Herefordshire Council

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| **MEETING:** | **PLANNING COMMITTEE** |
| **DATE:** | **21 JANUARY 2015** |
| **TITLE OF REPORT:** | **P141901/N - PROPOSED AGRICULTURAL ANAEROBIC DIGESTER (AD) PLANT FOR FARM DIVERSIFICATION AND PRODUCTION OF RENEWABLE ENERGY AT WALL END FARM, MONKLAND, LEOMINSTER, HR6 9DE**<br><br>**For: Mr Bengough per Berrys, Willow House East, Shrewsbury Business Park, Shrewsbury, Shropshire, SY2 6LG** |
| **WEBSITE LINK:** | https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=141901&search=141901 |
| **Reason Application submitted to Committee – Re-direction** | |

**Date Received: 25 June 2014** **Ward: Golden Cross with Weobley** **Grid Ref: 344747,257756**

**Expiry Date: 24 September 2014**
Local Member: Councillor MJ K Cooper

## 1. Site Description and Proposal

1.1 Wall End Farm lies on the western edge of the village of Monkland, approximately 3 kilometres south-west of Leominster along the A44 road. The farm comprises 900 acres (364.2 hectares) of which approximately 400 acres (161.8 hectares) are let out on long-term rentals. Within the main farmyard complex there are tenanted residential barn conversions understood to be in the applicant's ownership. A grade II listed house lies 150 metres south of the site. Access to the farmyard is via a private lane from the north via the UC93001 road which forms a triangle between the A44 and the A4110 roads, also leading eastwards to Monkland Common. A southern access links the farm, cottages and barns direct to the A44. The application site occupies arable land adjoining the farmyard.

1.2 The proposal is to install an on-farm anaerobic digester plant as farm diversification. The development would comprise: a digester tank 25m diameter x 7m height with a domed gas membrane top rising to a maximum height of 12.5m; flat-topped digestate storage tank 25m diameter x 7m height; pasteurisation tank 7m diameter x 4m height; slurry/buffer tank 9m diameter x 4m height, feedstock shed 20m x 20m x 6m to eaves and 8.5m to ridge; feedstock clamp (three bays, each 40m x 20m x 3m high sides); standard ancillary equipment – combined heat and power (CHP) unit, feeder hoppers, separator, contingency flare, transformer/substation/control kiosk, internal hard-standings and roadways.

## 2. Policies

2.1 National Policy

- National Planning Policy Framework (NPPF), with particular reference to paragraphs 6-17; sections 1, 3, 4, 10, 11 and 12; paragraphs 186-206
- National Planning Practice Guidance (NPPG)
- National Planning Policy for Waste (NPPW) [DCLG October 2014]

2.2 Herefordshire Unitary Development Plan

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| S1 | - | Sustainable development |
| S2 | - | Development requirements |
| S6 | - | Transport |
| S7 | - | Natural and historic heritage |
| S11 | - | Community facilities and services |
| DR1 | - | Design |
| DR2 | - | Land use and activity |
| DR3 | - | Movement |
| DR4 | - | Environment |
| DR7 | - | Flood risk |
| DR9 | - | Air quality |
| DR13 | - | Noise |
| DR14 | - | Lighting |
| E12 | - | Farm diversification |
| T6 | - | Walking |
| T8 | - | Road hierarchy |
| LA2 | - | Landscape character |
| LA5 | - | Protection of trees, woodlands and hedgerows |
| LA6 | - | Landscaping schemes |
| NC1 | - | Biodiversity and development |
| NC8 | - | Habitat creation, restoration and enhancement |
| HBA4 | - | Setting of listed buildings |
| ARCH1 | - | Archaeological assessments and field evaluations |
| CF4 | - | Renewable energy |

2.3 Draft Revised Core Strategy

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| SS1 | - | Presumption in favour of sustainable development |
| SS4 | - | Movement and transportation |
| SS6 | - | Environmental quality and local distinctiveness |
| LD1 | - | Landscape and townscape |
| LD2 | - | Biodiversity and geodiversity |
| LD4 | - | Historic environment and heritage assets |
| SC1 | - | Social and community facilities |
| SD2 | - | Renewable and low carbon energy |

2.4 Legislation and other Government Guidance

Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the EIA Regs)
UK Renewable Energy Strategy (2009)
Anaerobic Digestion Strategy and Action Plan (DoE/DECC 2011)
UK Biomass Strategy (Defra/Dti/DfT 2007)

Environment Agency Position Statement on Anaerobic Digestion of Manure and Slurry, 2010
www.biogas-info.co.uk – Information portal on AD (Defra/DECC)
Natural Environment and Rural Communities Act 2006 (NERC Act)
Conservation of Species and Habitats Regulations 2010 Amended 2012

2.5 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/unitary-development-plan

## 3. Planning History

3.1 None on the site; planning permission reference 113227/F, for solar panels on an adjoining barn, was approved on 12 December 2011.

## 4. Consultation Summary

Stautory Consultees

4.1 Environment Agency: Initial 'holding objection' pending additional information on groundwater protection, local private water supplies, odour, noise, dust, surface water management. The plant would be subject to Environmental Permitting which would regulate most of the above points. Subsequent comments were provided on receipt of additional information from the applicant. The Agency has no objection and no conditions are required. Further advice also given.

Internal Consultees

4.2 Transportation Manager: First response: No objection; the U93001 is narrow but is lightly trafficked and able to cope with the extra use. Not all the traffic generated would need to use the lane. Second response, following local objections and additional information submitted by the applicant, confirms the 'no objection' position and states that the proposal is acceptable in highway terms. The local highway network has sufficient capacity to absorb the additional traffic. Sufficient informal passing places exist along the U930002 to allow vehicles to pass. Third response on request suggests that informal passing places should be metalled and brought up to standard via a Section 278 agreement.

4.3 Public Rights of Way Officer: No objection.

4.4 Conservation Manager (Ecology): The submitted ecology report (Turnstone, June 2014) covers the relevant aspects. Its findings and recommendations are accepted. A condition is recommended to secure biodiversity enhancement.

- Habitats Regulations Assessment screening: The pollution risk is low and the site is a considerable distance from the River Lugg SSSI and the River Wye SAC. No Likely Significant Effects.

4.5 Drainage Manager: No objection on flood risk and surface water management grounds. Some questions raised due to a lack of information provided; in particular regarding the access from the north which is in a higher flood risk zone. On receipt of further in formation, no significant concerns: pre-commencement are conditions recommended to address any outstanding matters. This includes provision of a Sustainable Drainage Scheme (SuDS) surface water management plan. The applicant should demonstrate how effects from climate change, e.g. increased flood risk and flood contingency plans would be addressed.

4.6 Conservation Manager (Archaeology): The archaeological potential is low; no concerns or requirements.

4.7 Conservation Manager (Historic Buildings): The site lies to the north of a 17th Century timber-framed house. The development could affect the setting but is viewed in the context of existing agricultural buildings and uses nearby. The impact could be mitigated by landscaping and planting. No objection.

4.8 Environmental Health Manager : No adverse comments. The proposal's operation is subject to Environment Agency control.

**5. Representations**

5.1 Monkland and Stretford Parish Council first response: Recommend approval but would nevertheless like to record local concerns about the volume of traffic that would be generated, after a 'huge turnout' at a recent parish council meeting. The local lanes are narrow and are used by local people for walking and riding. Concerns also raised about speed, congestion, damage to the highway by farm vehicles, potential odour nuisance from storage or poultry manure, possible noise issues, visual impact, lack of benefit to the community.

5.2 Further representation from the Parish Council, following submission of an additional Traffic Statement by the applicant. This questions the volumes of manure being spread and the capacity of the land to accept 8,500 tonnes of solid and liquid digestate on 200 acres which are subject to flooding. The existing passing places on the unclassified lane are un-metalled, and too small to accommodate a tractor and trailer. The lanes are not wide enough to accommodate the size of vehicle needed to be used to transport material to and from the AD and would pose a hazard to the safety of other road users. The low traffic movement numbers given and the means of calculation are questionable. Fears raised about aggressive driving by contractors, with concerns that any Traffic Management Plan would not be adhered to. A site visit is requested.

5.3 Thirteen representations have been received from members of the public. The points raised are summarised as follows:

- All respondents concerned about traffic volumes and the use of the minor road (U93001) to the A4110;
- The passing places along the lane are not metalled and one is a ford;
- Concerns about the condition of the road (potholes)
- Preference for using the existing access south, directly onto the A44;
- Suggestions for using one of two other existing tracks to the A44 to the west;
- Concerns about agricultural vehicles using the road across Monkland Common to the east, including damage to verges, speeding and aggressive driving;
- Concerns about noise and odours from the plant and the storage/movement of the feedstock and digestate;
- Concerns about the viability of the stated volumes of digestate to be used on the land as fertiliser on land which floods.

5.4 The consultation responses can be viewed on the Council's website by using the following link:-
http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx

Internet access is available at the Council's Customer Service Centres:-
https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage

## 6. Officer's Appraisal

Community engagement:

6.1 The applicant attended a Parish Council meeting on July 15th 2014, giving a short presentation about the project and being on hand to answer questions. In response to concerns expressed, a second public meeting was held by the Parish Council on 8th September 2014. This was reported as a heated debate, with the following concerns being aired:

a) Fears that the AD plant would smell;
b) Criticisms about the Parish Council's initial recommendation for approval whilst reporting the local concerns;
c) Concerns about traffic. General preference for the southern route to the A44 to be used by traffic relating to the plant. Comments about aggressive driving by farm contractors

6.2 Constraints:

- Flood risk: zone 1 (low risk) on site. Zones 2 and 3 to north of site, relating to Moor Brook and the Arrow valley;
- Within the wider area for initial HRA Screening
- Grade II listed building 150 metres to south of the site

Appraisal:

**Policy context and Sustainability**

6.3 The National Planning Policy Framework (NPPF) carries most weight. Defra and DECC guidance recognises farm-scale anaerobic digesters (AD plants) as sustainable development for renewable energy, and the principle meets the NPPF definition of this term. Government supports AD renewable energy options in terms of strategy, funding and farm diversification. The National Planning Policy on Waste 2014 (NPPW) supports AD in its potential to process/re-use materials otherwise classified as 'waste'.

6.4 The NPPF offers general support, but also protects local amenity and ensures environmental control. Farm-based AD plants are operationally regulated by the Environment Agency (EA) through Environmental Permitting Regulations, rather than through the planning system. Section 10 of the NPPF makes it clear that the 'delivery of low-carbon energy and associated infrastructure' is central to the principles of sustainable development and the need to tackle climate change. Other relevant parts include Section 3 on rural economic growth, and Section 11 which requires conservation and enhancement of the natural environment, heritage and biodiversity. AD plants can assist farming's market economy through farm diversification, supporting rural business and maximising employment opportunities in the countryside.

6.5 The relevant policies in the Herefordshire Unitary Development Plan (UDP) remain in force where they accord with the NPPF, until adoption of the emerging Core Strategy. The Revised Draft Core strategy is at an early stage of the final adoption process. Relevant policies are identified for reference but carry little weight at present. However, the policy considerations for this proposal do not conflict with them.

**Environmental Impact Assessment**

6.6 Anaerobic digestion/electricity generation falls within the scope of the Environmental Impact Assessment (EIA) Regulations. This proposal is just within the threshold for site area but below any thresholds for energy output. It is not in a Sensitive Area (as defined). A Screening Opinion has been issued to the effect that EIA is not required.

**Principle of the development and sustainability**

6.7 Anaerobic digestion (AD) harnesses bacteria to treat biodegradable materials ('feedstock'), producing biogas which is used (a) to generate renewable electricity and heat, and (b) to minimise farm effluent impacts. Residual $CO_2$ is considered 'carbon neutral', and both liquid and solid final residue (digestate) may be used as fertiliser which is less prone to toxicity than raw effluent and is virtually odourless. This can assist with Nitrate Vulnerable Zone (NVZ) requirements, and represents financial and environmental savings by reducing deliveries of purchased chemical fertilisers, which use finite resources. This proposal would generate up to 499kWe/hr output, to be directed to the grid. Defra calculations suggest this equates to the demand of over 1,000 households. Heat would also be generated, part of which would be used to maintain optimum temperature within the plant, but surplus could potentially heat nearby properties. Collectively, on-farm AD plants can contribute to reducing direct and indirect energy demand by agriculture, releasing power for other users. In principle, farm AD plants are supported by all relevant local and national policies. Debate about the use and transport of crops for this purpose continues, but the planning system has limited powers to restrict legitimate activities.

6.8 The Environment Agency may classify farm effluent/manure as 'waste' when it is moved between farm holdings for certain purposes. For consistency, all AD applications are therefore considered as 'waste' applications, to ensure all relevant factors are fully considered. Government funding and policy support sees farm AD as a viable renewable energy option with a variety of benefits, also supported in particular by UDP policies S1, S2, and CF4.

**Operational and siting arrangements**

6.9 Maximum annual input (feedstock) to the digester unit as proposed would be 10,000 tonnes comprising 3,600 tonnes of maize, 1,900 tonnes of grain whole-crop, 2,600 tonnes of fodder beet and 1,900 tonnes of poultry litter. Half the crops would be grown on 200 acres (81 hectares) within the farm and the other half sourced locally. Poultry litter for fertiliser spreading is already brought to the farm from a local enterprise. This would be stored within the proposed feedstock shed to reduce odour. Crops would be stored in clamps covered with plastic, to maintain quality and prevent dust.

6.10 The feeder wagon would also be housed within the feedstock shed. This is a mixer bin, which would be filled each day for 2-3 hours by a JCB. Mixed feedstock travels direct to the main tank. After processing, digested material would go through the separator to produce liquid digestate (to be tanked) and a dry solid material which is virtually odourless. Both elements are valuable fertilisers, reducing the demand for chemical fertilisers. The applicant has secured agreement from Western Power that suitable grid connection and capacity are available. The proposal supports sections 1 and 3 of the NPPF and helps meet the climate change targets outlined in section 10.

**Transport and highways**

6.11 Traffic and roads are key matters of concern for objectors and the points raised have been considered carefully. The Transportation Manager states that the U93001 is a lightly trafficked road with some informal passing places, which has the capacity to take the movements outlined in the application. If the proposal were to utilise the alternative southern access this would involve negotiating an un-metalled track through the working farmyard and two 'dog-leg' turns, potentially conflicting with residents and others using the track. HGVs are already required to avoid this direct access to the A44. By contrast the northern farm access is metalled, straight, and does not pass any dwellings to reach the site. Following initial objections from residents, a further Traffic Statement was received from the applicant, which explains in more detail the pattern of existing farm traffic movements. These are stated to be 6,625 tonnes of harvested maize and beet, plus importation of 1,900 tonnes of poultry manure used as fertiliser. This currently gives rise to just under 570 trailer-loads, doubled for any empty returns. Proposals for the AD plant would alter the cropping regime,

reducing the on-farm crop tonnage by over 1,000 and load movements by 72. However, an additional 4,050 tonnes of crops would be imported from other farms, annually generating 370 trailer-loads. A further 300 trailers of digestate would be moved out for fertiliser spreading within the farm-holding and to other farms. Not all these movements would affect the highways, however.

6.12 The report concludes that, overall, there would be just under 600 additional trailer-loads per year. The movements (as now) would involve seasonal peaks in late summer/autumn to coincide with harvesting, whilst digestate movement would be spread evenly across the period. However, these are gross figures. Some material would not be transported on the highway at all, since it would be taken direct to or from fields within the holding. The applicant proposes to use the northern access, via the U93001 and A4110 for all movements, so as to avoid passing residential properties and because the access to the A44 is not up to HGV standard.

6.13 The Transportation Manager has visited the site and confirms that '*the proposal is acceptable in highway terms. Whilst the proposal would generate more traffic, the local highway network has sufficient capacity to absorb it. Sufficient passing places exist along the lane (U93001) towards the A4110 to allow vehicles to pass without long delays'*. Compliance could be secured through a requirement for a Traffic Management Plan. Although not put forward as essential works, beneficial improvements could be achieved if the informal passing places were surface and upgraded to full highway standard through a section 278 agreement. The Transportation Manager has no objections, considering the U93001 to be capable of accommodating the extra farm traffic in accordance with UDP policies DR3 and T8, and the requirements in section 4 of the NPPF.

**Public Rights of Way.**

6.14 The proposal site does not directly affect any right of way, and the Public Rights of Way officer has not raised any objections. However, public footpath MK9 uses parts of the farm access from the north although not through the farm itself. Officers consider that with regard to the public footpaths the northern access is preferable, and its use can meet UDP policy T6.

**Flood risk**

6.15 The site is within flood zone 1 (low risk; suitable for any development, AD plants are classed as 'less vulnerable' development). However the Moor Brook lies immediately north of the U93001, and the River Arrow is 800 metres away at its closest point. The site is not within 100 metres of either watercourse. The overall site area is 0.8 hectare and a Flood Risk Assessment (FRA) is not required. The Drainage Advisor has no objections, but draws attention to a lack of information in the application. However she is confident that the proposal is capable of compliance and so recommends pre-commencement planning conditions to secure the necessary drainage detail. The Environment Agency has accepted the submission and has no objections or requirements on flood risk or drainage. Officers therefore conclude that the requirements of UDP policy DR7 and section 10 of the NPPF can be met.

**Environmental Considerations**

6.16 AD plants are regulated by the Environment Agency through an Environmental Permit (EP), without which operations cannot proceed. Although material considerations for planning, it is accepted that the environmental management aspects are controlled by other legislation and agencies. The Environment Agency initially imposed a 'holding objection', pending further information being provided to demonstrate whether the proposal could be granted the EP. The applicant's agent submitted the necessary detail and the Environment Agency has no objections, with no further requirements. Officers consider there is no reason why the proposal could not be compliant, and a planning condition could secure the commitments in the Supplementary Report (Berrys, October 2014).

**(a) Air quality, odour**

6.17 The AD plant is sealed and does not give off any odours or emissions. The application confirms that manure storage and feedstock mixing would take place within the building to contain odours. Crops and silage would be securely sheeted in accordance with good farming practices to prevent odour or dust nuisance. Digestate is comparatively odour-free as the ammonia will have been largely removed by the process. Final exhaust from the CHP unit would be scrubbed to the required and permitted standards. Officers consider the proposal can meet UDP policies S2, DR4, and DR7. Management of these aspects would fall under the control of the Environment Agency.

**(b) Noise**

6.18 The AD process is not noisy. The Combined Heat and Power (CHP) unit would be required to be fully enclosed and/or insulated within its housing. Pumps and stirrers would be submerged. Vehicle movements and various operations would generate some noise but these would be comparable to existing normal agricultural activities. Additional noise nuisance or conflicts with UDP policy DR13 are unlikely.

**(c) Permitting**

6.19 The Environment Agency has confirmed without prejudice that a 'Standard Rules Permit' (SRP) would be appropriate. This would include noise, odour and materials management, but AD plants are recognised as 'low-emissions' development generally. The SRP would regulate general site management, permitted activities, materials for digestion, emissions and monitoring. The Permit would also safeguard local groundwater and water supplies. The Environment Agency (EA) and the Head of Environmental Health and Trading Standards (EHO) have not raised any concerns regarding the above matters. In comparison with current manure-spreading practices it is accepted there would be a net air quality benefit and no conflict with UDP policies DR4 and DR9.

**(d) Pollution prevention**

6.20 The Permit would be the main regulator to prevent pollution. Secondary containment would be provided to an appropriate standard (CIRIA 736 July 2014) The Environment Agency has offered no objections, and has provided detailed advice for the applicant in relation to the EP process. The Head of Environmental Health and Trading Standards has not objected. An EA Briefing Note on AD (December 2008) regards imported agricultural manure and slurry as 'waste' where they are destined for AD. However, this classification is under regular review, and final residue (digestate) can be 'non-waste' if it is to be spread direct to ground as fertiliser within the same farm. These factors are technical but carry weight. The AD process itself helps pollution prevention because it can destroy pathogens and weed seeds, significantly reduces build-up of chemical fertiliser residues and prevents the uncontrolled release of methane to atmosphere. The proposal is considered capable of compliance for EP purposes and for meeting UDP policies S2, DR4, DR9 and DR10. Matters relating to fertiliser, manure and digestate spreading are governed by Defra and not through the planning system.

**Landscape, visual impact**

6.21 The Landscape Character of the proposal site is 'Principal Timbered Farmlands', typified by rolling lowlands and occasional hills. They are dominated by agriculture viewed through hedgerow trees. Loss of such trees and hedgerows is regarded as a threat to this character. Immediately to the north of the site the character changes to Riverside Meadows, associated with the Arrow valley. Annual flooding is a key factor here. Proposals for development offer opportunities to secure landscape improvements. In this case, there is a potential for new tree planting, to provide screening which would also preserve the setting of the listed property to the south. AD plants are visually similar to other familiar farm installations such

as tanks, silos and buildings. The domed gas top to one tank is the main visual change. Overall, the landscape impact is relatively low risk in the context of a working farmyard. A planting scheme which also provides biodiversity enhancement may be secured through a planning condition to meet UDP policies LA2, NC1, NC8, LA5 and LA6 and section 11 of the NPPF.

**Ecology**

6.22 The application site is not subject to any identified ecological constraints. The Senior Ecologist has no objections, and has accepted the submitted report from Turnstone Ecology, considering that it covers the relevant areas and proposes acceptable recommendations.

The National Planning Policy Framework 2012 states that "*The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity wherever possible*". It goes on to state that "*when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity*" and "*opportunities to incorporate biodiversity in and around developments should be encouraged*".

6.23 A condition to secure biodiversity enhancement is recommended, in order to meet these requirements and accord with UDP policies S7, NC1 and NC8, and section 11 of the NPPF. The scheme should complement the landscaping requirements outlined above.

**Historic Buildings**

6.24 The proposal falls within the wider setting of a grade II listed, late 17th century timber framed house approximately 150 metres south of the application site. The application identifies that vegetation and planting will provide effective screening. Officers accept that the listed building forms part of an established working agricultural landscape. The development would alter the setting of the listed house but this is in line with evolving agricultural uses and traditions across the local area. The impact on the setting of the listed house would be mitigated through associated landscaping and planting works and the Conservation Manager raises no objection. No objection is raised to the principle of development; nor any conflict with UDP policy HBA4 or section 12 of the NPPF.

**Archaeology**

6.25 The Conservation Manager( Archaeology) considers that the site is a good choice. It has already been subject to agricultural disturbance, and is well away from local heritage assets. The archaeological potential is low and there are no objections and no further requirements. No conflict with UDP policies S7 and ARCH1 or section 12 of the NPPF.

**Conclusion**

6.26 The proposal has been considered in terms of its own merits and in the context of the wider area having regard for sustainability. Objectors have commented in detail on farming practices, but the planning system cannot dictate what crops are grown or where, as this falls outside planning considerations and is subject to market forces.

6.27 In this case, the proposal is a small-scale digester (up to 500 kW), which would be capable of blending into the existing agricultural character of the immediate locality. There are positive opportunities: the contribution to renewable energy production; co-operation between local farmers; support for the rural economy generally through continued farm viability; possible improvements to the passing places; and potential landscape and biodiversity enhancement. Central government advice takes a positive view of the wider implications and favours sustainable development. The plant would be regulated by the Environment Agency through a permit, and is considered capable of compliance with the necessary standards. The Transportation Manager has considered the case carefully and has not objected; neither has the Conservation Manager. The application is therefore recommended for approval.

**RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

1. **A01 (C01)**

**2. B01 (C06)**

- **SA 16469/01 Proposed site layout**
- **SA 16469/02 Proposed elevations**
- **SA 16409/05 Site location plan**
- **Details in the submitted 'Supplementary Information report (Berrys October 2014)**

**3 Before the development hereby permitted begins a Traffic Management Plan (TMP) with respect to the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The TMP shall include the following in particular:**

**a) A brief overview of the transport implications of the developement;**
**b) proposals to minimise conflict with other road users and damage to the highway and verges;**
**c) Proposals for improving and surfacing specified passing bays on the U93001 where the land falls within the applicant's ownership or control, subject to Highways Authority specifications;**
**d) measures to ensure that contractors and others in the applicants employ are aware of and comply with the details in the approved scheme;**
**e) Provision for a complaints procedure, for a named supervisor to record and address any substantiated problems specifically arising from this development.**

**The TMP shall be implemented as approved.**

**Reason: To ensure a satisfactory form of development in the interests of local amenity and to comply with policies S2, DR1, Dr3, T6 and T8 of the Herefordshire Unitary Development Plan and the requirements of the National Planning Policy Framework with reference to Section 4.**

**4. Before the development hereby permitted begins, a landscaping, biodiversity and habitat enhancement scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall confirm adherence to the recommendations in the submitted Ecological Assessment Report (Turnstone, June 2014) and shall also include the following in particular:**

**a) A survey plan showing the site and all existing trees and hedges around it, together with an indication of which are to be retained and which are to be removed;**
**b) For any tree or hedge that is to be retained, a Tree Protection Plan to comply with the recommendations in BS5847:2012 'Trees in relation to Design, Demolition and Construction'**
**c) Annotated plan to a scale of 1:500 showing the layout of proposed tree, hedge and shrub planting, grassed and/or wildflower seeding areas ;**
**d) Detailed written specifications comprising a native wildflower seeding mix and provision for standard trees and hedgerow planting of native species to an approved mix;**

**e) Written specifications clearly describing the sizes, densities and planting/seeding numbers and giving details of cultivation and other operations associated with plant and grass establishment;**
**f) Identification of target species to be encouraged and suitable habitats to be created and incorporated into the landscape design;**
**g) The appointment of a suitably qualified and experienced named person to oversee implementation of the scheme as Ecological Clerk of Works**

**Reason: To safeguard the amenity of the area , to conserve and enhance biodiversity and to ensure compliance with Policies LA5, LA6, NC1, NC8 and NC9 of the Herefordshire Unitary Development Plan, the requirements of the NPPF with particular reference to section 11, and the NERC Act 2006.**

**5. G11 [C97] (implementation of landscape and habitat creation scheme)**

**6. Before the development herby permitted begins, a site drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following in particular:**

**a) Overview of drainage methodology, including infiltration testing methods and results; confirmation that the impacts of climate change have been incorporated into the calculations and appropriate mitigation proposed; confirmation that any changes to surface water run-off arising from the development will not adversely affect people and property elsewhere; and flood event safety precautions for a 1 in 100 year event;**
**b) Confirmation that the groundwater table base is in excess of 1 metre below the base of any proposed soakaways;**
**c) A large-scale plan showing all roof and surface 'clean' water drainage arrangements including any rainwater harvesting proposals, permeable and impermeable surfaces, swales or water storage (Sustainable Drainage Scheme [SuDS]) to meet the draft National Standards for Sustainable Drainage;**
**d) A large-scale plan showing drainage arrangements for lightly contaminated and dirty water; Supporting Method Statement detailing how site drainage will be managed and maintained.**

**The scheme shall be implemented as approved before the first use of the development hereby permitted and shall be maintained throughout the life of the development hereby permitted.**

**Reason: To ensure implementation of satisfactory site drainage and to protect the water environment, in accordance with policies S2, DR2, DR4 DR7 and CF2 of the Herefordshire Unitary**

**8. C09 [C21] external finish colour**

**9. I16 [CBK] op hours during construction**

**10. No materials shall be used or processed in the anaerobic digester hereby permitted, other than poultry litter, animal manures and slurry, and agricultural crops/grass silage.**

**Reason: To ensure a satisfactory form of sustainable development, to prevent pollution or nuisances and because any other feedstock would require further consideration by the local planning authority, in accordance with policies S1, S2, DR1, DR4, DR9 and CF4 of the Herefordshire Unitary Development Plan.**

**11. No Combined Heat and Power (CHP) unit shall be installed on the site unless or until it is fully sound-insulated or housed within a fully sound-insulated enclosure so as to ensure that noise levels emanating from the CHP unit do not exceed 40 dB (A) when measured in accordance with BS 4142:1997, at the nearest part of any residential curtilage to the application site.**

**Reason: To safeguard the amenity of the area and to comply with policies S2, DR13 and CF4 of the Herefordshire Unitary Development Plan.**

**12. In connection with the anaerobic digester hereby permitted, all reversing alarms installed on operational vehicles in the applicant's control shall be of a 'white noise' type and no other alarm type is to be used.**

**Reason: In the interests of good practice, to prevent noise nuisance, to safeguard residential amenity and to comply with policies S2, DR13 and CF4 of the Herefordshire Unitary Development Plan.**

**13. I33 [CC2] external Lighting**

**14. I43 [CCC] amend to: 'no burning or combustion shall take place on the site other than within the CHP unit and/or the contingency flare'**

**INFORMATIVES**

**1. The applicant did not request any pre-application advice, but wherever possible the local planning authority has engaged with the applicant and his agent in pro-active and positive negotiation during consideration of this project. These have resulted in mutual understanding of nature of the project and the planning requirements, the key factors including local objections, and the means of securing mitigation whilst facilitating the renewable energy project. As a result, the local planning authority has been able to grant planning permission for acceptable development subject to conditions to secure sustainable development with appropriate and proportionate mitigation.**

**2 I30/N11A**

**3 I33/N11C**

**4 I08/HN07 [s278 agreement required]**

**5 The landscape/habitat conservation and enhancement scheme required by condition 4 is not constrained by the identified site boundary. Additional habitat is welcomed, and features may be proposed on adjoining land that is in the applicant's ownership or control.**

**6 With regards to the requirements of condition 6, any SuDS arrangements for site drainage should relate specifically to the anaerobic digester site and associated ancillary development including hardstandings. These should calculate and accommodate the likely clean, lightly contaminated, and dirty water volumes (plus 20% for climate change) quite separately from the similar work relating to the poultry units on adjoining land. SuDS drainage may also contribute to biodiversity enhancement required under condition 4**

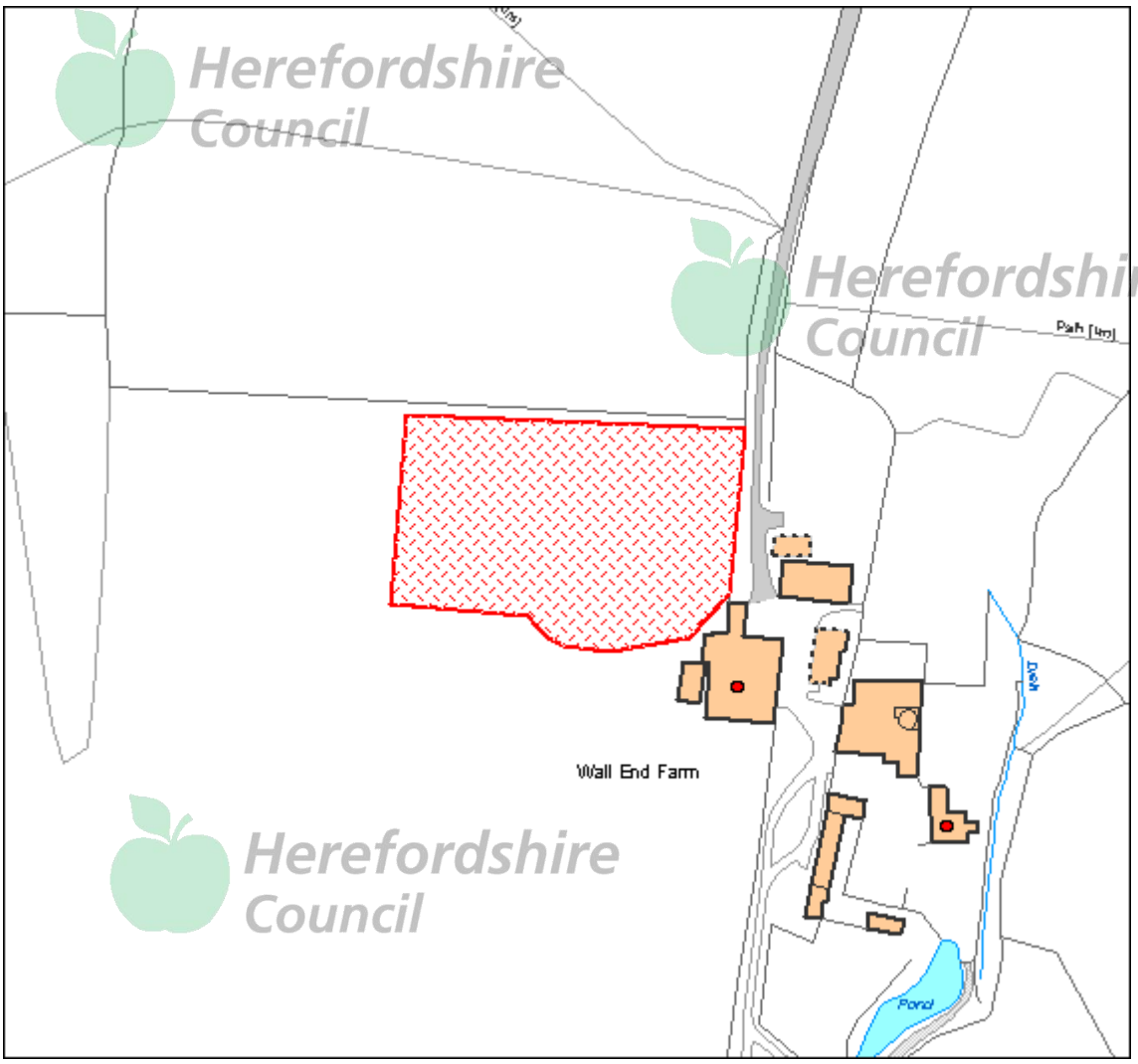
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.

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**APPLICATION NO:** 141901/N

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