anaerobic digester with associated buildings, plant and hardworks, on open farmland circa 600 metres distance to the west of the farm.

The site of the proposal lays in open countryside at the southeast edge of Kings Moor, within the flat moorland landscape that stretches between Long Load and Ilchester. It is specifically located at a point that lays marginally above the general level of the moor, where there is minimal development form in close proximity to the site, and the landscape is generally open, with minimal containment other than that offered by close-cropped hedgerows and sporadic specimen trees. The siting has not been determined by landscape sensitivities, but by the need to site the plant in close proximity to a gas connection point, and above the general floodplain.

As I understand it, the proposal intends to establish a general level platform above which the construction forms will be evident, the most prominent plant components being the five digesters rising some 14 metres above ground level, whilst the operations building covers an area 35 x 55 and has a ridge height of 10 metres. The orientation of the layout runs parallel with adjacent field hedgerows, which define the greater part of the site, but offer little containment.

In such a landscape context, the scale and rather industrial nature of the proposal before us cannot be considered to be characteristic of its landscape setting, and this incongruity is exacerbated by the general openness of the landscape, and lack of a development key. In that respect, it can clearly be argued that it does not respect the character and setting of the locality, as is required by LP policy EQ2. However, if there are overriding benefits accruing from this proposal, to outweigh adverse landscape impact, then it is essential that the visual impact is mitigated as far as is possible. An LVIA has been undertaken as part of the application, which notes the main impacts to be those of development construction, and its visual effects, some of which are assessed as being of moderate magnitude. It notes that the main views toward the site are primarily from the local footpaths, droves and bridleway that run to north and south of the site, and a limited number of individual dwellings to the south and east of the site but at least 1km distant. The visual profile of the site will be clearly apparent, albeit as part of a much wider panorama from all but the closest rights of way, hence the LVIA proposes planting mitigation to play down the presence of the development, and its uncharacteristic forms. However, no planting scheme is offered. As an appropriate and adequate landscape proposal is essential to demonstrating that the visual impact can be softened, this material is needed pre-determination. Can you please request this information is forthcoming.

REPRESENTATIONS

No written representations have been received in respect of this application, however, representations have been received from three separate local households raising the following concerns with regard to the Bearley Farm application (17/01602/CPO) which are also relevant to the New Spittles Farm application and as such are set out below:

- Increased heavy traffic through Ilchester, as well as the dangers caused by tractors and trailers turning onto the A303 slip road.
- HGV traffic associated with the development will ignore the weight limit for the bridge (Pill Bridge), with drivers under pressure choosing to come through Ilchester instead where traffic levels are already high.
- The access to New Spittles is an accident waiting to happen. The access is on a bend and at an angle and tractors with trailers and lorries will have to make a wide turn to access the farm. Vehicles leaving the A303 travel at high speeds and in severe conditions a long vehicles would be difficult to see.
- Concerned that the level of traffic will be higher than estimated.
- Damage to the fabric of Ilchester, including listed buildings, as a result of the additional HGV movements through the village. These old buildings were not designed to cope with the levels of vibration transmitted through the ground when today's large HGV's pass.
- Possible undesirable odours associated with this procedure. The new sewerage farm promised to generate less odours but the end result was the opposite.

CONSIDERATIONS

This application is seeking planning permission to erect an anaerobic digester with a capacity of producing 40,000 MW of gas per annum to be exported directly into the national grid. In addition to the biogas the development will produce solid and liquid digestate for use as compost and fertilisers, heat which will be used to heat the AD plant buildings and CO₂ for use in the food and drinks industry.

The application is support by the following documents:

- Volume 1 – Supporting Statement (including D&A Statement);
- Volume 2 – Process Description;
- Volume 3 – Environmental Review;
- Appendix 1 – Supporting email from Environment Agency;
- Appendix 2 – Transport Statement;
- Appendix 3 – LVIA (Landscape and Visual Impact Assessment);

- Appendix 4 – FRA (Flood Risk Assessment);
- Appendix 5 – Ecological Assessment;
- Appendix 6 – Archaeological Assessment.

The main considerations for this application relate to the impact it will have upon landscape character and visual amenity, highway safety, ecology, residential and rural amenity, archaeology and other heritage assets, flooding and drainage. The impact of the development should also be considered cumulatively with those relating to the Bearley Farm AD plant proposal, especially with regard to their impact upon highway safety and the local highway network.

Principle:

Anaerobic digestion is a process whereby bacteria breaks down biodegradable materials in a sealed container for the production of gas or the generation of electricity and heat for exporting into the national grid. The current proposal is seeking the construction of an anaerobic digester for the primary purpose of generating biogas to be exported into the neighbouring mains gas infrastructure. The operation intends to use natural feedstocks including silage grass and clean straw which the applicant states will be sourced locally (within a 30 mile radius). On this basis the proposal is considered to comply with the principles of a renewable energy source and accordingly should be considered against policies relating to renewable energy production.

Both national and local policy are clear in their support for the increase in the use and supply of renewable energy. Paragraph 98 of the NPPF states that local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and should approve applications for such developments if its impacts are (or can be made) acceptable. This support is mirrored in LP Policy EQ1 (Climate Change) which states 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”.

The application site is greenfield land located in the open countryside where normally new development is strictly controlled, in this instance however the clear national and local policy support for such renewable energy schemes is considered to over-ride such strict controls and instead the proposal should be considered against the broader considerations of sustainable development.

The proposed development is a land based operation using farm generated feedstocks and as such from a traffic generation point of view it is sensible and will reduce the potential number of trips by locating the AD plant as close as possible to where the feedstocks are being produced, i.e. the countryside. In this instance there is another locational requirement which is to be close to existing gas infrastructure in order to export the resulting gas into the national grid.

Furthermore, the proposal would support an existing agricultural business, New Spittles Farm which is an established dairy operation that is owned and run by the applicant. It is stated within the application that the applicant is a member of the Tesco Sustainable Dairy Group which requires them to comply with certain conditions of animal welfare and environmental standards. If the farm meets these standards then they receive a consistently higher price for their milk, which in turn helps to secure the long-term future of the farm. They state that the proposed AD plant will provide major points towards meeting the required environmental standards and will therefore support the long-term viability of the farm.

For these reasons the principle of the proposed development is considered to be acceptable.

Landscape character and visual amenity:

The application site comprises a 3.64 hectare parcel of agricultural land that is located in the open countryside at the southeast edge of Kings Moor within an area of flat moorland and where there is minimal development form in close proximity to the site and the landscape is generally open with minimal containment other than that offered by close-cropped hedgerows and sporadic specimen trees.

The proposal intends to establish a level platform on which the associated apparatus and buildings will be constructed, the most prominent of which include the five digesters at 14 m high and the operations building covering an area of 35m x 35m. The existing field hedgerow that runs along the western side of the site defines this side of the site but offers little containment visually.

It is considered that a development of this industrial scale and form is contrary to the character of the local landscape, and that its presence and incongruity will be exacerbated by the general openness of the landscape and lack of a development key. In this respect the Landscape Officer is clear in his view that the proposal fails to respect the character and setting of the locality and is therefore contrary to LP Policy EQ2.

In response to the Landscape Officer's initial comments the applicant has provided a comprehensive planting scheme that offers woodland type planting to all sides of the development. The amended landscaping proposal will assist in offering screening, in particular from the southeast (the A303 direction), and provide a backdrop to views when looking towards the structures from the moors to the north / northwest, whilst the additional planting around the digesters and operational building will help to play down the presence of these structures and to generally moderate the impact of the scheme, which should be further assisted by the use of muted colours for the building materials.

Based on this amended planting scheme the Landscape Officer concludes that "it remains that the adverse change brought about by this form of development upon the intrinsic character of the open moorland is a substantive concern, but with perception of change in landscape character being primarily by visual recognition, and in presenting a planting scheme that now has some cohesion, and a singular scale appropriate to the open moorland, then with a full mitigation scheme, the weight of the landscape case against the proposal is reduced to minor adverse".

In conclusion, whilst the proposal is considered to be at odds with the character of the locality, it is considered that its impact upon the landscape and visual amenity will be significantly reduced as a result of the revised planting scheme, the reduced height of some of the apparatus and the careful control of the colour and finish of the various structures. On this basis the proposal is considered to cause minor harm to visual amenity and the setting and character of the local landscape.

Access and highway safety:

At present the site is accessed via a farm track that connects to Pill Bridge Lane to the north. Pill Bridge Lane is a narrow, single track no through road which passes over a weight restricted bridge. Any traffic using this route must pass through the village of Ilchester.

The proposed development however does not intend to utilise this route and instead proposes to utilise the existing access at New Spittles Farm which has direct access on to the eastbound A303 slip road at the Ilchester interchange. To be able to utilise this access the proposal includes the construction of a private track to connect the site to an existing farm track which leads directly into the farm and on to the existing access.

The section of highway that the access gives on to relates to the A303 which falls under the control of Highways England (HE), as such both HE and the Highway Department at SCC have been consulted on this application, neither of whom have raised an objection.

The application is supported by a Transport Statement that states that the proposal will generate approximately 12 two-way trips per day, Monday to Saturday, between the months of May and October as well as four two-way trips per day, Monday to Saturday, between the months of November and April. There will be additional movements of eight two-way trips per day, Monday to Saturday to remove the digestate with a maximum of 20 two-way trips being generated across the course of a day.

A cumulative impact assessment to include the neighbouring Bearley Farm proposal has also been assessed. Combining both proposed developments a worst case impact on the A303 carriageway of 24 two-way vehicle trips over the course of a day. Assuming that a normal 8 hour day is worked, this equates to 3 movements per hour. HE does not consider this level of traffic generation to be significant.

It has been pointed out to HE that the number of movements are likely to vary significantly with peak movements during harvest periods however they did not consider this to be a concern.

The access is situated on the outside of the apex of a bend and the HA is satisfied that good visibility can be achieved in both directions and that the layout of the junction is suitable to accommodate the proposed levels and types of traffic generated by the two developments.

It is noted that there are local concerns relating to increased traffic movements through Ilchester and the

possibility that traffic will access the site via Pill Bridge Lane regardless of the proposed access arrangements. Such concerns are natural and it is recognised that Pill Bridge Lane is not suitable or appropriate to accommodate this type and level of traffic movements given its narrow width and lack of passing places and the constrained nature of the access roads through Ilchester to get to the lane. The issue of access however can be controlled adequately through condition requiring all construction, operational and delivery traffic to utilise the New Spittles Farm access only and a further condition requiring the completion of the new access track prior to any other works being commenced on site.

On the basis of the HE's considerations and the lack of any evidence contradicting their views, and subject to the imposition of various highway related conditions including one to restrict which access should be used, the proposal is not considered to give rise to any substantive highway related concerns.

Safeguarding considerations relating to the gas pipelines and RNAS Yeovilton

The application site sits immediately adjacent to existing mains gas infrastructure and is within the Inner and Middle consultation zone for such apparatus. The Health & Safety Executive (HSE) and the National Grid, who are responsible for the nearest pipeline, have therefore both been consulted. The HSE have confirmed that they have no objections to the proposal, no comments have been forthcoming from the National Grid.

The site is within 3km of RNAS Yeovilton airbase, as such the MOD have also been consulted. Other than seeking reassurance that the proposal would act as a bird attractant through the storage of any organic storage outside, which could cause a bird strike issue, they do not have any objection to this proposal. The applicant has confirmed that all organic matter will be stored under cover and it is considered that this can be adequately controlled by condition.

For these reasons the proposal is not considered to give rise to any substantive health and safety concerns with regard to the nearby airbase or the gas infrastructure.

Residential amenity:

Other than the applicant's own properties, the nearest residential properties to the site are in excess of 650m away. The proposed feedstocks include silage and straw and are to be stored under cover. Whilst silage generates an odour this is not so pungent as to be noticeable at any great distance, especially given that in this instance all feedstocks and any resulting digestates are to be covered. The Environmental Health Officer has been consulted with regard to the proposal and has raised no objection. It is therefore considered that due to the intervening distances between the site and any neighbouring properties and the nature of the feedstocks and that any organic matter will be kept under cover that the proposal will not give rise to any substantive odour related issues.

For the same reasons and given the nature of the activities involved the proposal is not considered to cause any other substantive amenity issue such as noise, vibration, loss of light, over bearing concerns etc.

Heritage assets:

There are a number of heritage assets in the form of archaeological sites within the vicinity and in fact the site partially sits on the site of a Roman Settlement / Villa. County Archaeology has considered the proposal and subject to a condition requiring a scheme of archaeological investigations is satisfied that the proposal will appropriately safeguard any such heritage interests relating to the site.

Ecology:

The site is not situated within any designated ecological or habitat sites although it is noted that there is an RSPB consultation zone which surrounds the site. An ecological appraisal accompanied the application and the Council's Ecologist is satisfied with this appraisal and its conclusions and accepts that the development is unlikely to raise any significant ecological impacts and as such has raised no objection and has made no recommendations. The RSPB were consulted but have made no comment.

For these reasons the development is not considered to give rise to any substantive ecological related issues.

Drainage and Flooding:

According to the Environment Agency's (EA) formal flood zone maps the site sits within flood zones 2 and 3 (and partially within the functional floodplain). The EA however has confirmed that since these maps were drawn up that they have carried out some re-modelling work for this area and that the site actually sits within flood zones 1

(low probability) and 2 (medium probability). On this basis they raise no objection to the proposal but suggest the LPA should consider the merits of adopting a sequential approach to the development.

The vast majority of the applicant's holding is located within flood zone 2 or above. It is noted that there is a parcel of land to the east of the adjacent pipelines is flood zone 1 however even if the site were situated here instead it would be difficult to prevent at least part of it from intruding into flood zone 2. It is accepted that there would be little benefit in looking to relocate to the proposal elsewhere on the applicant's holding as it is likely to give rise to similar concerns.

The Lead Local Flood Authority has raised no objection to the proposal.

The Somerset Drainage Authority has noted that the new access track will cross over a watercourse that is within their control, Burlington Brook. They are satisfied however that based on the submitted details that the continued maintenance and effectiveness of this drain will not be harmed as a result of this proposal.

For these reasons, and subject to a condition to secure a surface water drainage scheme the proposal is not considered to give rise to any substantive drainage or flooding concerns.

Public Rights of Way:

The proposed access track will pass over a public right of way (footpath Y 12/4). Subject to the surfacing of the footpath being upgraded SCC Rights of Way have no objection to the proposal.

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 (1a and 3b). Due to the site area a screening opinion has been carried out to determine whether an EIA is required. It was determined that the potential effects of the proposed development, including the cumulative impact of the development when considered with the proposed AD plant at Bearley Farm, were not so significant as to require an Environmental Impact Assessment.

Planning Balance:

Paragraph 17 of the NPPF sets out the 12 core planning principles, one of which seeks to encourage the use of renewable resources, such as through the development of renewable energy. Paragraph 98 goes on to state that Planning Authorities should approve applications for renewable energy projects where impacts are (or can be made) acceptable. The current proposal will have the benefit of producing in the region of 40,000 MW of gas per annum, sufficient to meet the gas needs of approximately 3,300 homes. It is considered that great weight should be afforded this benefit.

The proposal will also bring clear economic benefits. Within the supporting statement accompanying this application it is stated that the proposal will create the equivalent of three full-time jobs. The proposal will also be of benefit to the applicant's farming enterprise by giving it the 'green' credentials it needs in order to meet the requirements of the Tesco Sustainable Dairy Group, which they are a member of, and which means they can secure a higher price for their milk, thereby aiding the long-term viability of the holding. It is considered that moderate weight should be afforded these benefits.

From an environmental perspective, the proposal does give rise to some significant landscape character concerns. It is considered that the development is industrial in its scale and appearance which is contrary to the undeveloped and general openness of the local landscape and where it relates poorly to existing landscape features. In this regard the proposal fails to respect the character and setting of the locality and is contrary to LP policy EQ2. The revised planting scheme however will, once established, significantly reduce the visual presence of the development and due to the scale of the planting scheme provide a landscape feature that will make sense within this landscape setting and will eventually help to limit character issues identified earlier in this report. The matter of colour and finish for the structures will also affect the visual impact that the development will have. Subject to the planting scheme and colour and finish of the structures being suitably controlled by conditions it is considered that the identified character and visual impact concerns will be moderated to such an extent that such adverse impacts will be moderate to minor in nature.

No other substantive harms, in regards to highway safety, residential amenity, heritage assets, ecology, flooding and drainage and other health & safety and environmental considerations, have been identified.

In conclusion, whilst the proposal is considered to be at odds with the character and setting of the locality, it is considered that its impact upon the landscape and visual amenity will be substantially mitigated through the revised planting scheme and the control of the building materials (finish and colour). Such harm is therefore only afforded moderate weight. The benefits, as identified above, however are considered to be substantial and to therefore outweigh the landscape / visual amenity harms.

For the above reasons, the development is considered to constitute a sustainable form of development and is therefore recommended for approval.

RECOMMENDATION:

Grant consent for the following reason:

Notwithstanding local concerns, it is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact the proposal will have on the local landscape character. The development is not considered to cause any demonstrable harm to highway safety, ecology, residential amenity or heritage assets. As such the proposal accords with the government's objective to encourage the provision of renewable energy sources and the aims and objectives of policies SD1, TA5, TA6, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework and accompanying National Planning Practice Guidance.

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 development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered [TO BE CONFIRMED]. :

Reason: For the avoidance of doubt and in the interests of proper planning.

03. Within 3 months of the cessation of the use of the development hereby permitted for the purpose of generating biogas, a scheme for the removal of all buildings, structures, hard standings, plant and machinery, roadways, fencing or other structures in association with the development hereby permitted shall 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 9 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.

04. The feedstock to serve the anaerobic digester hereby approved shall be limited to grass silage and clean straw only.

Reason: In the interests of residential amenity, the rural amenities of the area and highway safety to accord with policies EQ2, EQ7 and TA5 of the South Somerset Local Plan.

05. All traffic associated with the development hereby permitted (including all construction traffic and operational traffic) shall access the site via the existing farm access which serves New Spittles Farm, i.e. the access leading on to the east bound A303 / Ilchester slip road. There shall be no access to the site via Pill Bridge Lane.

Reason: In the interest of highway safety to accord with policy TA5 of the South Somerset Local Plan.

06. No works shall commence on site until details of the new access track to connect the site to New Spittles Farm has been constructed and brought into use.

Reason: In the interest of highway safety to accord with policy TA5 of the South Somerset Local Plan.

07. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 98m to the north (left) and 104m to the east (right) of the access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: In the interest of highway safety in accordance with policy TA5 of the South Somerset Local Plan.

08. There shall be no external storage of any form of organic matter whatsoever.

Reason: In order to minimise birds being attracted to the site which could increase the risk of birdstrikes and endanger aircraft using the nearby airbase, RNAS Yeovilton.

09. The planting scheme, as detailed on drawing titled 'figure 5' dated 04/12/2017, shall be planted in the first planting and seeding season following the first occupation of the development hereby permitted or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 25 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 otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and to safeguard the character and rural amenities of the area to accord with policy EQ2 of the South Somerset Local Plan.

10. 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 proposed buildings, structures, apparatus and equipment 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 interests of visual amenity and to safeguard the rural character of the locality to accord with policy EQ2 of the South Somerset Local Plan.

11. 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 to accord with policy EQ2 of the adopted South Somerset Local Plan and the provisions of the NPPF.

12. No development hereby permitted shall be commenced unless details of the means of connection to the gas / electricity grid from the site have been submitted to and approved in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with policy EQ2 of the South Somerset Local Plan.

13. 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 the rural amenities of the area and to prevent pollution of the water environment in accordance policy EQ2 of the South Somerset Local Plan and the provisions of the NPPF.

14. No development approved by this permission shall be commenced until a detailed scheme for

contaminated and clean surface water run-off, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and thereafter permanently maintained and retained in this fashion.

Reason: To prevent the increased risk of flooding and pollution of the local water environment in accordance with policy EQ7 of the South Somerset Local Plan and Part 11 of the NPPF.

15. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: To safeguard the archaeological interest of the site in accordance with policy EQ3 of the South Somerset Local Plan.

16. 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: In the interests of visual amenity and to safeguard the rural character of the locality to accord with policy EQ2 and EQ7 of the South Somerset Local Plan.

Informatives:

1. The applicants attention is drawn to the Environment Agency's comments as follows:
 - The construction of the storage for feed stock to the AD plant complies with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010, as amended 2013.
 - The Environment Agency must be informed of any new storage for feed stock at least 14 days before construction begins. Further guidance is available on our website at <https://www.gov.uk/storing-silage-slurry-and-agricultural-fuel-oil>.
 - The digestate produced from the plant may be spread to land provided the feed stock is from an agricultural source i.e. maize slurry.

2. The applicant is advised that 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
 - wheel washing and vehicle wash-down
 - 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.