

DERBYSHIRE COUNTY COUNCIL
REGULATORY – PLANNING COMMITTEE

1 September 2014

Report of the Strategic Director - Economy, Transport and Environment

2 PROPOSED CONSTRUCTION AND USE OF AN ANAEROBIC DIGESTER, WITH FEEDSTOCK BUILDING AND ASSOCIATED STRUCTURES ON LAND AT MARSH HOLLOW FARM, MARSH HOLLOW, HOLLINGTON
APPLICANT: MR G NICKLIN
CODE NO: CW3/0514/17

3.1722.2

Introduction Summary This proposal seeks permission for the development and use of an on-farm anaerobic digestion unit with a combined heat and power plant (CHP). This would involve the construction of a series of large buildings and structures such to operate an on-farm anaerobic digester. The proposed equipment would deal with and process up to 9,000 tonnes annually, of a combination of organic farm manure, arising from the applicant's working pig farm, together with imported farm wastes including those arising from a nearby poultry farm, as well as cattle slurry from a neighbouring dairy farm. The proposed plant would produce a soil conditioner and biogas which is proposed to be used both at the applicant's farm and the adjoining poultry farm and generate heat and electricity from the CHP. The application site is an established intensive pig rearing unit, comprising of four large livestock sheds (each with the capacity for almost 500 pigs), an agricultural storage shed and manure clamps set in a yard area and accessed via a private driveway all located within a predominantly rural and attractive countryside setting. Although the site is remote, there are a number of residential properties adjacent including the applicant's home.

The pig farm is a relatively new and intensive enterprise, but is now established and operating with relevant planning consents for relevant buildings. I consider that the provision of a facility of the kind that is proposed under this application (which is in some respects similar to an industrial process), offers several potential benefits. It is important and necessary from an environmental, economic and operational viewpoint, to deal with the wastes arising from the farm in a modern sustainable manner and hence assist with the Government and County Council's continuing and urgent

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commitment to reduce methane emissions, recycle and reuse waste (and in this case produce heat and electricity).

I am mindful of the concerns and objections received and raised predominantly from local people, and also the recent planning history relating to the farm. Whilst the proposal would bring some changes to this area, having taken detailed advice from the consultees in the planning process (which includes the Environment Agency and the Environmental Health Officer), I do not find that the proposal would be detrimental. It is my opinion that the amenities of the residents and the integrity of the countryside would not be threatened generally. I consider that the proposal is not in conflict with development plan policy or current Government guidance and hence, refusal of the application on the grounds set out by the objectors could not, in my opinion, be sustained. I am therefore recommending that the application be approved, subject to the conditions set out in my recommendation.

(1) **Purpose of the Report** To enable the Committee to determine the application.

(2) **Information and Analysis**

The Site and its Surroundings

The site is located in a rural countryside situation 0.7 kilometre to the north of Hollington village and to the south-east of Shirley Village, with Ednaston village lying 1.5 kilometres directly to the north-east. The village of Brailsford lies 2.5 kilometres to the north-east. The application area, which extends to approximately 0.5 hectare of sloping field, is adjacent to a series of four large rectangular high sided and newly constructed agricultural buildings (owned by the applicant), which currently house the applicant's intensive pig unit, together with a hay barn. The gently sloping site is part of a larger field which is currently used for pasture/grazing, and is prominent when viewed from the lower ground to the west. In general, the site is screened effectively by maturing hedgerows and by the new farm buildings. The north and western boundaries of the site comprise of established hedgerows and to the east, within a few metres, is a large, modern hay barn, then beyond that four similar sized pitched roof farm buildings, which form the pig enclosures. The southern boundary is an open part of the sloping field. Maturing trees and hedgerows border the internal access road.

The nearest residential property is the applicant's home, a single-storey temporary dwelling, which lies south-west of the application within a few metres. Approximately 320 metres to the south-west is a collection of residential buildings (comprising the Byre, Greendale Farm and Jasmine Cottage). Approximately 250 metres to the north-west, is another collection of buildings (Marsh Meadows Forge).

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All access to the site is by way of a gated entrance, then a long section of hard surfaced road (approximately 400 metres), from Marsh Hollow, a narrow high sided (in places), sunken and winding country lane which is the main vehicular access from Hollington to Shirley village. There is a public footpath which runs in an east-west direction but is approximately 700 metres away.

Planning History

The site is in an open countryside setting, as defined by the Derbyshire Dales Local Plan. Relevant to the proposal is the recent planning history relating to the land adjoining and the associated development of the land for intensive pig farming. Five applications for planning permission were dealt with by Derbyshire Dales District Council, of which three were refused by the Council, but granted on appeal (in full or in part) with conditions by the Secretary of State.

- Planning Application 09/00451/FUL: Erection of four No pig rearing buildings: Planning permission granted conditionally on appeal.
- Planning Application 05/00634/FUL: Proposed erection of agricultural building, access improvements, provision of an agricultural workers caravan and a sewage treatment plant on land at Marsh Hollow Farm, Hollington: Permission (in part) granted on appeal: agricultural workers caravan and sewage treatment plant refused.
- Planning Application 13/00770/FUL: Erection of an agricultural workers dwelling and garage on land at Marsh Hollow Farm, Hollington: Planning permission granted.
- Planning Application 11/00179/FUL: Proposed erection of an agricultural building for straw storage: Planning permission granted conditionally on appeal.
- Planning Application 11/00111/FUL: a new agricultural tied dwelling: Planning permission granted conditionally.

The Proposal

The farm central to this application contains the new pig unit (established in 2011), which extends to approximately 7.5 hectares of land adjoining (including the application site), and which now accommodates up to 1,500 young pigs which are farmed intensively inside a series of four large buildings. The pigs, which are bred for the food industry, produce daily a substantial quantity of liquid and solid organic waste. Every few days, this waste is transferred from the buildings to an open-air slurry pit which is situated to the rear of the buildings. Periodically, in accordance with the Department for Environment, Food and Rural Affairs (DEFRA) Regulations, this waste is removed and spread in a traditional manner onto the land as a fertiliser/soil

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conditioner. The applicant considers that although this is normal farm practice, it is energy inefficient. The open air slurry lagoon creates methane gas, (which contributes to green-house gas emissions) and produces odours attracting flies and vermin. This has led to a number of complaints from residents living local to the site.

This proposal seeks permission for the development and use of an on-farm anaerobic digestion unit with a combined heat and power plant (CHP). Anaerobic digestion (AD) is the process whereby bacteria break down organic material in the absence of air, producing a biogas containing methane. As well as biogas, the digestion process produces a solid and liquid residue, called digestate, which (as in this case), can be used as a soil conditioner and fertiliser. AD is a now well-established renewable energy technology, which is now widely used elsewhere in England and Europe. Members may recall the AD plant proposal at Broom House Farm, Oakerthorpe which was approved by the County Council in 2011. This AD plant, which is somewhat larger than the proposed plant, has now been constructed and is in operation.

This development comprises a number of elements which include the construction of an AD unit to process and manage approximately 9,000 tonnes annually, of raw pig, chicken and cow manure. The applicant anticipates that upwards of 25% (2,300 tonnes) of the digester feedstock would be generated from the animals on the site, with the remainder (6,700 tonnes), being imported from existing farms close to the application site.

The poultry farm is one such source, located within 400 metres north of the access road. The applicant has indicated that the dairy farm where the cow slurry is currently generated lies at Sandhills Farm, situated at Cubley Common to the west, by approximately 10 kilometres.

With regard to new structures on the site, the proposed development would feature the construction of three circular tanks: a digester tank (where anaerobic and biogas would be produced), a digestate tank (storage of the liquids and slurry), and a slurry buffer tank. The proposal includes a pitched roof building (housing the feedstock storage and solids feeder) and two rectangular feedstock clamps. In addition, there would be a CHP with a small transformer and substation. The three circular tanks would be similar in design, the Digester would be 20 metres in diameter, rising to 12 metres high, close by would be the Digestate tank, 25 metres diameter and 6.5 metres high. The smaller Slurry tank would be 10 metres diameter and 4 metres high. The digester tank, which would enclose the gas, would have a domed centre. The feedstock building would extend to 25 metres long by 20 metres wide and approximately 8 metres to ridge height. The feedstock clamps would extend to 12 metres by 10 metres and 4 metres high; a small transformer/substation, which would house the necessary electrical equipment and the CHP plant

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which would be located close to the new feedstock building, would extend to 12 metres long by 2 metres wide and 7 metres to the top of the exhaust stack.

It is proposed to create a level platform in the sloping site for the construction of the AD plant, which would require the ground levels to be lowered in places by approximately 1-2 metres, effectively lowering the overall height of the development. The plant and equipment would be located in close proximity to the existing farm buildings; the large tanks would be close to the western boundary and the feedstock building would be erected close to the existing hay barn. It is considered that the sloping nature of the site affords opportunities to locate the larger structures so that they would not be a prominent feature in the landscape. All soils excavated from the platform development would be utilised on the site to create a substantial 4 metres high earth screen bund around the north-west boundary of the AD plant. The applicant considers that the bund created would be shaped and graded accordingly, then soiled, seeded and planted with trees, so as to aid integration within the landscape. It is proposed that the western boundary of the site would be planted with trees and all proposed structures would be clad with steel sheeting finished in a dark recessive colour. The applicant has indicated that the proposed landscaping scheme retains all mature hedgerows bounding the site, in addition to the mature boundary trees in the north-eastern corner.

The applicant has indicated that currently, each year, over 2,000 tonnes of animal wastes are produced at the site which is spread by conventional means on the 7.6 hectares farm holding. It is proposed that the AD, once constructed, will process this waste along with 6,700 tonnes of imported farm waste included poultry and cow slurry. These wastes will produce a digestate which would be stored temporarily prior to being spread on the applicant's farm holding.

It is proposed that the majority of the feedstock processed by the plant would be sourced from the applicant's pig farm, together with the neighbouring poultry unit. The wastes would be transported using a 14 tonne capacity tanker pulled by a tractor, with the remaining material sourced from a local dairy unit, and transported to the site using a 14 tanker and tractor. Pig manure will be stored in the clamps, as per the current arrangements on site, and would be covered in polythene to preserve the quality of the feedstock. Chicken manure would be stored in the proposed storage building in order to minimise odour, whilst the liquid cattle slurry would be transferred directly to the slurry/buffer tank. A loader will be used for 2-3 hours each morning to transfer solid feedstock to the stationary feeder attached to the digester tank. The stationary feeder would operate intermittently, 24 hours a day, conveying the feedstock into the digester tank automatically each hour.

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The feedstock would remain in the digester tank for a minimum of 50 days, allowing the AD process to occur and would be heated by a system of heat exchangers contained within the tank. During this time, biogas produced would be used to power the engine to produce electricity. It is anticipated that 250kW of electricity per hour would be produced for subsequent use on the applicant's farm holding and the neighbouring poultry unit, with the excess exported to the local grid. This rate of output would equate to 6,000kWh's in one day, and 2,190,000 kWh's in one year, assuming that the rated electrical output of the proposed AD plant and CHP was to be maintained full time at 250kW per hour i.e. with the plant running at 100% efficiency. The digested material would be discharged from the digester tank and passed over a separator which would separate the nutrient rich digestate into solid and liquid form. The liquid digestate would be stored in the digestate tank, whilst the solid digestate would be processed through a dryer positioned in the adjacent feedstock building. The dryer would condense the solid feedstock, reducing its mass by around 90% prior to its storage in the proposed building. The dryer would utilise the heat produced by the CHP plant. All solid and liquid digestate would be used as a nutrient rich fertiliser on the surrounding farmland.

With regard to site working, it is proposed that the plant and equipment would operate continually over 24 hours. Feedstock would be loaded by machine during daylight hours once per day.

Traffic

The proposed development is anticipated to generate a daily total of 2.47 vehicle movements. Currently, all pig manure and dirty effluent produced at the farm site is exported to a farm at Cubley, or used as an organic fertiliser and spread on local farmland (using a 14 tonne tractor and trailer). This generates 193 traffic movements per year (0.53 movements per day). The applicant contends that these existing movements should be incorporated in the above figures and thus, subtracting these movements (from the 2.47 movements), it is estimated that the proposed development will give rise to 1.94 additional movements per day. The applicant has stated that transporting chicken manure to the site from the neighbouring poultry unit would utilise approximately 175 metres of the road, known as Marsh Hollow, and it is contended that due to its location, this would not require passing any residential properties. It is stated that transport of the chicken manure accounts yearly for 165 of the movements or 0.45 movements per day. The applicant considers therefore that the proposed development would generate on average 1.49 movements per day that would pass the residential properties at Hollington.

The applicant has indicated that should planning permission be granted, during the construction phase of the scheme, proposed traffic would be limited by liaising with the contractors to ensure that minimum disruption would be caused and vehicles would be routed appropriately to and from the A52. The

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site currently is accessed from Marsh Hollow, with a hard-surfaced access road onto the farm. The applicant anticipates that no alterations would be necessary to the existing access and, once operative, would generate one additional vehicle movement (by tractor and trailer) each day bringing the manure from the neighbouring farms.

The pig slurry currently produced at Marsh Hollow Farm is currently transported by a tractor and tanker from the site to farmland at Cubley. It is propose, where possible, that when a tractor and tanker delivers cattle slurry, it will remove liquid digestate from the AD site on its return journey. The applicant has stated that this would be possible during the spring/summer months when the land is accessible for digestate spreading.

Noise

The application is accompanied by noise calculations which indicate that, during the day and night, the plant and equipment will not give rise to excessive noise. The applicant considers that the process of AD is itself silent, running continuously over a 24-hour period. Movements associated with the delivery of feedstock to the site, and exportation of digestate, would not be significant. The applicant has indicated that the use of the loader to transport feedstock to the feeder would take place in the morning, and would take approximately 2-3 hours per day, whilst the pumps and loading system moving feedstock from the feeder to the digester tank would operate intermittently over the 24-hour period. It is contended that the only continuous noise would emanate from the CHP engine which would be fitted within an acoustic housing. The proposed CHP housing would have an attenuation to a sound level of 75dBA at 1 metre. The applicant considers that the positioning of the CHP housing to the east of the proposed feedstock storage building would assist with effective sound screening.

With reference to noise emissions, the applicant considers that as the plant and equipment would be located in a rural situation, not close to any other residential properties other than the applicant's own home, and the operations on site not being particularly noisy, then the likelihood of any local disturbance from noise is unlikely.

Odours

The applicant has submitted an odour management plan with the application which considers the potential for odour emissions and the management of odours from the plant and equipment. It considers that the AD plant processes farm manure, that may be odorous, stabilises it and, under controlled conditions, with resultant little potential for odour escape throughout the process. The odour management plan considers that the feedstocks that may cause odour release are currently used on the farm and neighbouring farms associated with the application. Cattle slurry would also be imported but this is considered commonplace on farms nationwide. The farms associated with this

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application are currently spreading slurry and other untreated animal manures on to fields in the local area. A wider benefit is that the use of digestate instead of these products would reduce odour nuisance to all local receptors over a larger area of the County. Also, the digestate, once mature and ready to be used as a soil conditioner, is not anticipated to have any strong odours, unlike conventional untreated farm manure.

Lighting

External site lighting of the plant is proposed. All lighting would be directed downward into the site and shielded to minimise any unnecessary light spill. All external lights would point away from the mature vegetation bounding the site.

Drainage

The application proposes that the site would have an efficient drainage system installed.

Consultations

Local Member

Councillor Andrew Lewer has been notified of the application details and has raised objection to the proposal on the grounds set out below as well as requesting that the application is to be determined by the Regulatory – Planning Committee.

- “the objections of a number of local residents are well grounded,
- what is proposed simply adds to an already significant new and intrusive development into a piece of landscape that used to be one of the most attractive in the southern Derbyshire Dales, as well as generating unwelcome extra vehicle movements and for which the environmental benefits alleged are open to question.”

Comment: Where objections are raised and these are relevant and material planning concerns, I refer to them in my planning considerations. In most circumstances, where legitimate objections are raised against planning proposals, at Derbyshire County Council it would in the event fall to the full Regulatory-Planning Committee to take a decision on such applications and this would include a site visit.

Derbyshire Dales District Council

Planning: The District Council has been formally consulted twice. Planning Officer comments are as follows:

“The proposed development would be sited in close proximity to the existing buildings at the applicant’s pig rearing enterprise. There is a backdrop of

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existing native hedgerow and landscaping is proposed on the western side of the tanks and building, similar to the landscaping introduced to help screen the rearing sheds. It is considered that this site is the most appropriate in terms of the applicant's farm holding. In addition to the landscape impacts, the other main considerations are potential emissions/control of pests and traffic movements associated with the AD plant. I note that you have liaised directly with the Council's Environmental Health Officer, Matthew Hulley, and his response will relate to issues such as noise, flies and odour emission. As DCC are the Local Highway Authority, any highway related matters will no doubt have been considered by your colleagues. I recall that at pre-application consultation it was stated that only one additional delivery would be made each day relating to cattle manure which is not regarded as a material increase in traffic.

In summary, from my own dealings with planning matters relating to this particular farm, it appears to operate without any undue impact, on both the countryside and on the amenities of local residents, the closest being stated to be over 300m away from the proposed development. Hence, subject to appropriate conditions being imposed, it appears that the proposed development represents a sustainable form of renewable energy production that would contribute towards meeting the objective of producing 20% of the UK's energy from renewable sources by 2020."

Environmental Health Officer: No objection subject to conditions to control pest and vermin, noise and odours, in order to ensure that the amenities of the residential areas are not significantly affected.

Central Networks

No objections but services may be present on the site.

Hollington Parish Council

Object on the following grounds:

- safety implication of the proposed plant;
- an AD is an industrial gas production unit;
- the development is industrial not agricultural;
- potential for import of wastes as and when without being monitored;
- resultant increase in traffic to and from the site on roads which are not suitable; and
- detrimental impact of the proposal, not only on residents close to the site but the wider population of Hollington.

Brailsford and Ednaston Parish Council

Not comments have been received.

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Environment Agency

No objections subject to conditions being imposed to protect the water environment.

Natural England

Considers that the proposal does not pose any likely or significant risk to those features of the natural environment and no objection is raised.

Derbyshire Wildlife Trust

No objections.

National Grid

No comments have been received.

Publicity

The application has been advertised by site notices, neighbourhood notifications and in the Ashbourne Telegraph. As a result of this publicity, 20 individual representations have been received; 19 of these raise objections and 1 is supportive of the proposal. I have summarised the objections as follows:

- Unit is not sustainable
- Visual impact
- Odours from pig farm
- Likely bio-hazards
- Impact on the watercourse
- Files and vermin from the site
- Pig farm is already a blot on the landscape
- Lack of storage space on site
- Roads are not wide enough for slurry tankers
- Development not appropriate in the countryside
- Tractors and trailers are wider than approach roads
- Impact of traffic
- Questionable motives for the development
- Dirt from the application site onto the highway
- Screening of plant will take a long time
- Development will not be cost effective
- No green benefits
- Combined impact of pig and poultry farm is unacceptable
- No electricity on site so only benefit will be to applicant
- Planning conditions not adhered to
- Industrial operation not pig farm
- Impact on roadside drains
- Existing traffic congestion
- Impact on tourism

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- In winter site will be intrusive
- Proposal not required to serve essential requirements of agriculture
- Air pollution
- Proximity of pigs and chickens and impact on health
- Impact on holiday cottage business
- Traffic from existing operation is dangerous
- Roadside erosion
- Health risk and blue baby syndrome
- Risk of spillage and leakage of wastes
- Risk of pollution to ground water
- Applicant does not care about the surrounding area
- Project is money making exercise
- Visual intrusion and blight on residential properties
- Quality of life of residents would deteriorate
- Size of plant impossible to screen
- Proposal not energy efficient
- Recent failure of AD plants
- Noise
- Incremental impact of the farm
- Site would be better located at Ashbourne on an industrial area
- Odours arising from the site.

The comments submitted in support of the proposal are on the following grounds:

- That current planning policy supports development of renewable energy projects of this nature.
- The development once built will be a credit to Derbyshire Dales area.
- Traditional slurry tanks are dangerous and the proposed AD plant would be safer.

Comment: This proposal has raised a significant number of concerns as there is recent planning history relating to the site and adjoining area. Residents of this locality are understandably protective regarding new development of this scale, in this area of the County. Where relevant, any issues raised will be considered in the 'Planning Considerations' section below.

Planning Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In relation to this application, the development plan comprises the saved policies of the adopted Derby and Derbyshire Waste Local Plan (DDWLP) 2006, and the saved policies of the adopted Derbyshire Dales Local Plan (DDLPL). The National

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Planning Policy Framework (NPPF) has relevant policies that must also be taken into account when considering this proposal.

The policy considerations which the proposal gives rise to are therefore addressed by national policy and by local development plan policies set out below. Relevant to the proposal is the waste hierarchy which encourages the management of waste materials in order to reduce the amount of waste materials produced and to recover maximum value from the wastes that are produced. It is not applied as a strict hierarchy as many complex factors influence the optimal management for any given waste material. However, as a guide, it encourages the prevention of waste, followed by the reuse and refurbishment of goods, then value recovery through recycling and composting with landfilling of waste as the last resort. Other material considerations include the National Waste Management Plan for England (2013) and Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10). The main policies that should be taken into account are therefore set out below and reference to the relevant statements contained within the NPPF and PPS10 should also be taken into account.

The relevant policies of DDWLP are:

W1b: Need for the Development.

W6: Pollution and Related Nuisances.

W7: Landscape and Other Visual Impacts.

W8: Impact of the Transport of Waste.

W10: Cumulative Impacts.

In accordance with Schedule 8 of the Planning and Compulsory Purchase Act 2004, the current saved policies of the existing local plan are saved until the revised Core Strategy replaces them. Currently, the relevant (saved) policies of Derbyshire Dales Local Plan in respect to the application are:

SF4: Development in the Countryside.

SF5: Design and Appearance of Development.

NBE8: Landscape Character.

TR1: Access Requirements and the Impact of Development.

Turning to these policies, in particular Policy SF4 (Development in the Countryside), which states amongst other things that:

“Development within the countryside will only be permitted if:

- (a) it is required to serve the essential requirement of agriculture and;*
- (f) the proposals are appropriate in nature and scale to a rural area and;*
- (g) it preserves or enhances the character and appearance of the countryside and;*
- (h) minimises any adverse impact on the local environment.”*

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Also, Policy SF5 states:

“Planning permission will only be granted for development where:

- (a) the scale, density, massing, height layout, access, materials of construction and landscaping preserves or enhances the quality and local distinctiveness of the surroundings; and*
- (c) it is well related to surrounding properties and land uses.”*

Policy SF7 (Waste Management and Recycling) states:

“Planning permission for major development will only be granted where it can be demonstrated that the waste generated from both the construction and occupation of the development is to be managed in a sustainable manner.”

Policy TR1 (Access Requirements and the Impact of New Development) states:

“Planning permission will be granted for development requiring to be served by vehicles provided that:

- (a) the development would be served by a safe access with appropriate gradient, width alignment and visibility;*
- (b) the site is accessible to a road network of adequate standard to accommodate the anticipated traffic generated by the development safely and without detriment to the character of the road network; and*
- (c) where relevant, circulation within the site is available or can be achieved without detriment to the appearance or the amenity of the area.*

National Planning Policy Framework (NPPF)

Paragraph 28 states:

“To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well-designed new buildings;*
- promote the development and diversification of agricultural and other land based rural business...;*

Also relevant is Paragraph 98 which states:

“When determining planning applications, planning authorities should:

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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.”

Other material considerations against which the proposal has been considered are:

Planning Policy Statement 10 (PPS10)

PPS10: Planning for Sustainable Waste Management, sets out guidance on how planning can contribute to the delivery of sustainable waste management (including the delivery of the Waste Management Hierarchy). It states that waste planning authorities, when determining applications, should consider:

- the wider environmental and economic benefits of sustainable waste management; and
- the likely impact on the local environment and amenity, including visual intrusion, traffic and access, air emissions, odours, vermin, noise, litter and any potential land use conflict.

Paragraph 29 of PPS10 advises that, in considering planning applications for waste management facilities, planning authorities should consider the likely impact on the local environment and amenity. Annex E of PPS10 also sets out more locational criteria as regards impacts on local environment and amenity, including protection of water resources, visual intrusion, traffic and access, air emissions, odours, vermin, noise, litter and potential land use conflict. In addition to the objectives of the above policies, the fundamental aims in general terms are to secure sustainable patterns of development, which are essentially inclusive, environmentally sensitive and utilise natural resources prudently.

One of the key priorities of the County Council, shared nationally and set out in PPS10, is to drive waste recycling up the waste hierarchy. This objective is not purely regulation driven; the waste hierarchy is a fundamental means of reducing the climate change impact of waste management and of improving resource efficiency in local and national economies. It is therefore a key aspect of “future proofing” and addressing economic/environmental resilience. In practical terms, the waste hierarchy can only be delivered by increased recycling, recovery and reuse of waste materials in means such as identified in this application. As a consequence, there is a continuing and urgent need to provide sustainable waste management facilities. This, of course, has to be balanced against the suitability of the proposed site and its potential impacts on this local environment.

Environmental Impact of the Proposal

Paragraph 29 of PPS10 advises that in considering planning proposals for waste management facilities, the planning authority should consider the likely impact on the local environment and amenity. Annex E of PPS10 also sets out more local criteria as regards impacts on local environment and amenity including protection of water resources, visual intrusion, traffic and access, air emissions, odours, vermin, noise, litter and potential land use conflict.

A further consideration is the current advice given by DEFRA (Anaerobic Digestion Strategy and Action Plan), where the Government has set out its commitment to an expansion of energy from waste through AD. At the heart of this commitment is the recognition that AD unites a number of the Government's priorities, particularly including addressing causes of climate change. For this reason, the Government is keen to see a substantial increase in the deployment of AD.

The planning merits of the pig farm and the associated extensive farm buildings have been considered at length by Derbyshire Dales District Council and an Inspector appointed by the Secretary of State. The planning permissions that have been granted have been implemented by the applicant and I understand that there is no conflict with the conditions that have been imposed. This proposal is by nature inextricably linked to the pig farm and seeks permission to deal with farm waste in a more efficient manner than at present. Because of the potential for generating energy from waste, it falls into a category of a renewable energy project. National Planning Policy states that the use of renewable energy sources is an important element of the Government's sustainable development strategy. The development plan also supports the development of renewable energy projects, subject to criteria relating to landscape impact, residential amenity and conservation of any ecological/heritage interests.

The farm enterprise at Marsh Hollow Farm is relatively new but is now in operation as an established intensive pig farm, where a significant number of stock animals (approximately 1,500) are kept inside, fattened and then, as they reach a specified target weight, removed from the site, with the meat being sold direct to a major supermarket. Whilst historically, farm wastes have been dealt with for generations by collection, storing and spreading on land, for a number of reasons, this may not be appropriate in the context of present day farming systems.

I consider that the key issues raised by the application are:

- the visual impact of the development: whether the introduction of the new buildings and structures will harm the appearance of this landscape;

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- the potential impact of the development on the local highway network; and
- the cumulative impact of the proposals on local amenity, in particular traffic, odours and noise.

Landscape and Visual Impacts

The proposed location for the AD and its ancillary structures lies within the Needwood and South Derbyshire Claylands as designated by the Derbyshire Landscape Character Assessment. This is described as a Settled Farmland Landscape Character Type being a deeply rural landscape type associated largely with small villages, scattered farmsteads, predominantly pastoral land-use, with irregular shaped fields enclosed by mixed species hedgerows with dense hedgerow trees. The quality of the surrounding landscape is reflected in the fact that the landscape immediately surrounding the site is assessed as having a 'secondary sensitivity' with respect to the County Council's work to identify 'Areas of Multiple Environmental Sensitivity', this is a measure of the overall environmental sensitivity of the landscape based on its ecological, historic landscape and visual qualities. The surrounding landscape is also identified as being a particularly tranquil area within the County. All of these factors point to the overall quality of the landscape surrounding the application site and this is substantiated in views of the immediate locality.

Individually, the different structures are of a similar scale to those that already exist on site. From distant views, the existing structures on site are utilitarian in form and appearance, and typical of many similar structures in the countryside. Collectively, however, the overall footprint of the new buildings and structures are significant. The tallest of the new structures would be the circular digester, followed by the feedstock building, the tallest of which would stand approximately 12 metres high (11 metres when on the prepared platform). I consider that when viewing the site from close quarters, the structures would seem intrusive to a degree, but that from distant views on lower ground, the mass of building would be seen against the maturing hedgerow and any intrusion would be mitigated further by the new planting and the existing buildings on the site. The applicant proposes to landscape the area creating a 4 metres high screen bund which would be soiled and tree-planted. Likewise, whilst the new building would be a large mass, due to its proposed design and location, within the enclosure of other similar structures, I consider its impact in visual terms would not be detrimental. The two tanks proposed on the site of the existing slurry store would be seen against an existing large farm building and, in addition, the existing trees on the eastern boundary would help soften the visual impact.

In visual terms, although most of the AD structures would not rise above the level of the existing sheds, the tallest would be the domed topped digester which would be marginally more prominent. However, bearing in mind the neighbouring structures (existing pig sheds), the new structures would not be

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dissimilar. The additional structures situated close to the existing farm buildings will be perceived as an extension to an established agricultural use.

The site is relatively remote and whilst this is attractive countryside and rural in nature, there are few visual receptors able to view the site. The overall effect of the AD on the character and appearance of the farm complex, within its proposed landscape scheme, would be mainly neutral, together with improvement in parts arising from landscaping. I consider that residual landscape impacts would be mitigated through the design of the plant which would be clad in dark recessive colours, together with the retention of existing vegetation and through the construction of the proposed earth bund which the applicant intends, once constructed, to plant with mixed tree species which would be sympathetic to the character of the surrounding landscape.

Overall, it is considered that, subject to the proposed additional landscaping and tree-planting, together with the selection of appropriate tree species, choice of stock size, plant densities, planting specification and future maintenance operations (to ensure the satisfactory establishment of the planting), together with the submission of a detailed design for the proposed bund, the development would not have a significantly adverse visual impact on the surrounding rural landscape. I am satisfied that the proposal would therefore accord with development plan planning policy in this respect.

Emissions to Air (Odours and Noise)

Odours

Although AD is essentially a sealed process, there are a number of associated operations which have the potential to generate odours. Potential sources of odour emissions in the case of this proposal include the storage of feedstock inside the building and transfer of this to the digester. The development would take place, however, within a working farm environment. Whilst I accept that some odours are to be expected, the removal of the open air slurry lagoon will bring a significant lessening in odour emissions. I have raised this issue with the EHO and no objections have been raised in this regard.

Noise

The countryside location for this proposal is quiet and the applicant has acknowledged that new noise sources would be introduced and, whilst these may be minor, I am concerned that noise pollution arising from the proposed development does not give rise to cause for complaint from the residential properties close to the site. The applicant's noise calculations would appear to confirm that, in general terms, the development would not give rise to excessive noise such to cause disturbance.

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Traffic Impact

The Highway Authority has considered the proposal and has commented as follows:

“The main traffic route into and out of the site is in part narrow and winding and in places having restricted visibility. However, the access to the farm and highway network has been considered in detail by the various planning applications and subsequent planning permission that have been granted. It is therefore considered that both the access arrangements and highway network are adequate to support the farming business and activities.

The access to Marsh Hollow has been laid out to the previously approved details and in consultation with the County Council’s highway division, I am not aware of any accident statistics since its formation (or an increase in accidents generally in the vicinity that could be attributable to the new farming activities). The on-site pig farm will help supply part of the feedstock; however, it will rely on external farms for additional material, for the 9000 tonnes per annum it requires to process. Whilst over half of this will be sourced from the existing farm and immediately adjacent chicken farm (400m away), 4000 tonnes would need to be transported from farms further afield.

The applicant has quantified the number of trips this is likely to involve, based on the agricultural machinery used to transport the material, which results in fairly low volumes of average daily traffic movements (less than 2 per day when taking into consideration the difference in taking the material off site at present). Whilst it is appreciated there may be more intense periods of activity and the figures are averaged over a year, the same could be said of other seasonal farming activities (haymaking for instance). The farming activities and living accommodation already on site could in theory generate more than this number of movements as a daily fluctuation anyway

The Highway Authority is mindful that, if planning permission is refused on highway grounds, the reasons must be defensible with, where necessary, the assistance of empirical data. Note is also taken of Paragraph 32 of the National Planning Policy Framework which indicates that:

“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.

In view of the above, should the application be refused on highway grounds, it must be demonstrated that the generated traffic will result in “severe” harm relative to existing conditions on the network. It would be entirely inappropriate for the Highway Authority, in its role as a statutory consultee in the planning process, to recommend that the Local Planning Authority should refuse permission if it was not confident that sound, sustainable reasons existed.

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It is noted that a number of representations received from local residents have raised highway related issues with the proposed development. However, the Highway Authority is only able to give consideration to off-site traffic impact from development proposals, where this represents a significant increase compared to existing flows already present. Even where development related traffic increases are sufficiently large, the Highway Authority still has to have evidence to demonstrate that the harm caused by the extra traffic would be so severe as to require intervention (either by mitigation or refusal of the proposals). It is not incumbent upon applicants to address all of the pre-existing limitations of the highway network, only those where the development can be demonstrated to have a sufficiently large and harmful effect.

Given the access arrangements already secured and data available to the Highway Authority, it is unlikely the Highway Authority would be in a position to recommend refusal of the application on evidence based grounds. The Highway Authority would however recommend the access and visibility splays from the access point, are maintained as previously approved to maximise visibility at all times."

No objections are therefore raised on highway grounds, subject to the access and visibility splays from the access point being maintained as previously approved to maximise visibility at all times.

In view of the above, I do not have any reason to disagree with the Highway Authority and in line with the various appeal decisions, do not consider an objection on highway grounds is warranted. The recommendations made by the Highway Authority with regard to the current access into the site can be achieved by imposition of a relevant condition, should planning permission be granted.

Cumulative Impacts

The overriding principle applied by planning authorities when determining planning applications is that each case must be determined on its "individual merits", and that there is a presumption in favour of development which accords with the development plan, although other 'material considerations' may outweigh the plan's policies. However, NPPG policies 6 and 15, in particular, state that such 'material considerations' may include cumulative effects. In this case, whilst individually the proposal may not threaten the amenity of the residents of this area, the combined effect of the poultry farm adjacent could exceed the threshold of existing infrastructure, impact of noise, odours etc. The term "cumulative impact" is often used with reference to a combination of landscape and visual effects. Cumulative impacts can also relate to a wide range of social and economic, as well as environmental effects, and may be positive as well as negative.

Cumulative Impact on the Landscape Traffic, Noise and Odours.

I have given consideration to the cumulative effects on the physical fabric of the landscape which could arise when two or more developments affect landscape components. In this case, there are a number of large buildings on the site and the proposal would increase this but bring different shapes and sizes. In view of the landscape designations, the landscape character, the sense of scale and distance, the sense of remoteness of the site, the screening already on site in the form of hedgerows and the general topography, I do not feel that the addition of more buildings would significantly affect the landscape character; the cumulative effect on these components would not be significant.

A crucial element in identifying the potential for adverse cumulative impact is the concept of a “threshold” beyond which development in a particular area becomes unacceptable. In other words, the effect of the present proposal is limited but, when added to the effect of what has already been allowed or to new proposals which have been submitted for planning permission, it becomes unacceptable in planning terms. The principal difficulty in applying such an argument is the identification and then justification for that threshold, particularly in the case of the cumulative impact on the landscape. The quantification of a cumulative impact on a road system or on other infrastructure is often simpler, whereby the Authority may have an established methodology for determining an upper limit or capacity which further development must not breach. It is unlikely that such thresholds or capacities can be expressed simply in terms of figures for buildings; they are more likely to be expressed in terms of acceptable limits of change.

The cumulative impact in relation to noise and odours is unlikely to be significant. With regard to odours, in view of the potential for elimination of odours from the digestate, the overall impact of odour emissions should be minimal. I consider that the main cumulative impacts are associated with traffic, in particular construction traffic and noise, whilst the proposed construction works are in progress. These would be intermittent during the working day and, in part, addressed by the routeing of traffic from the A52 during the construction programme.

Conclusions

The pig unit at Hollington is already established and there are, at any one time, a considerable number of animals present on the site; the daily waste that is produced needs to be managed in a more sustainable manner than at present. There is no doubt that the proposed AD plant would introduce a development of a specialist nature in this rural and remote location, which would mean a change to the site. This change would primarily be as a result of the erection of a series of additional buildings and structures on site and a slight increase in traffic.

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In general terms, however, subject to the implementation of the odour and noise control measures, and effective management of the site in line with the details and practices referred to in the application, given the distance of the facility from the residential properties and general existing agricultural nature of the surrounding area, residential amenity is unlikely to be significantly harmed as a result of this development and therefore, would not be contrary to the objectives of the NPPF. Overall, the proposed development, in my opinion, accords with both local and national planning policies which seek to encourage the development of renewable energy projects, sustainable waste management and resource efficiency.

With regard to the specific impacts arising from the proposed works, I have consulted with the appropriate consultee authorities and I feel that, in amenity and environmental terms, a refusal of the planning application would be unwarranted as any minor impact could be controlled effectively by condition of the planning permission or the respective Environmental Permit. Should planning permission be granted before the plant becomes operational, it will require an Environmental Permit which, in addition to the conditions I am suggesting, would impose further controls. As part of the Environmental Permit, an Environmental Management System (EMS) would be produced for the site operations. This would control the daily running and maintenance of the plant.

Subject therefore to the imposition of the suggested conditions, it is considered that the proposed development would be acceptable. I consider that the proposal forms part of a trend in farming sector practice which is explicitly supported by Government through DEFRA and the Environment Agency. I am therefore recommending that the application is approved subject to the conditions set out below.

(3) **Financial Considerations** The correct fee of £1,365 has been received.

(4) **Legal Considerations** This is an application submitted under Part III of the Town and Country Planning Act 1990 which falls to this Authority to determine as the Waste Planning Authority.

I do not consider that there would be any disproportionate impacts on anyone's human rights under the European Convention on Human Rights as a result of this permission being granted subject to the conditions referred to in the Officer's Recommendation.

(5) **Environmental and Health Considerations** As indicated in the report.

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In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, property and transport considerations.

(6) **Background Papers** File No. 3.1722.2

Application details and associated drawings and subsequent amendments. Letters/emails from Derbyshire Dales District Council dated 8 July 2014 and 8 August 2014, the Environment Agency dated 12 August 2014, Natural England dated 8 August 2014, Hollington Parish Council dated 16 June 2014 and Derbyshire Wildlife Trust dated 12 August 2014. Planning permission code no: 05/00634/FUL, code no: 05/00634/FUL, code no: 13/00770/FUL, code no: 11/00179/FUL and code no: 11/00111/FUL. Letters/e-mails of representation: various dates.

(7) **OFFICER'S RECOMMENDATION** That the Committee resolve that planning permission be **granted** subject to the following conditions:

Commencement of Development

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission. The Waste Planning Authority shall be given at least 14 days prior written notice of the date the development is recommenced and shall be confirmed in writing to the Waste Planning Authority not later than seven days after the event

Reason: In accordance with Section 91 of the Town and Country Planning act 1990 and to establish the precise date of commencement for any notifications required by the terms of the other conditions below

Form of Development

- 2) The development hereby permitted shall only be carried out in strict accordance with the details set out in the application for planning permission, supporting information and plans, unless otherwise modified or amended by conditions of this permission. The relevant documents comprise the following:

- Planning Application Forms
- Location plan
- Plan Ref No: SA14960/01 dated April 2014
- Plan Ref No: SA14960/02 dated April 2014
- Plan Ref No: SA14960/03 dated April 2014
- Plan Ref No: SA14960/04 dated April 2014
- Design and Access/Supporting Statement
- Odour Management Scheme
- Predicted Noise Level Assessment
- Risk Assessment details

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Reason: For the avoidance of doubt and to assist the Waste Planning Authority in monitoring the development in the interests of the amenity of the area.

- 3) Written notification of the date of commencement of the approved works shall be sent to the Waste Planning Authority within seven days of such commencement.

Reason: For the avoidance of doubt and to assist the Waste Planning Authority in monitoring the development in the interests of the amenity of the area.

Approved Details

- 4) At all times during the operation of the site, a copy of this permission including all plans and associated documents hereby approved in accordance with this permission shall be kept available onsite for inspection during the prescribed working hours.

Reason: To assist the site operators and the monitoring of the site works.

- 5) No waste materials shall be imported onto the site other than those specified in the details referred to in Condition 2 above.

Reason: To prevent pollution and to ensure that the proposed use and operation of the facility does not give rise to environmental impact

Highway Safety

- 6) The sole vehicular access to be used in conjunction with this development shall be as shown on Plan Reference SA14960/01 dated April 2014

Reason: In the interests of highway safety.

- 7) No mud, debris or other dirt shall be taken from the site and deposited on to any public highway.

Reason: In the interests of highway safety.

- 8) The access and visibility splays from the access point at Marsh Hollow to the application site shall be maintained at the approved dimensions to which they have been constructed.

Reason: To maximise visibility at all times in the interests of highway safety.

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Hours of Operation

- 9) Except in emergencies to maintain safe working conditions which shall be notified to the Waste Planning Authority as soon as practicable) no vehicles associated with the delivery and input of feedstock materials and export of final digestate shall take place except between the following hours:

0800 hours to 1800 hours Mondays Fridays; and
0900 hours to 1300 hours Saturdays

Reason: To ensure that the proposed use and operation of the facility does not give rise to unacceptable disturbance.

- 10) During the approved construction works, all activities shall be restricted to the following times:

0730 hours – 1800 hours Monday to Friday; and
0800 hours – 1300 hours Saturdays.

No construction works shall be carried out on Sundays or bank holidays.

Reason: To ensure that the proposed use and operation of the facility does not give rise to unacceptable disturbance.

- 11) All vehicle movements and deliveries during the proposed construction works shall be restricted to the following times:

0730 hours – 1800 hours Monday to Friday; and
0800 hours – 1300 hours Saturdays.

No construction works shall take place on Sundays or Bank Holidays

Reason: To ensure that the proposed use and operation of the facility does not give rise to unacceptable disturbance.

Noise

- 12) The noise generated from the combined Heat and Power (CHP) engine shall at all times be restricted to 75dB(A) as measured at 1 metre from the plant.

Reason: To safeguard the amenity of the users of nearby land and the nearest residential occupiers.

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- 13) Efficient silencers shall be fitted to, used, and maintained in accordance with the manufacturer's instructions on all vehicles, plant and machinery used on the site. Save for the purpose of maintenance, none of the above shall be operated with covers open or removed.

Reason: To safeguard the amenity of the users of nearby land and the nearest residential occupiers.

- 14) At all times during the carrying out of the approved operations all practicable noise suppression measures shall be applied to the operation of all plant, machinery and vehicles. All vehicles, plant and machinery shall operate on the site only during the permitted hours, except in emergency, and shall be maintained in accordance with manufacturers' specifications at all times, and shall be fitted with and use effective silencers or other acoustic mitigation devices/shrouds as appropriate. Save for the purposes of maintenance, no machinery shall be operated with the covers open or removed.

Reason: To safeguard the amenity of the users of nearby land and the nearest residential occupiers.

- 15) There shall be no alterations from the details contained in the application, in working practices or changes in equipment used which would be likely to materially increase the noise levels at the boundary of the site without the prior written approval of the Waste Planning Authority.

Reason: To safeguard the amenity of the users of nearby land and the nearest residential occupiers.

- 16) Reversing warning devices on all plant and vehicles used on this site shall be either non-audible, ambient-related or low-tone devices.

Reason: To safeguard the amenity of the users of nearby land and the nearest residential occupiers.

- 17) At the written request of the Waste Planning Authority, in the event that a complaint is received about the anaerobic digester plant and associated equipment, the operator shall, within one month, undertake and submit to the Waste Planning Authority for its written approval, a BS4142:1997 noise survey, to assess whether noise arising from the development exceeds the daytime criterion of 5db(A) above the existing background noise level, after the addition of the 5db(A) penalty to reflect tonal, discrete or impact noise as advised in BS4142:1997 at the nearest residential receptor. The survey shall include all necessary noise mitigation measures to ensure that the noise generated at the site

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does not exceed the above standard. The approved mitigation measures shall be implemented as approved.

Reason: To safeguard the amenity of the users of nearby land and the nearest residential occupiers.

Dust

- 18) All areas within the application site on which vehicular activity takes place must be kept hard-surfaced at all times and appropriate dust suppression methods such as the use of water bowsers and/or hosepipes must be applied to them whenever vehicular activity takes place on them.

Reason: To safeguard the amenity of the users of nearby land and the nearest residential occupiers.

- 19) At all times, all operations hereby approved at this site shall be carried out in a manner to minimise the generation of dust.

Reason: To ensure that digester plant and related operations do not have an adverse impact on local amenity.

Fires

- 20) There shall be no open fires on the site.

Reason: To safeguard the amenity of the users of nearby land and the nearest residential occupiers.

Odours

- 21) Prior to the commencement of the development an odour management plan shall be submitted to and approved in writing by the Waste Planning Authority. The odour management plan shall include details of:

- the management of air being displaced from the slurry storage tank when filling;
- the management of all manure to be stored on site including timescales;
- the sheeting method of all vehicles transferring the poultry manure to the site;
- the management of odour from the drying process;
- the management of odour within the feedstock storage building including when the doors are open for loading; and
- the procedure in the event of a breakdown of machinery and equipment or unforeseen event including details of any relevant spares and consumables/service items to be stored on site.

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- where and when odour would be measured, who would be responsible for its management;
- how the results would be assessed and used;
- procedures for recording and dealing with any complaints.

Throughout the lifetime of the development hereby permitted odour management at the site shall be carried out in accordance with the odour management plan as approved in writing by the Waste Planning Authority.

Reason: To safeguard the amenity of the users of nearby land and the nearest residential occupiers.

Drainage

22) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Waste Planning Authority. The scheme to be submitted shall demonstrate:

- the utilisation of holding sustainable drainage techniques;
- the limitation of surface water run-off to equivalent greenfield rates;
- the ability to accommodate surface water run-off on site up to the critical 1% annual probability event plus an appropriate allowance for climate change, based on the submission of drainage calculations; and
- responsibility for the future maintenance of drainage features.

The scheme shall subsequently be implemented as approved in writing by the Waste Planning Authority.

Reason: To prevent pollution of the water environment, to ensure the site is adequately drained.

23) No foul or contaminated surface water, leachate, trade effluent shall be discharged from the site into either ground water or surface water drainage systems.

Reason: To prevent pollution of the water environment, to ensure the site is adequately drained and in the interests of protection of established ecological interests on or close to the site

24) The site operators shall ensure that all surface water drainage operates in an efficient manner.

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Reason: To prevent pollution of the water environment and to ensure that the site is adequately drained.

Storage of Oils and Chemicals

- 25) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment and ensure the site is adequately drained.

Landscaping

- 26) No later than two months from the date of this permission the following scheme shall be submitted for the approval in writing of the Waste Planning Authority:

- A scheme of all landscaping and tree-planting to be implemented within the application site. The scheme/s shall include details of all planting schedules, species heights etc., as well as a replacement programme for any plants and trees and aftercare scheme.

The scheme shall be implemented as approved in writing by the Waste Planning Authority.

Reason: To ensure that the facility is screened effectively so that the related operations do not have an adverse impact on local amenity.

- 27) No later than two months from the date of this permission the following further schemes shall be submitted for the approval in writing of the Waste Planning Authority:

- Details of the bund and remodelling of the field area to accommodate the surplus excavated material/s. This shall include 'before and after' profiles and the final treatment of the restored surface and its subsequent after-use; screen mounds on the site boundaries to include final profiles, seeding and planting details together with a suitable aftercare plan for all planting proposed.

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The scheme shall be implemented as approved in writing by the Waste Planning Authority.

Reason: To ensure that the facility is screened effectively so that the related operations do not have an adverse impact on local amenity.

- 28) Prior to any commencement of the development, a scheme for the external colours of all buildings and structures on the site shall be submitted to and approved in writing by the Waste Planning Authority.

The scheme shall then be implemented as approved in writing by the Waste Planning Authority.

Reason: In the interests of protection of amenity and to ensure that the proposed use and operation of the facility does not give rise to visual impact.

Lighting

- 29) No development shall take place until details of a proposed external lighting scheme have been submitted to and approved in writing by the Waste Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.

Reason: In the interests of protection of amenity and to ensure that the proposed use and operation of the facility does not give rise to visual impact.

Connection to National Grid

- 30) The means of connection to the National Grid shall be by underground cable and prior to any connection works commencing, the following details shall be submitted for the approval of the Waste Planning Authority:

- The exact proposed location of the connection point.
- The proposed works involved.
- The related programme and timing of the proposed works.

The connection to the National Grid shall be made in accordance with the approved details.

Reason: To safeguard the amenity of the users of nearby land and the nearest residential occupiers.

Pest Control

- 31) No delivery of waste to the site shall occur until a detailed scheme for the control of pests and vermin has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall in particular provide for:
- i. Measures to reduce the attractiveness of the Site to pests and vermin, including maintenance of secure feedstock storage areas.
 - ii. An inspection regime with prompt implementation of appropriate control measures in the event that a pest control problem becomes apparent, with details to be provided to the Local Planning Authority upon implementation of the measures.

The Site shall thereafter be managed in accordance with the approved scheme.

Reason: To ensure that any vermin and pests are kept under strict control and do not give rise to loss of amenity.

Statement of Compliance with Article 31 of the Town and Country Development Management Procedure Order 2012

The Authority has worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in the processing of planning applications in full accordance with this Article. The applicant engaged in pre-application discussions with the Authority prior to the submission of the application.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

Title

APPLICATION CW3/0514/17 MARSH HOLLOW FARM

