Committee and Date	Item/Paper
North Planning Committee (Oswestry) 26th April 2011	8 Public

Development Management Report

Application Number: 11/00421/MAW **Parish:** Ruyton XI Towns

Grid Ref:

Proposal: Proposed 1.1mw anaerobic digestion plant for production of renewable energy; to include 4 processing tanks, 4 storage tanks, a solids storage clamp, pumping station, gas flare and a reception building and associated works.

Site Address: Abbots Moor Farm, Haughton, West Felton

Company: Ms Catherine Suckley

Case Officer: Mr Grahame French **email:** planningdmc@shropshire.gov.uk

1.0 THE PROPOSAL

1.1 The proposals involve construction of the following structures:

- Four cylindrical digester tanks (17m diameter, and 14.5m high including a 2m conical roof);
- Two primary end stores to store digestate prior to separation of solids;
- Two liquid end stores to store digestate prior to spreading as fertilizer on site (diameter 32m, height 9m including 2m conical roof);
- One storage clamp (545m2) for storage of separated solid digestate prior to spreading as fertilizer;
- One storage clamp (3,100m2) for feedstock storage before feeding to the digester;
- One reception building (286m2) for processing feedstock & housing the generator & pumping system;
- Concrete aprons and internal roadways (4,500m2);
- The remainder of the site would be grassed and planted with trees;

1.2 The proposed plant would generate circa 1.1 MW of electricity each hour of operation (sufficient to supply approximately 1000 residential properties), some of which would be used by the applicant, with the majority being transferred to the National Grid. The plant would also generate 1.2 MW of heat per hour, a

proportion of which would be used to maintain the temperature of the digester tanks. The facility would utilise 22,000 tonnes of feedstock per annum. This would comprise 68% crops (mainly maize silage) and 32% of manure (mainly chicken litter with some farm yard manure). The manure is currently spread in its raw state as a fertilizer. The energy crops would be grown on land under the applicants' control. The chicken litter and farmyard manure (slurry) would be supplied from local farms. The unit and its process elements would be fully automated and controlled by a central computer system. The applicant states that the site has been designed to minimise its footprint and height as much as possible. The largest elements (digester and storage tanks) are designed to have an agricultural appearance and would be covered in a non-reflective dark colour.

1.3 It is proposed to use energy crops grown at the extended farm unit which incorporates Abbots Moor Farm. The energy crops would be harvested and stored in the silage clamps. Local poultry units would provide the chicken manure. This is currently brought onto farm and spread on fields in its raw state. The applicant states that significant benefits would accrue from pre-conditioning this material in the AD plant. Measures would be taken to ensure that no significant odour is released. Slurry would also be brought in from neighbouring dairy farms. The amounts and type of crop may alter depending on availability, quality and price. The feedstock would be added to the digester units via a feed hopper typically once a day in the morning with low levels of plant activity subsequently.

1.4 Anaerobic digestion (AD) is a process in which biodegradable material is broken down by microorganisms in heated, sealed tanks in the absence of oxygen. The process creates biogas which can be used to power a Combined Heat and Power plant producing electricity and heat. Once burnt, the methane gas becomes water and carbon dioxide which is far less damaging to the environment. The Carbon Dioxide is not new as it was fixed and used by the growing energy crop in the previous season. Once the gas has been extracted, the resultant organic matter (digestate) can be used as a high grade soil conditioner / fertiliser replacing expensive artificial fertilisers, the production of which is very energy intensive.

1.5 Traffic and access The applicant states that there would be an average of 4 additional vehicle movements per day to the Abbots Moor site – including 2 car movements by the plant operator. There would be a small reduction in the number of large goods vehicles that currently deliver commercial fertilizer to the site (replaced by digestate). The total traffic produced by the applicant's business would not increase. Land within the applicant's control would continue to be farmed in the same way. However, due to the plant's requirement for feedstock, the existing storage areas within the business would be centralised at Abbots Moor Farm. This would result in a slight increase of traffic to the Abbots Moor site and a reduction in traffic to other farms within the business. The applicant states that Abbots Moor site has been chosen because it is centrally located within the business and has a good highway access. It is intended to extend an existing routing restriction applicable to existing farm vehicle movements, to ensure that heavy vehicles accessing the

site use a designated approach route, except where access to local farms in the vicinity of the site is required. The majority of traffic would occur during the September - October harvest period and when digestate is spread on the land in February and March.

2. SITE LOCATION / DESCRIPTION

2.1 The proposed 2.2 hectare site is located in the south eastern corner of Rednal Airfield in an area which is not used for aviation purposes. The site comprises of an agricultural hardstanding, previously used for beet storage, which is accessed from the west via the minor road from Haughton to Rednal (see plan). The Abbots Moor Farm (area 244 acres) forms part of a 7000 acre unit farmed by JC & MW Suckley. The farm is predominantly arable.

2.2 The proposed site is located to the immediate west of the site of two new buildings which have recently been approved by Shropshire Council. Larger modern buildings to the west of the site are used for the processing and distribution of the potatoes. The perimeter of the site is bordered to the north, east and south by an avenue of mature Poplar trees and to the west by the remainder of the Airfield site which includes an operational runway some 750m to the west. A row of national grid pylons crosses the airfield site in a roughly north-south direction 180m to the west of the site.

2.3 The main area of Rednal Industrial Estate is located 950m to the north west. The nearest private properties are located at Haughton 480 m to the south west (10 properties), and Henbarns 550-650m to the south west (8 properties). Two existing potato warehouse buildings owned by the applicant are located in an intervening position relative to most of the properties at Haughton. The small settlements of Lower Hordley and Bagley are located 2km to the north east and 2.4km to the east of the site respectively on the opposite side of the low-lying poorly drained areas of Baggy Moor, Bagley Marsh. The area of Baggy Moor nearest to the site is being managed to promote habitats for ground nesting birds.

3. RECOMMENDATIONS

3.1 It is recommended that the application is approved subject to a legal agreement to cover the matters listed in section 13.1 and subject to the conditions listed in section 13.2 below.

4. REASON FOR COMMITTEE

4.1 The number of objections received in response to planning consultations exceeds the threshold specified in the Council's Scheme of Delegation.

5. PLANNING HISTORY

5.1 There is no previous planning history relating to the current application site itself but adjacent areas have a complex planning history including:

- The site is located 180m to the north east of two existing agricultural / potato storage buildings which were constructed in 1978 (OS/78/8874) and 1995 (95/8981) respectively.
- planning application to vary permission ref 95/8981 to allow 24 hour working for a 6 week period between August and October each year at the larger of these buildings was granted in May 2001 (OS/01/11446/FUL).
- An application to use the same building for unrestricted (B8) storage uses was refused by the former Oswestry Borough Council in February 2005 (OS/03/12419/FUL) and again in June 2006 (OS/06/14293/FUL).
- Planning permission for 2 further agricultural storage buildings was granted in December 2009 by Shropshire Council in the area to the immediate west of the current application site and these buildings are currently under construction (ref: 09/02694/FUL).
- A planning application by JC and MW Suckley to install a 66m high wind turbine on land 180m north of the current application site forms a separate item on this Agenda (reference: 11/00498/MAW).

6. CONSULTEE RESPONSES

6.1 West Felton Parish Council – supports the application provided a Section 106 contribution is sought for the affected highway network..

6.2 Ruyton XI Towns Parish Town Council (adjacent parish) – No comments received.

6.3i Environment Agency - No objection. The site is underlain by superficial glacial sand and gravel deposits which overlie the Tarporley Siltstone Formation. Both solid geology and superficial deposits are classed a secondary aquifers with high vulnerability to surface contamination. The nearest groundwater abstraction (for agricultural purposes) is 200m south west of the site boundary located within the Sherwood Sandstone aquifer to the west of the site. The site is not located within any defined groundwater source protection zone. The Environment Agency acknowledges the water features survey provided by the applicant. The proposed development is located within Flood Zone 1 (low probability risk). The River Perry and associated floodplain runs to the east of the site but is approximately 950m distant. It is noted from the Tank Design and Hydrology Report that the digester and storage tanks are located on and not below the existing ground level. On this basis there is no objection in principle to the proposal. The pollution prevention measures such as concrete gully around the base of the tank and integrated control system to ensure leak detection are also acknowledged. This will help protect against adverse impact to the water environment.

ii. With regard to odour, the supporting statement details measures such as enclosed pipework to minimise potential impacts on local air quality. This would mainly be from feedstock reception and the eventual aeration of the digestate. The Environmental Permit, will control the storage of raw materials, any fugitive emissions from the plant and/or potential issues from poor management. The operator will be required to ensure that there is an effective management system in place for operations. The proposed development is likely to be

considered as 'waste treatment' which is categorised as less vulnerable development. The applicant is referred to the Agency's standing advice for development in Flood Zone 1. As the site is located on the margins of an old airfield there is a risk that previous uses may have given rise to ground contamination. However, the Agency has no comments to make on this matter but advises that the Council's Environmental Health section are consulted.

iii. Anaerobic digestion and the combustion of the resulting biogas for combined heat and power are waste management activities tat normally require an Environmental Permit (EP). Operations at the site and measures to prevent pollution will be regulated by the EP. As part of a standard rules EP the Agency would require operations to be located at least 50m from any spring or non-domestic well or borehole and 250m from any well or borehole to supply water for domestic or food production purposes. Other criteria include the need for activities to be carried out 200m from any off site building used by the public, including dwelling houses. Developers should incorporate pollution prevention measures to protect ground and surface water in accordance with Environment Agency guidance.

6.5 Chief Fire Officer - Adequate access should be provided for emergency fire vehicles to within 45m of every point in the site or a percentage of the perimeter, whichever is less onerous. This issue will be dealt with at the Building Regulations stage of the development. The benefit of installing a correctly designed sprinkler system which can detect and control fire at an early stage is strongly emphasised.

6.5 National Grid – No comments received.

6.6 Natural England – No objection.

Internal Comments:

6.7 Public Protection – To be reported verbally.

6.8i Highways Development Control – Abbots Moor Farm is accessed off the minor road from Rednal to Haughton via a 540m stretch of private metalled access track which runs along the southern edge of the former airfield site which also provides access to the applicants existing potato storage warehouses and two new agricultural buildings which are currently being constructed. Existing vehicle movements to the applicant's potato storage facility are subject to a routing restriction which requires the use of the road from Queens Head. The applicant is intending that a similar restriction should apply with respect to the current proposals, except where local access is required specifically to farms and fields in the immediate vicinity of the proposed site. It is considered that the proposed approach route is suitable for accommodating the levels of traffic which the facility would generate.

ii. It is recognised that the established farming operations at Abbots Moor will give rise to an existing level of heavy vehicle movements which must be taken into account in assessing the overall highway implications of the proposed

development. It is understood that existing traffic levels fluctuate annually with seasonal peaks of heavy vehicle movements during harvest time. The applicant states that the proposals would involve an increase of 4 return movements in total per day including by tractors and trailers and the site managers car. However, the applicant states that this slight increase would be compensated for by a corresponding decrease in traffic levels elsewhere in the extended farm unit. In addition, the applicant states that some larger HGV's carrying agricultural fertilizer to Abbots Moor Farm would no longer need to visit the site as all necessary fertilizer would be provided by digestate from the AD process. Detailed information has been provided in support of the traffic figures given in the application. It is stated that the level of heavy vehicle movements at the farm was previously significantly greater when the farm was producing beet.

iii. The application has attracted objections from local residents in relation to heavy vehicle movements, and particularly from residents living along the narrow country lanes to the west of the site between Grimpo, Haughton and Tedsmore. These objections relate both to vehicle movements associated with the current proposals and wider concerns about heavy vehicle movements on the local highway generally, including other movements from the applicant's extended farm unit. The applicant has however reiterated that anaerobic digestion proposals would not give rise to any overall increase in HGV movements relative to current average levels within the extended farm unit. It is acknowledged that the proposals may also direct some agricultural traffic away from former storage areas with potentially greater highway limitations than the proposed site.

iv. Residents concerns in relation to the limitations of the local highway network for use by larger agricultural vehicles are acknowledged. However, it is not possible to sustain a highway objection to existing farming operations which are separate from the anaerobic digestion proposals. Notwithstanding this, it is understood that the applicant has agreed to enter into discussions with officers on a voluntary basis in order to identify whether there is scope to secure further improvements to existing agricultural traffic management provisions within the extended farm unit. This initiative is to be welcomed.

v. It is acknowledged that the farm is an existing business, which has historically generated vehicle movements on the local highway network and the proposed traffic movements would be similar to those which could potentially occur at the farm under a typical agricultural regime. However, the current application also presents the opportunity to provide an improved level of control over vehicle movements relative to the current situation. If planning permission is granted it is recommended that this is subject to a legal agreement providing for:

- a routing restriction to ensure that all heavy traffic visiting the proposed site approaches from the West Felton - Rednal road, except where local access is required.
- An appropriate financial contribution by the applicant toward the cost of maintaining the minor roads in the vicinity of the proposed site.

It is also recommended that this is supported by planning conditions to cover te

following matters:

- limiting the hours of operation for importation of materials to the facility
- procedures to avoid convoying and reduce conflict with other road users.
- annual tonnage throughput limit in accordance with the submitted details with submission of input tonnage data by the applicant at a specified frequency in order to allow throughput and associated vehicle movements to be properly monitored following any commissioning of the facility.

vi. In conclusion, the applicant has provided information confirming that the proposals would give rise to levels of vehicle movements similar on average to those currently occurring at the site. However, the proposals also offer the opportunity to impose improved controls relative to the current situation. This includes measures to ensure that traffic associated with the proposed facility is effectively controlled and does not increase above the levels stated in the application. Whilst the concerns of local residents are acknowledged it is not considered that a highway objection to the current proposals could be substantiated on the basis of the above considerations.

Sustainability Group:

6.9i. Ecology: No objections. There are no trees on the site with potential for bat roosts but the site does have low potential for foraging and commuting bats according to Bourne Valley Associates Ltd (2010). There are no badger setts on the proposed development site but potential exists for badgers to be using the site for foraging and commuting. The vegetation and trees on the site also have potential for nesting wild birds according to Bourne Valley Associates Ltd (2010). Conditions and informative to cover these matters are recommended and are included in section 13 of this report.

6.11 Natural Environment (arboriculture): No objection. The proposed development would not be detrimental to any significant amenity trees or woodland.

6.12 Countryside Access – No objection. The application does not appear to affect public rights of way. The nearest footpath (FP15 West Felton) runs south east of the proposed development.

6.13 Councillor Caesar-Homden has been informed of the application. Councillor Charmley (adjacent electoral ward) has also been informed.

7.0 PUBLICITY AND REPRESENTATIONS

7.1 The application has been advertised in the press and by site notice and the nearest 93 private properties have been individually notified. In addition, officers attended a public meeting at Hordley Village Hall with the applicant and agent in order to discuss the proposals. The application has attracted 18 letters of objection from 16 individuals in response to this publicity and two letters of support. The main concerns can be summarised as follows:

i Traffic: Traffic congestion on the Rednal - Haughton roads will be further

increased in proximity to our houses. Facilities such as this should be built just off main roads where they are not a danger to other motorists or residents. Concern is expressed that the applicants will succeed in overturning conditions restricting the use of the nearby agricultural building for potato storage only. There is no guarantee that the applicant's statement of seasonal peaks in spring and autumn is accurate and those figures will not be exceeded. The traffic assessment is highly optimistic as thesite is located at the edge of the applicant's land ownership so all feedstock for the digester would have to be brought in and taken away by local roads which are narrow and unsuitable. The potential traffic implications of importing alternative sources of feedstock should have been considered. The preferred route to the site from the A5 via Rednal Industrial Estate is already subject to high vehicle weight traffic and the nature of the underlying ground (peaty marshland) means that the route is subject to constant degradation and need for repair. Any mitigation through S106 improvements would be short-term due to the nature of the subsoil. The cumulative traffic effect of the proposed development and the recently permitted AD plant at Wykey, less than 2 miles away should be taken into account. Previously, chicken muck could be spread directly onto fields straight from the chicken sheds. Now it must make its tortuous way to the Anaerobic Digester and then retrace its steps to be spread on the land, with increased fuel use and carbon footprint. The centralisation of operations to Abbots Moor Farm which is on the northern edge of the holdings would increase traffic not slightly but enormously. In wet weather our little lanes are left inches deep in mud which is enormously dangerous to other road users. An objector has forwarded a copy of West Felton Parish Council's March 2011 parish magazine to planning officers which refers to this issue. It is stated that some of this mud is coming directly from erosion of verges by heavy agricultural machinery and that hedgerow roots are being exposed. It is claimed that overhanging trees have also been badly damaged. Tractors will use village roads if they are not close to Queens Head.

ii. It is stated that any significant enlargement to this scheme would significantly multiply the volume of tractors along a byway from Rednal Pool to Haughton which is narrow and twisting. The potato store initially used modest sized tractor transport at harvest time which was bearable but over time the tractors and machinery have become enormous. The sheds now do potato bagging which brings HGVs in all the time. Constant repair work is needed to keep the roads fit for other users. These lorries are taking short cuts down very narrow lanes including between Sutton and Grimpo. The school road from West Felton to Grimpo is now being used as a short cut by very large agricultural machinery, mostly destined for Abbots Moor Farm. This has been an issue for the last couple of years and signs by the farmer requesting that Suckley tractors drive at 20mph appeared in response to complaints to the police (residents have forwarded photos illustrating this issue to planning officers). Tractor drivers take no notice of speed signs. Verge damage. The rail bridge between Henbarns and Wigarsh is sinking and will not tolerate the quantity of extra traffic. Network Rail has not been consulted. The applicants figures indicate present levels of 315 vehicle movements to the area of the site. The proposals would involve exporting 810 vehicles carrying solid / liquid digestate which is an increase of 157%. The claim that there will be limited increase in traffic does not seem logical given that the digestate will require transporting to the fields. Concern that the minor road

between Haughton and Hen Barns will see a significant increase in traffic. The local roads are not built for the amount and size of traffic. The majority of the applicants agricultural vehicles are very large tractors.

iii. The corner of the Queens Head to Rednal Road by the canal is already very dangerous due to poor visibility. The mirrors are old and not very clear. There have been a few near misses and increasing traffic going along this road will only make the situation worse. The Queens Head to Rednal road is already overloaded with abbatoir lorries and staff and lorries to and from the potato sheds. Visibility should be improved at the crossing and also at the junction with the A5 at Queens Head. The road across the airfield is not suitable for heavy vehicles. The drainage is non-existent and the width is insufficient for 2 vehicles to pass. There are also increasingly popular recreational facilities such as the canal basin, karting, paintballing and lazer games, all contributing to traffic problems and the state of the roads. There is a conflict of interest between such visitors to the area and heavy traffic. Taxpayers should not carry the cost of further wear and tear to these roads. Details of designated approaches for agricultural type and large goods vehicles accessing the site and how these will be enforced should be provided. There should be restrictions preventing agricultural type and large goods vehicles from passing through Grimpo. A condition of the potato store use is that traffic should take the shortest distance to a main road but this does not happen and the West Felton to Grimpo road is still used as a short cut, nor do tractor drivers adhere to the 25mph speed restriction. The lane is also used by children on bicycles, walkers, joggers and I fear that some point there will be a tragedy.

iv. Electricity supply Concern is expressed that the process would produce methane and airborne emissions less than 300m from the existing 400kv overhead line, increasing the risk of explosion due to corona ion attraction and electrostatic charge of particulates. The line may require an upgrade to carry power from Mid Wales wind farms which would have different characteristics to existing cabling. The Environment Agency and National Grid should be consulted. Inhalation of particulates by operatives and local residents may be a health hazard.

v. Ecology An ecological consultant has been commissioned by objectors. The consultant considers that the lack of any species surveys in the ecological report accompanying the application despite numerous species being identified 'fundamentally undermines this report and the conclusions. It is stated that no full methodologies are presented with respect to all species. In particular, the consultant considers that the applicant's report has failed to identify the presence or absence of bats, including the habitat value of the poplar trees to be removed. With respect to nesting birds it is stated that the survey was undertaken at the wrong time and old nest sites could have been overlooked. The absence of old nests does not imply that nesting in subsequent breeding seasons is unlikely. It is stated that no methodology for the reptile survey is given and it is unclear therefore whether the survey, which was undertaken in November would have identified hibernating individuals. The consultant considers that this would be unlikely if only Visual Encounter Survey techniques were employed. The consultant reiterates the need under relevant wildlife legislation for the determining authority to be confident that it is in receipt of sufficient information

regarding the presence or otherwise of a protected species before determining an application. Wildlife habitats could be adversely affected. The area around Haughton has a thriving community of bats and provides habitats for barn owls and other hedgerow species of birds and mammals. A summary undertaken in November does not provide a clear picture.

vi. Pollution Pollution could be blown off from imported loads. Will there be leakage into the water table - pollution to drinking water? Chicken manure may spill from trailers during transit causing odour problems. Very shallow water table.

vii. Industrialisation Abbots Moor Farm is rapidly becoming and industrial rather than an agricultural site. Any further expansion should be sited on an industrial estate with the infrastructure to cope with it. Production of electricity is an industrial process and should not be on agricultural land.

viii. Agriculture It is stated that most of the wider agricultural unit is rented from other farmers for potato production. Economies of scale are leading to hedgerow removal / larger fields. More than 900 acres would be required to grow the 15,000 tonnes of maize which is required to feed the digester which is nearly four times the size of Abbots Moor Farm or an eighth of the entire Suckley estate. This is a very large area of good quality agricultural land which will not be used for production of food in the region, necessitating food to be imported less sustainably from elsewhere. The digester should only be use for manure and other waste organic products.

ix. Gas flare The proposed gas flare will have an adverse visual impact - light pollution. The operation of the gas flare should be restricted to daylight hours.

x. Other concerns The areas is popular with walkers. The AD proposals and the proposed wind turbine would completely alter the character of the locality. A site visit is essential to see exactly what the expansion of this business entails. Community charges for local residents should be cut if the plans are passed. Two AD plants in a small area is too much. Objection of felling of trees with a 30-40 year lifespan to facilitate the proposals. The surrounding area and the approach road through the airfield are very poorly drained during wet weather. The applicant does not clarify how the local community will benefit, rather we will suffer increasing traffic and light pollution. The anticipated noise levels of the plant should be provided at public boundaries to the site.

7.5 Two representations has been received from individuals in support of the proposals. It is stated that if we are to have any chance of tackling climate change and reducing the UK's long term dependence on fossil fuel imports, then biomass / renewable energy schemes such as this should be encouraged. The only alternative is nuclear power which, as recent events in Japan have demonstrated, is not without risk. It is stated that the anaerobic digester will help maintain the financial future of the business and the people who work within the business or supply goods to it. Farming is a long term business, with the loss of the sugar beet enterprise it has taken time to find a financially viable alternative break crop. The transport movements for the sugar beet crop as opposed to the possible maize acreage are dramatically less for that particular area, and those traffic

movements occur at a drier time of the year.

7.6i. National Farmers Union (Regional) - The NFU supports the proposal. Since 2007, the NFU has led the joint agricultural Climate Change Task Force in recognising the many opportunities for agriculture and land management to tackle climate change, and in developing a Greenhouse Gas Action Plan for our sector. During that time the NFU has submitted robust responses to government consultations on its Renewable Energy Strategy and incentive schemes for renewable electricity and heat. A substantial low-carbon contribution is expected from the many forms of bio-energy, much of which can be supplied from within the agricultural sector. It is the NFU's stated aspiration that all farmers and growers should have the opportunity to diversify their businesses and create 'green' jobs by supplying renewable energy services. Farmers have always produced both food and non-food outputs, and we do not see any conflict between our contribution towards both food security and energy security. The NFU has been closely involved in the development of national policy on AD, and we support the Coalition Government aspiration for a 'huge increase' in energy from AD. We developed the ambition, shared with many other organisations, of deploying 1000 farm-based anaerobic digesters by 2020, delivering multiple environmental benefits including low-carbon energy, abatement of greenhouse gas emissions and stimulation of good nutrient recycling. Most recently, the NFU has played a prominent role in the development of the forthcoming Government AD Strategy. The proposed AD plant at Abbots Moor Farm would utilise over 2000 tonnes of out graded vegetables grown on the applicant's land, together with maize silage that provides an important break crop in the farm rotation to maintain plant and soil health. This project would also allow a reduced dependency on inorganic fertilisers in the farming business much of which is currently imported from abroad. The residual digestate will be a valuable source of odourless organic fertiliser that will also act as a soil conditioner. This is an exciting and innovative approach in allowing agricultural practises to continue in a sustainable manner and help reduce reliance on fossil fuels as required by Government objectives. The NFU strongly supports the recommendation of this project for planning approval - in order to sustain rural jobs, diversify the local economy, and contribute towards national goals for renewable energy and greenhouse gas reductions."

8.0 PLANNING POLICY

8.1 The Development Plan The Development Plan for the area in question currently comprises the West Midlands Regional Spatial Strategy (Phase 1 Revision), The Shropshire Core Strategy (adopted February 2011) and the saved policies of the Shropshire and Telford & Wrekin Joint Structure Plan, the Shropshire Waste Local Plan 2002-2014 and the Oswestry Borough Local Plan.

8.2i. West Midlands Regional Spatial Strategy (Phase 1 Revision) On 6th July the Secretary of State announced the intention to revoke Regional Spatial Strategies. However, a subsequent legal challenge has reinstated them during the current transitional period until they are formally abolished under the Governments Localism Bill. The current version of the West Midlands Regional Spatial Strategy (RSS – Phase 1 Revision) was published by ODPM in January 2008. The RSS

advises that generally, Local Planning Authorities should seek to ensure that waste can be managed as close as possible to its point of origin. Where possible, site specific proposals for new waste management facilities should be included in development plans. The following policies cover matters which are relevant to the current proposals:

ii. Policy WD2 sets regional waste management capacity targets in accordance with the National Waste Strategy.

iii. Policy WD3 deals with the criteria for the location of waste management facilities. The policy advocates the potential advantages of small-scale waste management facilities which can be more easily integrated into the local setting, but does not rule out applications for larger sub-regional facilities.

iv. Policy EN1 states that development plans should (i) encourage proposals for the use of amongst other matters, energy from waste, subject to impact assessment.

v. Policy EN2 states that development plans should include measures to minimise energy demands from development, redevelopment and improvement by encouraging the use amongst other matters of sustainable construction techniques and encouraging the use of good quality combined heat and power systems and district heating schemes.

vi. Other relevant policies include:

- Policy QE1 - development standards;
- Policy QE3 - built environment;
- Policy QE5 - historic environment;
- Policy QE6 - landscape
- Policy QE9 - water quality.

8.3i. The Shropshire Core Strategy was adopted in February 2011 and sets out strategic objectives including:

- To rebalance rural communities through the delivery of local housing and employment opportunities (objective 3);
- To promote sustainable economic development and growth (objective 6);
- To support the development of sustainable tourism, rural enterprise, broadband connectivity, diversification of the rural economy, and the continued importance of farming and agriculture (objective 7);
- To support the improvement of Shropshire's transport system (objective 8);
- To promote a low carbon Shropshire (objective 9).

ii. Policy CS19 of the Core Strategy deals with Waste Management Infrastructure:

CS19: Sustainable waste management facilities and services will help to deliver greater resource efficiency for communities and businesses. This will be achieved by:

1) Encouraging proposals for additional capacity to divert waste away

from landfill in a way consistent with the waste hierarchy and the principles and targets of national, regional and local policies and strategies, including the principle of 'equivalent self sufficiency' and an allowance for cross boundary waste flows;

2) Identifying specific sites to deliver additional waste transfer, recycling and recovery facilities in accessible locations close to the main urban areas within the broad locations identified in Figure 9 as part of the Site Allocations and Management of Development DPD.

Outside these broad locations, Shropshire Council will support applications for smaller scale waste facilities capable of meeting local needs in locations which are consistent with the principles and site identification criteria set out in national and regional policy;

- Supporting the co-location of waste facilities and the integration of new waste facilities or space in the design of new development.
- Requiring applications for all types of development to include information about the management of waste during their construction and subsequent operation as part of the completion of the sustainability checklist required by Policy CS6;
- Ensuring that the continued operation of existing waste management facilities in locations which are consistent with the site identification criteria for new sites is safeguarded, including against the encroachment of incompatible uses, in a way consistent with Policy CS8 and national and regional guidance.

iii. Other Core Strategy policies of relevance to the current proposals include:

- Policy CS5: Countryside and Green Belt;
- Policy CS6: Sustainable Design and Development Principles;
- Policy CS7: Communications and Transport;
- Policy CS9: Infrastructure contributions;
- Policy CS17: Environmental Networks;
- Policy CS18: Sustainable Water Management.

8.4 The Shropshire and Telford & Wrekin Joint Structure Plan 1996-2011 (adopted November 2002) contains the following relevant saved policies:

- P16 Protecting air quality;
- P35 Minimising the impact of lorries on the community;
- P68 Ensuring proposals for new mineral and waste facilities support opportunities to minimise road vehicle movements.

8.5 The Shropshire Waste Local Plan 2002-2014 (adopted October 2004) sets out the site selection process and identifies sites for a range of waste uses. The application site is not identified in the Plan by Policy 6, therefore Policy 10 applies:

Policy 10 (Alternative Sites) - Proposals for the development of waste management sites not identified in (the Plan) will only be permitted where

developers can demonstrate to the satisfaction of the WPA that:

- the proposal would meet a need not provided for in (the Plan); or
- the preferred sites and areas identified in (the Plan) are either no longer available or are unsuitable for the proposed development; or
- the site is more acceptable than the preferred sites and,
- the site complies with the other relevant policies of this Plan.

Policy 19 (Anaerobic Digestion) is also of particular relevance:
Proposals for the development of anaerobic digestion facilities which enable the best practicable use of by products from the digestion process for energy recovery and soil improvers will be permitted in appropriate locations, where the proposal complies with other relevant policies in the Plan.

8.6 A number of other policies are also relevant to the application, including:

- P4 - considering the effects of the proposal on people and communities, natural and cultural assets, the highway network and rights of way, air soil and water resources, agricultural land and other interests of acknowledged importance;
- P25 - consideration will be given to: the need for Environmental Impact Assessment; links between planning control and other regulations; proximity to sensitive land uses and cumulative adverse effects; the potential generation of noise, vibration, odour, fumes, dust, litter, scavengers, and vermin; hours; traffic and access and scale and design in relation to location and setting;
- P27 - carrying out a traffic impact assessment if necessary.

Note: Whilst the proposals involve a subordinate element of agricultural waste importation (cattle slurry and poultry manure) the bulk of the feedstock for the proposed facility would be crops grown specifically for the purpose of producing energy. Such energy crops are a product and not a waste. The above Waste Local Plan policies should be interpreted in this context.

8.7 The Oswestry Borough Local Plan (adopted July 1999). The site is not affected by any specific designations in the Oswestry Borough Local Plan. The policies of the Plan which are relevant to the current application are summarised below:

- LE12 – Farm diversification;
- NE2 – New development in the countryside;
- NE10 – Wildlife Sites;
- NE11 – Watercourses;

EMERGING PLANNING POLICY DOCUMENTS

8.8 Local Development Framework (LDF) Document The new system of development plans involves the replacement of existing regional guidance, Structure Plans and Local Plans with Local Development Frameworks (LDFs). Shropshire Council has adopted the Core Strategy which sets out strategic planning policies and identifies the level of development expected to take place in

Shropshire up until 2026. All subsequent LDF documents including the Site Allocations Document (incorporating site waste allocations) will build upon the Core Strategy. However, during the current transitional period, saved policies from existing adopted plans will continue to form a part of the Development Plan.

8.9 The full wording of the main policies referred to in this report is included in Appendix 1.

PLANNING GUIDANCE

8.10 In addition to the above Plans the following Central Government Guidance is of relevance:

8.11i Planning Policy Statement 1: (Delivering Sustainable Development – 2005) advises that planning should facilitate and promote sustainable and inclusive patterns of urban and rural development:

- making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;
- contributing to sustainable economic development;
- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities.

ii. The Climate Change - Supplement to Planning Policy Statement 1 (2007) advises that there is an urgent need for action on climate change and recognises that planning has a pivotal role to play. Amongst other matters the PPS1 supplement seeks to promote technological innovation in mitigating and adapting to climate change (s9) and to ensure opportunities for renewable and low-carbon sources of energy supply are maximised (s13). Local development documents should promote and encourage renewable and low carbon energy generation and should amongst other matters not require applicants for energy development to demonstrate the need for renewable energy or question the energy justification for why a proposal must be sited in a particular location (s20).

8.12i. Planning Policy Statement 4 (Planning for sustainable economic growth - 2009) identifies achieving sustainable economic growth as an overarching objective. This should be achieved by amongst other matters promoting more sustainable patterns of development. The guidance seeks to raise the quality of life and the environment in rural areas by promoting thriving, inclusive and locally distinctive rural communities whilst continuing to protect the open countryside.

ii. With respect to planning for economic development in rural areas the guidance states that local planning authorities should ensure that the countryside is protected for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all (EC6.1). In rural areas, local planning authorities

should amongst other matters:

- strictly control economic development in open countryside away from existing a. settlements, or outside areas allocated for development in development plans;
- set out the criteria to be applied to planning applications for farm diversification, and support diversification for business purposes that are consistent in their scale and environmental impact with their rural location (EC6.2);

iii. Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development and planning applications that secure sustainable economic growth should therefore be treated favourably (EC10.1): All planning applications for economic development should be assessed amongst other matters against the following impact considerations (EC10.2):

a. whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change;
b. the accessibility of the proposal by a choice of means of transport including the effect on local traffic levels and congestion;
c. whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions;
d. the impact on economic and physical regeneration in the area including the on deprived areas and social inclusion objectives;
e. the impact on local employment.

iv. In determining planning applications for economic development which are not in accordance with an up to date development plan local planning authorities should:

a. weigh market and other economic information alongside environmental and social information;
b. take full account of any longer term benefits, as well as the costs, of development, such as job creation or improved productivity including any wider benefits to national, regional or local economies; and
c. consider whether those proposals help to meet the wider objectives of the development plan.

8.13i. Planning Policy Statement 7 (The Countryside and the Rural Economy – 2004) sets out a number of key principles, some of which have subsequently been cancelled by the more recent PPS4 (above). A key objective to promote sustainable, diverse and adaptable agriculture sectors has been retained. The guidance advises (in s16) that in determining planning applications for development in the countryside, local planning authorities should:

- take account of the need to protect natural resources;
- provide for the sensitive exploitation of renewable energy sources in

accordance with PPS22; and
- conserve specific features and sites of landscape, wildlife and historic or architectural value.

ii. Planning policies should support development proposals that will enable farming and farmers to amongst other matters become more competitive, sustainable and environmentally friendly and diversify into new agricultural opportunities (e.g. renewable energy crops). PPS7 recognises that diversification into non-agricultural activities is vital to the continuing viability of many farm enterprises.

8.14 Planning Policy Statement 10 (Planning for Sustainable Waste Management - 2005) aims to protect human health and the environment by producing less waste and by using it as a resource wherever possible. More sustainable waste management is advocated, moving the management of waste up the 'waste hierarchy' of reduction, reuse, recycling and composting, using waste as a source of energy, and only disposing to landfill as a last resort. The Government aims to break the link between economic growth and the environmental impact of waste.

8.15i. Planning Policy Statement 22 (Renewable Energy - 2004) - This guidance quotes the Energy White Paper which aims to cut the UK's carbon dioxide emissions by some 60% by 2050 and generate 20% of UK electricity from renewable energy sources by 2020. The development of renewable energy will make a vital contribution to these aims and is vital to facilitating the delivery of the Government's commitments on both climate change and renewable energy. Positive planning which facilitates renewable energy developments can contribute to all four elements of the Government's sustainable development strategy:

- social progress / affordably heated homes;
- effective environmental protection;
- prudent use of natural resources – reducing reliance on fossil fuels;
- maintenance of high and stable levels of economic growth and employment through the creation of jobs directly related to renewable energy developments, but also in the development of new technologies. In rural areas, renewable energy projects have the potential to play an increasingly important role in the diversification of rural economies.

ii. PPS22 sets out a number of key principles including amongst other matters:

- Renewable energy should be accommodated where technology is viable and environmental, economic and social impacts can be satisfactorily addressed;
- The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.
- Development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.

8.19 Planning Policy Statement 23 (Planning and Pollution Control - 2004) recognises the close relationship between the planning system and the pollution control framework and the need to avoid duplication between these systems.

8.20 In addition to PPS10 and PPS 23 other Government planning policy statements and guidance of relevance to the current application includes:

- Planning Policy Statement 4: Planning for Sustainable Economic Growth;
- Planning Policy Statement 9: Biodiversity and Geological Conservation;
- Planning Policy Statement 25: Development and Flood Risk;
- PPG13: Transport;
- PPG24: Planning and noise.

8.21 The National Waste Strategy 2007 The National Waste Strategy acknowledges the important role which sustainable waste management can have in addressing the effects of climate change. The Strategy promotes energy recovery technologies so that unavoidable residual waste is treated in the way which provides the greatest benefits for energy policy. New recycling / recovery targets exceeding those of the Landfill Directive are also identified.

OTHER STRATEGIES AND CONSIDERATIONS:

8.22 The UK Renewable Energy Strategy (July 2009) implements the EU Renewable Energy Directive which includes a legally binding UK target to secure 15% of energy from renewables by 2020 (a seven-fold increase from 2008 levels). The government states that this will assist in addressing climate change and security of energy supply whilst creating up to half a million jobs in the renewable energy sector by 2020. The strategy advocates the following targets:

⇒ More than 30% of our electricity generated from renewables, (up from about 5.5% today).

⇒ 12% of our heat generated from renewables, (from very low levels today).

⇒ 10% of transport energy from renewables, (current level of 2.6%)

8.23 The UK Low Carbon Transition Plan (July 2009) aims to deliver emission cuts of 18% on 2008 levels by 2020. This will be achieved amongst other matters by getting 40% of our electricity from low carbon sources by 2020 (30% from renewables) and by substantially increasing the requirement for electricity suppliers to sell renewable electricity. The plan also sets out measures to promote greener homes and industries. The Government has put in place a legally binding target to cut emissions 80% by 2050 and a set of five-year "carbon budgets" to 2022 to keep the UK on track.

8.24 The Climate Change and Sustainable Energy Act 2006 sets out the Government's long term goal of reducing carbon dioxide emissions by 60% by 2050.

9. THE MAIN PLANNING ISSUES

i) Whether the proposal complies with the policies of the Development Plan and other relevant national guidance including:

- Whether there is a clearly established need for the facility;
- Whether the proposals comply with relevant policies and guidance in relation to wider environmental issues such as sustainability, climate change and energy policy;

ii) Whether Abbots Moor Farm is an appropriate location for the proposed development and other off-site impacts are acceptable including with reference to:

- The nature of the Anaerobic Digestion process;
- traffic;
- visual impact;
- air quality and health
- water resources;
- noise and vibration.

10.0 OFFICER APPRAISAL

10.1 Assessment of need The climate change supplement to PPS1 advises that planning authorities should not require applicants for renewable energy schemes to demonstrate the overall need for the renewable energy (s20). Notwithstanding this, the applicant has put forward 3 main justifications for the proposals. It is stated that the proposals would:

i. help to secure the future of the farming enterprise by providing stable profitability;
ii. help the UK to meet its renewable energy targets;
iii. help to combat climate change by reducing emissions of greenhouse gases.

These issues are considered below:

10.2 Need - Farm business: The farm has undergone significant recent changes including closure of the local sugar beet factory. The current proposals would assist in providing a more stable profitability for the farm enterprise, including through sale of electricity to the national grid. PPS7 advises that 'local planning authorities should be supportive of well-conceived farm diversification schemes that contribute to sustainable development objectives and help to sustain the agricultural enterprise' (30 ii). It is considered that the proposals would comply with the objectives of PPS7 in facilitating a sustainable and diverse farming business which supports the rural economy.

10.3 Need - Renewable energy: The UK Renewable Energy Strategy (July 2009) implements EU legislation requiring the UK to provide 14% of its final energy production from renewable sources by 2020. It is estimated that about 25% of Britain's current fossil fuel and nuclear based electricity generating capacity is likely to be lost over the next 10 years. The Government has stated that

renewable technologies such as anaerobic digestion have a major role to play in replacing this lost capacity. The proposed facility would produce electricity equivalent to the amount used by over 1000 residential properties. It is accepted that this would contribute to the objective of achieving the UK Renewable Energy Strategy target and providing more secure and diverse sources of energy supply.

10.4 Need - Climate change: Under the current farming system poultry manure is spread directly as a fertilizer onto farmland. This farm waste is however rich in methane which is a potent greenhouse gas. The applicant states that processing of farm wastes in the digester before spreading onto land would significantly reduce emissions of harmful greenhouse gasses. The methane rich gas produced by the AD process would be used to power the generators, creating renewable electricity to replace fossil fuels. Whilst the generator exhaust gas contains carbon dioxide (a weaker greenhouse gas than methane) this would not add to global warming as equivalent quantities of carbon would be fixed by growing next season's energy crops. In addition, the applicant states that the digestate produced by the AD process would offer additional climate change benefits as it would replace conventional fertilisers, the manufacture and distribution of which is very energy intensive.

10.5 It is considered that the proposals would comply with relevant agricultural objectives in PPS7 (see section 8.9 above) and would also assist in helping to address the effects of climate change by generating renewable energy. PPS22 advises that this is a material consideration which should be given significant weight in determining a planning application (see section 8.11). It is also necessary however to assess the extent to which the proposals comply with other development plan policies, guidance and local considerations.

10.6 Energy efficiency / use of surplus heat As well as producing electricity the proposed facility would generate an equivalent amount oif energy in the form of surplus heat. Some of this would be used to maintain the temperature of the AD tanks. The applicant has confirmed that it would be possible in principle to utilise remaining heat energy in nearby buildings and has agreed to undertake a regular review of opportunities for heat utilisation, if planning permission is granted. It is recognised that provision of the necessary infrastructure for distributing the heat is costly and the ability to utilise remaining surplus heat will therefore be influenced by factors including the availability of suitable local end-users and the level of government grant subsidy available for renewable heat energy schemes. The ability to optimise the use of surplus heat would be beneficial in terms of national climate change and energy policy and would further reduce the carbon footprint of the proposals. It is therefore considered that if planning permission is granted a condition covering this matter should be imposed. Subject to this it is considered that the proposals can be accepted in relation to the objectives of national climate change and energy policy and related development plan policies.

10.7 Location: Objectors have questioned the need to locate the proposed facility at Abbots Moor Farm and have stated that the proposals would be more appropriately located within an industrial estate. The climate change

supplement to PPS1 advises however that local authorities should not question the justification for why a renewable energy proposal must be sited in a particular location (s20). Notwithstanding this, the applicant has put forward a number of justifications for choosing the current site:

- It is centrally located within the business and has a good highway access via the Queens Head to Rednal road;
- It is close to a number of field areas where energy crops would be grown and the resultant digestate would be spread, some of which are accessible without the need to use the public highway;
- It is close to a connection point to the electricity grid;
- The farm buildings complex at Abbots Moor Farm is the focal point for a range of plant and infrastructure, some of which would be used in connection with the proposals;
- The site offers landscape advantages given that existing vegetation and buildings would provide a degree of pre-existing screening before proposed landscaping measures are implemented.

It is considered that locating the proposed facility elsewhere would be likely to entail some additional vehicle movements on more minor local roads relative to the current site in view of the above considerations.

10.8 The site is located on an area of agricultural hardstanding in the vicinity of existing agricultural buildings on a corner of the former Rednal Airfield site. Planning permission for two substantial agricultural storage buildings has recently been granted by Shropshire Council on land to the immediate west of the site and these buildings are currently under construction. The proposed site would be located in contained triangle of land between a row of poplar trees defining the southern and eastern margins of the former airfield and the new buildings referred to above. Although the proposed facility would produce renewable energy, the structures within the site would have an agricultural appearance and would be directly related to the agricultural activities taking place at Abbots Moor Farm and within the extended farm unit. PPS22 recognises that most renewable energy resources can only be developed where the resource exists and that renewable energy projects have the potential to play an increasingly important role to play in the diversification of rural economies. The guidance states that renewable energy projects should be accommodated where the technology is viable and environmental, economic and social impacts can be satisfactorily addressed. PPS7 recognises that it is appropriate for agricultural business to diversify on existing farms where other environmental issues can be properly addressed. It is concluded on this basis that the location of the proposed site would not be inappropriate in relation to relevant national guidance, provided the proposals are capable of complying with other relevant guidance, policies and considerations.

10.9 Noise: PPS22 recognises that renewable technologies may generate small increases in noise levels and advises that local planning authorities should ensure that renewable energy developments have been located and designed in such a way to minimise increases in ambient noise levels (s22). The applicant does not anticipate that the proposals would give rise to any noise

impact having regard to the enclosed nature of the process and the distance to the nearest privately owned properties, but has agreed to review noise levels following any commissioning of the facility. The AD process would not give rise to noise and the associated loading operation would utilise normal on-farm machinery. The proposed generators would be located in acoustically attenuated boxes inside an engine room. They would be located behind substantial structures within the site relative to the nearest properties 400m to the south, and would be attenuated to a level of 57 decibels at a (free-field) distance of 10 metres (i.e. to a noise level similar to normal speech). To provide added reassurance it is recommended that a condition is imposed to ensure that noise from the engines is attenuated to 5 decibels below the night time noise level outside the nearest noise sensitive property. It is also recommended that on-farm vehicle movements associated with the anaerobic digestion plant do not take place outside of 07.00 hours to 21.00 hours. Subject to these measures it is concluded that noise from the proposed facility is capable of being controlled to an acceptable degree.

10.10 Odour. PPS22 advises that in handling planning applications for anaerobic digestion, local planning authorities should carefully consider the potential impacts of odour and put forward proposals for its control (s23). The applicant anticipates that the design of the plant including the enclosed nature of the AD process should reduce the potential for odour relative to the current situation. At present poultry manure is stored in uncovered field sites and spread on land as a fertilizer. Although some field storage of poultry manure in mounds would occur, as at present the direct spreading of this material on fields and the associated potential for additional odour would no longer occur under the current proposals. Instead the poultry manure would be fed into the AD units and the digestate liquid by-product which is odour free would be applied to the land.

10.11 The proposed AD tanks would be located 400m from the nearest privately owned residential properties and would be screened from these properties by existing farm buildings and vegetation. The AD process itself would take place in airtight containers, reducing the potential for odour. The importation of poultry manure and cattle slurry already occurs under the current farming regime. Whilst this material has the potential to generate odour during handling and storage the applicant is proposing special controls linked to the current proposals in order to minimise the potential for odour. Slurry would be pumped directly from tankers into the AD units. It is considered that the measures proposed by the applicant are sufficient to prevent any reasonably foreseeable loss to amenity at neighbouring residences. The Anaerobic Digestion plant would be subject to permitting by the Environment Agency which would control potential releases to air, water and land. Notwithstanding this, to provide added reassurance in relation to odour control it is recommended that an appropriately worded odour control condition is imposed on any planning permission. Subject to this, it is considered that the proposals are capable of being accepted in relation to odour control issues.

10.12 Traffic PPS22 recognises that the need to transport crops to the energy production plant does have the potential to lead to increases in traffic. Local

planning authorities should make sure that the effects of such increases are minimised by ensuring that generation plants are located in as close a proximity as possible to the sources of fuel that have been identified. But in determining planning applications, planning authorities should recognise that there are other considerations (such as connections to the Grid and the potential to use heat generated from the project) which may influence the most suitable locations for such projects.

10.13 The applicant has stated that there would be an average of 4 additional vehicle movements per day to the Abbots Moor site – including 2 car movements by the plant operator over the course of a year. The majority of traffic would occur during the September - October harvest period and when digestate is spread on the land in February and March. There would be a small reduction in the number of large goods vehicles that currently deliver commercial fertilizer to the site (replaced by digestate). The total traffic produced by the applicant's business would not increase. Land within the applicant's control would continue to be farmed in the same way. However, due to the plant's requirement for feedstock, the existing storage areas within the business would be centralised at Abbots Moor Farm. This would result in a slight increase in annual amounts of traffic to the Abbots Moor site and a corresponding reduction in traffic to other farms within the business. It is intended to extend an existing routing restriction applicable to existing farm vehicle movements, to ensure that heavy vehicles accessing the site use a designated approach route, except where access to local farms in the vicinity of the site is required. The relatively limited change in traffic levels would occur because the proposed AD facility would use similar tonnages of crop to those which are currently being grown for export from the farm. The applicant has provided a detailed breakdown of existing and anticipated farm vehicle movements which emphasise the seasonally intensive nature of the operations during harvest and fertilizer spreading times.

10.14 Objectors have expressed strong concerns about heavy vehicle traffic associated with Abbots Moor Farm and the limitations of the local road system to accommodate such traffic (see sections 7.1i-iii) and have supplied photographs highlighting their concerns. These concerns relate both to existing levels of heavy agricultural traffic on the local road system and the potential implications of the current proposals. It is recognised however that the existing agricultural operations at Abbots Moor Farm generate heavy traffic movements and this would be likely to continue if the current proposals do not proceed. In considering the traffic impact of the proposals therefore it is necessary to consider how existing levels of heavy traffic from the farm would change relative to the current situation. It is not possible to sustain a highway objection to the current proposals on the basis of general traffic concerns not directly related to the current proposals. However, the concerns of objectors are acknowledged and it is considered that they highlight the need for effective traffic management measures in connection with the current proposals.

10.15 Given the nature of the approach routes to the site it is recommended that a number of measures are imposed in order to control heavy vehicle movements associated with the proposals in the event that planning permission is granted.

This will ensure that levels of heavy vehicle movements associated with the proposals do not increase above the average levels stated in the application and that appropriate safeguards are imposed on the arrival and despatch of such vehicles in the interests of road safety and amenity (see section 13.2). It is also recommended that the traffic related conditions included in section 13.2 are supported by a legal agreement relating to the following matters:

i. requiring heavy traffic accessing from the site to arrive and leave via the Rednal to Queens Head road, except where access is required to local farms / fields along the route, and to avoid passing through the hamlets of Sutton, Grimpo and Haughton;

ii. requiring the applicant to make a one-off financial contribution towards the cost of maintaining the minor roads in the vicinity of Abbots Moor Farm.

If the current proposals are approved the applicant has also agreed on a voluntary basis to review traffic control and management measures associated with the farm business generally with officers in order to identify possible options for further reducing the impact of these seasonal heavy vehicle / agricultural machinery movements. This commitment is to be welcomed.

10.16 Subject to the above measures it is not considered that a refusal on highway grounds could be sustained. This is having regard to the limited increase above current heavy vehicle movements which the proposals would give rise to and the ability to facilitate an improved level of control over heavy traffic movements relative to the current situation. (Waste Local Plan Policy 4, 25; Structure Plan Policy 35, 68)

10.17 Ecology The application site forms part of an agricultural hardstanding which has been subject to continued disturbance since its former use as a beet storage area ceased. The site is not affected by any local or national wildlife designations. An ecological survey accompanying the application considers badgers, bats, birds and reptiles. The survey advises that mature poplar trees on three sides within the proposed site area have potential as habitats for nesting birds. It is therefore recommended that any clearance is undertaken outside of the bird breeding season. If this is not possible, the report advises that a survey will be required prior to clearance to determine if birds are nesting on the site. If any active nests are found no works should be undertaken within 5 metres of the nests until all birds have fully fledged. The survey did not find any other evidence of ecological / wildlife interests within the site.

10.18 An ecological consultant acting for objectors has challenged this conclusion, stating that insufficient evidence has been provided to allow the possible presence of protected species to be reliably established. However, Shropshire Council's Ecologist advises that there are no trees on site with bat roost potential on the site and has not objected to the proposals. This is subject to the imposition of appropriate conditions and advisory notes on any planning permission relating to lighting (to minimise disturbance to bats), badgers and nesting birds. It is considered that, subject to this, the proposals can be

accepted in relation to development plan policies relating to ecology and biodiversity.

10.19 Water resources The site is not located in a flood plain but is located on a minor aquifer. The Environment Agency has not objected given that the proposed digester tanks would not be set down within the ground and leak detection / pollution prevention safeguards are proposed. It is concluded that the proposals can be accepted in relation to development plan policies and guidance covering the protection of water resources. (Waste Local Plan Policy 4, 25; Oswestry Local Plan Policy NE11)

10.20 Landscape The site is well screened from the surrounding area, being some distance from the nearest private residential property, surrounded on three sides by poplar trees with views from the south and west foreclosed from most locations by large intervening agricultural buildings. The applicant states that the proposed storage / digestion tanks, although just over 14m high, would have an agricultural appearance, with green cladding and conical roofs and would fit into their local context. The applicant notes further that the site is overshadowed by electricity pylons 61m in height. A 3D model has been prepared which the applicant states demonstrates the scale of the facility within its surroundings. A proposed planting scheme would supplement the existing avenue of poplar trees with lime trees where there are current gaps, with a further 16 lime trees being planted to the east of the site to provide screening.

10.21 Some limited views towards the site would be available from surrounding publicly accessible areas. However, it is considered that such views would be fleeting and would not appear out of context with the existing farm buildings. On balance, it is considered that the site can be accepted in relation to landscape and visual amenity considerations, provided appropriate landscaping conditions are imposed on any permission. This is given the proximity of the existing agricultural buildings and mature poplar trees, the generally remote location of the site and the ability to treat the proposed structures in an appropriate dark green colour. (Waste Local Plan Policy 4, 25; Oswestry Local Plan Policy NE11)

10.22 Lighting The proposed site is located away from private dwellings. Low levels of external lighting are proposed. The applicant has confirmed that measures would be employed to minimise any unnecessary light spill. It is recommended that this is conditioned in the event that planning permission is granted.

10.23 Health Emissions to air, water and land would be controlled through an Environmental Permit issued by the Environment Agency. The Agency has confirmed that emissions from anaerobic digestion are low compared with other waste management options such as composting. As the main process is enclosed and anaerobic the Agency advise that all emissions would be sufficiently reduced. It is considered that the proposals can be accepted in relation to health matters. (Waste Local Plan Policy 4, 25)

10.24 Pests The applicant has agreed to adhere to a scheme which facilitates contained storage of feedstock materials and solids from the AD process within

the proposed storage clamps. A visual inspection regime and associated measures will be implemented to prevent pests or vermin. It is recommended that a planning condition to cover this is imposed in the event of permission being granted.

10.25 Mud on roads The applicant has confirmed that appropriate measures would be employed in order to prevent mud from being tracked onto the public highway. It is recommended that this is conditioned in the event of permission being granted.

10.26 Fire control The applicant has confirmed that the design of the proposed facility would incorporate appropriate fire prevention measures. This includes the maintenance of an appropriate fire fighting easement around the perimeter of the site, as requested by the Chief Fire Officer. It is recommended that a condition is imposed requiring details of fire prevention measures to be submitted in the event of permission being granted.

10.27 Hours of Operation It is recommended that the hours for importation of materials associated with the proposed development are restricted in the interests of residential amenity. The applicant has been made aware of this requirement and an appropriate condition has been recommended in section 13.2.

10.28 Proximity to national grid overhead line Objectors have expressed concerns that the proposals are close to an overhead national grid line and this could increase the potential risk of explosion at the site due to coronal ionisation effects. The applicant has however advised that the proposed site, which at its closest is 180m from the electric line, is sufficiently far away for there to be to be no unacceptable risk. The applicant states that the operations at the proposed site would be tightly controlled, including under the environmental permit regime administered by the Environment Agency. Loading of the AD tanks would only take place for a temporary period at the beginning of each day and specific measures would be put in place to minimise the risk of any particulate emissions. The applicant advises that many 'normal' agricultural operations take place in much closer proximity to pylons and that the degree of containment at the site is much greater than was the case when the site was formerly being used as an open storage facility handling large quantities of sugar beet. Methane gas would be burnt progressively in the generators as it is formed by the AD process. Hence, only limited quantities would be allowed to build up on the site at any one time. A proposed gas flare would provide a back-up facility during down time for the generator. Given the high level of control that the proposed facility would be subject, including through the permitting regime, it is reasonable to conclude that the proposals would not give rise to unacceptable risks in this location with respect to the overhead national grid line to the west of the site.

11.0 CONCLUSION

11.1 The application has attracted a number of objections, mainly in relation to heavy vehicle movements, but also with respect to other environmental issues. It is considered however that design and location of the proposed facility and the control measures being recommended would allow the impact of the proposals to be controlled within acceptable limits. Whilst the limitations of the local highway

network are acknowledged it is recognised that the proposals would generate a limited number of additional tractor and trailer movements relative to the current situation and the opportunity would exist to secure detailed and improved controls on such movements relative to the current situation. This includes through the implementation of a legal agreement providing for routing restrictions and some off site highway improvements. These measures would also be supported by detailed conditions amongst other matters limiting the total throughput of the proposed facility. Planning controls would be supplemented by detailed operational controls available through the waste permitting regime.

11.2 The proposed facility would allow renewable energy to be generated from existing agricultural materials which are already being grown / received at Abbots Moor Farm. PPS22 advises that the ability to generate renewable energy is a significant material consideration in the determination of planning applications. It is concluded on balance that the proposals are capable of being accepted in relation to relevant development plan policies, guidance and other local considerations.

12.1 HUMAN RIGHTS

12.1 Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community. First Protocol Article 1 requires that the desires of landowners must be balanced against the impact of development upon nationally important features and the impact on residents. This legislation has been taken into account in arriving at the recommendation below.

13 RECOMMENDATION

13.1 That planning permission is granted subject to the signing of a Section 106 Agreement the terms of which are listed in section 13.2 below (to be negotiated by the Senior Planning Officer in consultation with the Assistant Chief Executive Legal and Democratic Services), and subject to conditions to include those listed in section 13.3 below.

13.2 The legal agreement terms as follows:

- Routing restriction – HGV and trailer traffic associated with the anaerobic digestion facility shall not approach the Site from or leave in the direction of the Rednal to Queens Head road, except where local access is required to farms and fields between Grimpo, Sutton and Haughton. All local traffic accessing farms / fields to the south or west of the hamlets of Grimpo, Sutton and Haughton shall be directed south and west towards the Queens Head to Rednal road and no such traffic shall use the minor roads through the hamlets of Grimpo, Sutton or Haughton as through routes.
- One-off contribution towards the cost of upgrading informal passing areas on the public highway in the vicinity of Wykey Farm;

13.3 The conditions as follows:

COMMENCEMENT OF DEVELOPMENT

1a. The development to which this planning permission relates must be begun not later than the expiration of three years from the date of this permission.

b. Not less than fourteen days prior notice shall be given of the intended date for the commencement of any development under the terms of this permission, including Site preparation and construction works. Such date shall be referred to hereinafter as "the Commencement Date".

c. Not less than seven days prior notice shall be given in writing of the intended date for the commencement of anaerobic digestion operations at the site, hereby referred to as the "Commissioning Date".

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 (1a), to define and provide appropriate advance notice of the Commencement Date (1b) and to facilitate proper monitoring of Site operations linked to the commencement of the use hereby approved (1c).

DEFINITION OF SITE AND DEVELOPMENT

2. This planning permission shall only relate to the area edged red on the approved planning application boundary plan (drawing no. MB280610WG/1), hereinafter referred to as "the Site".

Reason: To define the area to which this planning permission relates.

3. Except as otherwise provided in the conditions attached to this permission the operations and uses hereby permitted shall be carried out strictly in accordance with the approved scheme comprising:-

i. The application form dated 10th December 2010 (received 2nd February 2011), the accompanying Planning Statement dated 14th December 2010, the Supporting Statement dated 24th January 2011 and the Design and Access Statement dated 27th January 2011.

ii. The supplementary details accompanying the application comprising:
Risk Assessment;
Traffic Assessment
Traffic Assessment Appendix 1;
Ecological Survey Report;
Tank Design and Hydrodrology

ii. The permitted drawings accompanying the planning application. For the avoidance of doubt these include:

Location Plan - 1:1250, A1;

Landscaping Plan - 1:500, A1;
Block Plan - 1:500, A1;
Site Elevations - A1;
Site Sections - 1:250, A1;
Drainage Plan - 1:500, A2;
Abbots Moor Reception Building - 1:50, A1;
Abbots Moor Reception Building, Elevations - 1:100, A3;
Abbots Moor Reception Building, Roof Plan - 1:100, A4;
Abbots Moor, Storage Clamps, Plan & Elevations - 1:200, A1;
Abbots Moor, Storage Tanks, Plan & Elevations - 1:200, A3;

iii. The letter from Bourne Valley Associates to Shropshire Council dated 12th April 2011.

Reason: To define the permitted development.

TRAFFIC AND ACCESS

4. No access to or egress from the Site shall take place other than by means of the approved internal farm track linking to the Rednal to Haughton road.

Reason: In the interests of highway safety.

5. Prior to the Commissioning Date the operator will erect a road sign of an agreed specification in an agreed location at the entrance to the Site to instruct drivers of HGVs and tractors and trailer units visiting the anaerobic digestion facility of routing arrangements to and from the Site.

Reason: To ensure that drivers of HGV's and tractors and trailers visiting the facility are aware of the approved access route.

6. The site access and internal access road shall be cleaned as necessary with a tractor mounted brush or other similar device in order to prevent the trafficking of mud onto the public highway.

Reason: In the interests of highway safety.

USE OF THE FACILITY AND CONTROL OF TONNAGES

7. The principal uses of the facility shall be restricted to:

i. the receipt, handling, storage, and anaerobic digestion of agricultural wastes and crop products;

ii. generation of electricity and other ancillary operations associated with the above activities.

Reason: To define the type and sources of waste permitted to be managed, handled and recycled at the Site in accordance with the

approved scheme, in the interests of general amenity and to protect surface and groundwater from pollution.

8a. The maximum tonnage of materials imported to the Site in any calendar year shall not exceed 25,000 tonnes. For the avoidance of doubt a calendar year shall comprise the period between 1st January and 31st December.

b. The Site operator shall maintain a record of the tonnage of materials including energy crops and agricultural wastes delivered to the Site and the numbers of associated HGVs and tractor and trailer loads. The record shall be made available to the Local Planning Authority upon prior written request. A report of the total tonnage of waste imported to the Site in each successive calendar year shall also be provided to the Local Planning Authority in writing within one month of the year end.

Reason: To ensure that the development remains within the general levels of activity specified in the planning application in the interests of highway safety and general amenity whilst having regard to the fact that different energy crops have different calorific values (8a). To facilitate monitoring of tonnages imported to the anaerobic digestion facility by the Local Planning Authority (8b).

STORAGE

9. The storage of feedstock materials in connection with the anaerobic digestion process shall not take place other than in the approved silage clamps within the Site. The sole exception to this shall be the existing on farm manure storage midden, details of which shall be submitted for the approval in writing of the Local Planning Authority prior to the bringing into use of the development hereby approved.

Reason: To ensure that storage of feedstocks for the anaerobic digester can be adequately accommodated within the overall Site layout and in the interests of general and visual amenity.

NOISE

10. Noise from the generator engines shall be attenuated to 5 decibels below the night time noise level outside the nearest noise sensitive property.

Reason: To define a night time noise limit for operations within the Site in the interests of residential amenity.

11a. Notwithstanding condition 10 above the following noise attenuation measures shall be applied during operation of the site:

i. All vehicles and mechanical plant employed at the Site shall be fitted with effective exhaust silencers which shall be maintained in good efficient working order.

ii. Machines in intermittent use shall be shut down or throttled down in the intervening periods when not in use or throttled down to a minimum.

iv. All ancillary plant such as generators, compressors and pumps shall be positioned so as to cause minimum noise disturbance;

v. The operator shall instruct staff arriving and departing from the Site to do so with the minimum of noise disturbance, particularly during night times and at weekends.

b. All fixed and mobile plant based at and operating within the Site shall be fitted with attenuated reversing alarms. Details of the types of reversing alarm proposed to be fitted to vehicles / plant under the terms of this condition shall be submitted for the approval in writing of the Local Planning Authority prior to the Commissioning Date.

Reason: To minimise the possibility of adverse noise impact from Site operations at the closest receptor locations.

ODOUR AND AIR EMISSIONS

12a. Prior to the Commencement Date the operator shall submit an odour management scheme for the approval in writing of the Local Planning Authority. The submitted scheme shall be designed to ensure that operations are carried out in such a way that odour is minimised so far as is reasonably practicable and that best practicable means are employed to avoid the creation of a statutory nuisance, including implementation of the following measures:

i. management of stored feedstock materials to reduce odour emissions including covering of chicken manure;

ii. measures to ensure that all personnel recognise the importance of odour minimisation and that relevant personnel are aware of how to control odour emissions;

iii. ensuring that poultry manure is not imported to the Site other than in covered loads and cattle slurry is not imported other than in tankers.

b. Following its approval the Site shall thereafter be managed in accordance with the approved scheme.

Reason: To reduce the impact on local amenities of odour arising from Site operations.

13. All yard surfaces and circulation areas within the Site shall be swept as necessary to remove mud / debris and water shall be applied to such

areas as appropriate during dry conditions in order to prevent the generation of dust.

Reason: To reduce the impact on local amenities and air quality of dust arising from Site operations.

PEST / VERMIN CONTROL

14a. 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 in consultation with the Environment Agency. The submitted scheme shall in particular provide for:

i. measures to reduce the attractiveness of the Site to pests and vermin, including maintenance of a secure silage store area;

ii. a timetable for the 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.

b. Following its approval the Site shall thereafter be managed in accordance with the approved scheme.

Reason: To ensure that appropriate measures are in place to control the possible effects of pests and vermin.

AMENITY COMPLAINTS PROCEDURE

15. Prior to the Commencement Date the operator shall submit for the approval of the Local Planning Authority a complaint procedures scheme for dealing with noise, odour and other amenity related matters. The submitted scheme shall set out a system of response to verifiable complaints of noise received by the Local Planning Authority. This shall include:

i. investigation of the complaint;

ii. reporting the results of the investigation to the Local Planning Authority;

iii. implementation of any remedial actions agreed with the Authority within an agreed timescale.

Reason: To put agreed procedures in place to deal with any verified amenity related complaints which are received during site operation.

HOURS OF OPERATION

16a. With the exception of running the generators and normal continuous running of the anaerobic digestion process no operations hereby permitted shall be undertaken at the Site, except during the following hours:

Mondays to Fridays	07.00 to 21.00 hours
Saturdays:	07.00 to 21.00 hours
Sundays / Bank Holidays	08.30 to 18.30 hours

b. Notwithstanding Condition 19a provision shall apply for extended working for not more than 10 periods in any calendar year in, order to cater for exceptional circumstances. During periods of extended working no operations hereby permitted shall be undertaken at the Site, except within the hours specified in Condition 19a above and during the following hours:

Mondays to Fridays	05.00 to 23.00 hours
Saturdays:	05.00 to 23.00 hours
Sundays / Bank Holidays	06.30 to 20.00 hours

Records of extended working under this condition shall be maintained and shall be provided to the Local Planning Authority upon request.

Reason: To ensure that operational times at the Site are controlled in order to reduce the impact of the development on the local area and amenities.

Note: Wherever possible, the Local Planning Authority should be notified in advance of any proposed periods of extended working under the terms of Condition 16b.

BUILDINGS, STRUCTURES AND PLANT

17. Prior to the Commencement Date the detailed specifications and surface treatments including cladding colour (BS reference) of the anaerobic digester units and associated buildings and structures shall be submitted for the approval of the Local Planning Authority. This shall include confirmation of the exact form and dimensions of the generator building. The structures and associated surface treatments shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory standard of construction and in the interests of visual amenity.

18. All buildings, hard surfaces and fencing within and on the boundaries of the Site shall be maintained in an orderly state and fit for purpose, including maintenance of even, pothole free running surfaces in circulation areas for vehicles and plant.

Reason: To ensure that the Site is maintained to an acceptable standard in the interests of health and safety and general amenity.

GENERAL PERMITTED DEVELOPMENT ORDER

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings, demountable structures, fixed plant, or structures of the nature of buildings or fixed plant, and no fence or soil mound, in addition to those shown on the approved plans listed in condition 3 above, shall be erected at the Site unless approval in writing for their details and specification has first been obtained from the Local Planning Authority.

Reason: To ensure that the development is in accordance with the permitted details.

POLLUTION CONTROL

20. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and 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, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

LIGHTING

21a. No work shall commence until an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include the following details:

i. hours of use of external lighting,
ii. the exact location and nature of any lights;
iii. the specification including height any fixed or mobile structures;
iv. the intensity of the lights;
v. the identification of areas to be illuminated and any measures to prevent light spilling on to areas outside the Site;
vi. measures such as shrouding to minimise disturbance through glare.

b. Following approval of the lighting scheme required under condition 21a external lighting shall be installed in accordance with the approved details.

Reason: To ensure a satisfactory standard of lighting for the development, balancing health and safety and security requirements with the visual amenity and ecological considerations.

Note: The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet Bats and Lighting in the UK to minimise disturbance to bats, a European Protected Species

22. Prior to the Commencement Date a scheme detailing the proposed fire protection measures to be put in place at the Site shall be submitted to and approved in writing by the Local Planning Authority and the Site shall thereafter be operated in accordance with the approved scheme.

Reason: In the interests of fire prevention.

ECOLOGY

23. Operations shall be managed to avoid the need to commence work affecting vegetation in the bird nesting season which runs from March to September inclusive. If it is necessary for work affecting vegetation to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests shall be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist shall be called in to carry out the check. Work affecting vegetation shall not proceed unless it can be demonstrated to the Local Planning Authority that there are no active nests present.

Reason: To protect the wildlife in the area of the Site.

Notes:

i. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent.

ii. All species of bats found in the UK are European Protected Species under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended). If a bat should be discovered on site at any point during the development then work must halt and Natural England should be contacted for advice.

iii. Where possible trenches on the site to which this consent relates should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then a means of escape should be provided in the form of a sloped board, plank or earth ramp. All open trenches should be inspected at the start of each working day to ensure no animal is trapped.

LANDSCAPING AND AFTERCARE

24a. Prior to the Commencement Date a detailed landscaping scheme to supplement the details provided in the application shall be submitted for the approval in writing of the Local Planning Authority. The approved scheme shall be implemented within the first available planting season following the approval of the scheme in writing by the Authority and shall include:

i. details and specification of planting including the species, specification, origin, method and density of planting, with provision for use of a high percentage of native species;

ii. details of protection measures and procedures for addition of soil ameliorants;

iii. provision of a planting belt to define and contain the northern boundary of the Site;

b. All existing hedgerows, shrubs and trees on the margins of the Site which are not allocated for removal as part of the development and all new planting at the Site shall be retained and protected from damage for the duration of the operations hereby approved.

Reason: To local amenities by reducing the visual impact of the proposal and in the interests of ecology.

25a. All new planting within the Site shall be subject to aftercare / maintenance for a period of 5 years following planting, including weeding and replacement of failures.

Reason: To secure establishment of the landscaped areas in the interests of visual amenity and ecology.

ANNUAL REVIEW

26a. An annual review meeting involving the operator to the Local Planning Authority shall be held in order to review the performance of the Site over the previous calendar year in relation to the requirements of conditions attached to this Planning Permission. The meeting shall be held no later than 3 months after the year end.

b. The annual review meeting shall also assess the potential for utilizing additional waste heat from the facility with provision for taking appropriate further action in the event that identified trigger levels are reached.

Reason: To provide a suitable mechanism for the ongoing review of Site operations.

CESSATION OF USE

27a. Not less than 2 weeks prior notice in writing shall be provided to the Local Planning Authority of the permanent cessation date for the operations hereby approved, or for any temporary cessation of operations for in excess of one month.

b. Not less than 6 months prior to the planned date for permanent decommissioning of the development hereby approved the operator shall submit proposals for decommissioning of the development within an agreed timescale for the approval of the Local Planning Authority. Such plans shall make provision for leaving the site in a condition suitable for future development, with provision to remove all buildings, hardstandings and structures which are not required in connection with the Site's subsequent afteruse.

Reason: To ensure that the Site is left in a tidy condition capable of a beneficial afteruse following the permanent decommissioning of the development hereby approved.

RETENTION OF APPROVED DOCUMENTS

28. A copy of this planning permission and any schemes permitted under its terms and conditions shall be retained at the Site and be available for inspection by staff at the Site and officers of the Local Planning Authority.

Reason: To ensure staff on Site are aware of planning controls to be complied with.

14.0 REASON FOR APPROVAL:

14.1 With regard to energy efficiency / climate change considerations, the proposals would contribute to the diversity of sources of energy supply and hence the security of supply and would therefore be consistent with the objectives of the national energy strategy and PPS22 and waste local plan policy 19. Regarding climate change, the beneficial aspects of landfill diversion that would result from the proposed development are considered important, and compliant with and the Climate Change supplement to Planning Policy Statements 1 (Delivering Sustainable Development).

14.2 Regarding air quality and health, and water resources, the development when operational would be subject to planning controls and rigorous control of its emissions under the Environmental Permitting regime and so is not considered to be detrimental to local air quality or water resources. It is considered therefore that the proposal accords with Waste Local Plan policy 5 and 25 and related development plan policies.

14.3 Regarding traffic, the development would not give rise to any substantial increase in traffic levels relative to current levels. HGV and trailer traffic to and from the site would be controlled by a vehicle routing agreement. The maximum throughput of the facility would be controlled and traffic management measures would be

imposed. The impact of the traffic associated with the development on the local area is therefore considered to be acceptable. The proposal therefore complies with relevant development plan policies including the Shropshire Telford & Wrekin Structure Plan saved policy 35.

14.4 Regarding landscape and visual amenity, it is considered that the location of the facility adjacent to existing farm buildings and the proposed landscaping measures would ensure satisfactory integration of the site into the local setting. It is not considered that refusal on landscape or visual amenity grounds would be justified. This is taking account of the benefits of the development including its significant contribution to future renewable energy supply. The proposal therefore complies with development plan policies concerning landscape and visual amenity including Oswestry Local Plan Policy H4 and NE2.

14.5 Overall, taking into account the Development Plan and other material considerations and subject to the planning conditions and legal obligations listed in section 13, it is considered that the proposed development would not give rise to unacceptably adverse impacts on the environment, local amenities or other interests of acknowledged importance.

15.0 POLICIES MATERIAL TO THE DETERMINATION OF THE APPLICATION

15.1 In determining the Local Planning Authority gave consideration to the policies listed in section 8 of this report.

INFORMATIVES
None

LIST OF BACKGROUND PAPERS
Planning application reference 11/00421/MAW and associated documents.

Environmental Appraisal
Included in the report.

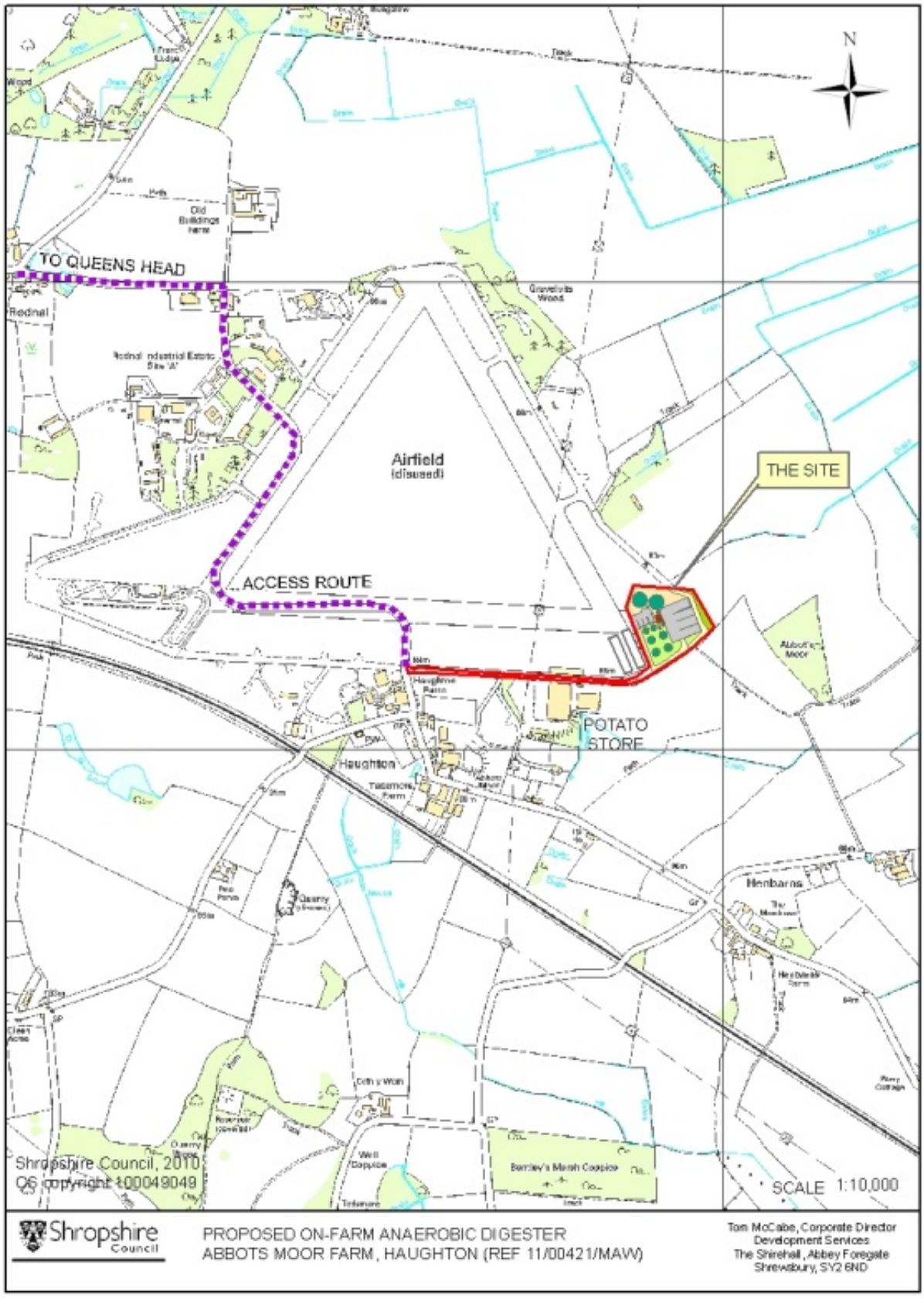
Risk Management Appraisal
Not applicable.

Community / Consultations Appraisal
Included in the report.

Member Champion
Malcolm Price.

Local Member
Stephen Charmley.

Appendices
None.


N
TO QUEENS HEAD
Redinal
Old Buildings Farm
Airfield
(disused)
THE SITE
ACCESS ROUTE
POTATO STORE
Haughton
Henbarns
Shropshire Council, 2010
OS copyright 100049049
SCALE 1:10,000
Shropshire Council
PROPOSED ON-FARM ANAEROBIC DIGESTER
ABBOTS MOOR FARM, HAUGHTON (REF 11/00421/MAW)
Tom McCabe, Corporate Director
Development Services
The Shirehall, Abbey Foregate
Shrewsbury, SY2 6ND

APPENDIX 1 – WORDING OF RELEVANT POLICIES

A.1.1 **The Shropshire and Telford & Wrekin Joint Structure Plan** 1996-2011 (adopted November 2002)

P16: Air Quality
Local Plan policies and development proposals shall take into account their effect on air quality having regard to national air quality strategy objectives, local air quality reviews and air quality management plans. This shall include consideration in local plans of the location, scale and type of development and the requirement to reduce the need to travel. Consideration shall also be given to the ameliorating effects of tree planting.

P35 Road Freight
Local plan policies and development and management proposals shall ensure that the impact of lorries on communities and the environment is minimised by:

- encouraging heavy commercial vehicles to use the national primary road network and other designated routes;
- establishing a network of transit lorry parks and discouraging the parking of lorries in lay-bys and residential areas;
- locating new developments which are likely to generate significant amounts of heavy goods traffic where they are easily accessible by an appropriate route to the national primary road network or can be served by rail;
- establishing where possible transhipment facilities; and
- encouraging the transfer of freight to rail.

P68: Transport of Minerals And Waste
In preparing Local Plans and in considering development proposals, the minerals and waste planning authorities will support opportunities to minimise road vehicle movements where there will be no unacceptably adverse effect on the environment. Consideration should be given to:

- locating new minerals and waste development close to areas of demand;
- siting suitable development close together or co-locating facilities on one site;
- using forms of transportation other than road haulage; and
- locating development where satisfactory access can be obtained to the primary road network.

A.1.2 **The Shropshire Waste Local Plan 2002-2014** (adopted October 2004)

Policy 10: Alternative Sites
Proposals for the development of waste management sites not identified in (the Plan) will only be permitted where developers can demonstrate to the satisfaction of the WPA that:

- the proposal would meet a need not provided for in (the plan); or

- the preferred sites and areas identified in (the Plan) are either no longer available or are unsuitable for the proposed development; or
- the site is more acceptable than the preferred sites and,
- the site complies with the other relevant policies of this Plan.

Policy 19: Anaerobic Digestion
Proposals for the development of anaerobic digestion facilities which enable the best practicable use of by products from the digestion process for energy recovery and soil improvers will be permitted in appropriate locations, where the proposal complies with other relevant policies in the Plan.

Policy 4: Protecting Shropshire's Environment and Communities
Waste management facilities will not be permitted where the proposed development would cause unacceptable adverse impacts. In determining the impact of the proposed development, consideration will be given to the effect of the proposals on the following:

a) People and local communities;
b) Natural and cultural assets, taking particular account of designated areas of nature conservation, landscape, archaeological and/or cultural heritage importance;
c) The Green Belt;
d) The highway network and public rights of way;
e) Air, Soil and Water Resources;
f) Agricultural land; and
g) Any other interests of acknowledged importance.

Policy 25: Development Control Considerations
In determining planning applications for waste management development, the WPA will give particular consideration to:

a) The need for an Environmental Impact Assessment and Environmental Statement;
b) The need for other site assessments which may be required to evaluate impacts arising from the development of the site on:

    i. The protection of surface and underground water and flood risk;
    ii. The development of contaminated land;
    iii. The need for foul sewage disposal in non-sewered areas;

c) Links between planning development control and other legislative requirements which are implemented by other bodies;
d) Proximity to sensitive land uses and any adverse cumulative effect in combination with other developments in the locality;
e) Nature and archaeological conservation and the historic environment;
f) Land instability;
g) The likely generation of noise, vibration, odour, fumes, dust, litter, scavengers and vermin and measures to alleviate these;
h) Hours of operation and the proposed duration of operations at the site;
i) Transport, traffic and access issues;

j) Compatibility with adjacent development and visual intrusion, including the scale and design of the development in relation to its location and setting;
k) Reinstatement of the site to an appropriate after use (if relevant); and,
l) Other relevant policies of the Development Plan.

Policy 27: Transport Assessment
Where appropriate, proposals for waste management development must be accompanied by a transport assessment and will ensure that:

a) the access to the site is adequate for the volume and nature of traffic generated by the proposal;
b) no unacceptable safety hazards for other road users, cyclists or pedestrians would be generated;
c) traffic levels generated would not exceed the capacity of the local road network;
d) there are adequate arrangements for on-site vehicle movements and parking;
e) any adverse impact arising from the proposal can be satisfactorily mitigated by routing controls or other highway improvements; and,
f) there will be no adverse impact on the trunk road network.

A.1.3 **The Oswestry Borough Local Plan** (adopted July 1999).

Policy LE12: Farm Diversification
In considering development proposals which also comprise proposals for diversifying existing farm businesses, the following factors will be taken into account:

1). The degree to which the proposals can be shown to be part of an appropriate initiative to sustain the agricultural business and safeguard jobs.
2). The impact of the proposal on the character and environmental quality, including habitats, of the surrounding area.
3). The impact of the proposal on nearby land uses including the amenity of residential areas.
4). The impact of traffic generated as a result of the proposal and the potential for access by modes of transport other than the private car.
5). In the case of farm shops, the impact of the proposal on nearby village shops including the sale of local and non local produce.

Policy NE2: New Development in the Countryside
Development in the countryside beyond the development boundaries of settlements will be strictly controlled. Proposals for new development in the countryside will be assessed in terms of their perceived environmental impact. New developments should:

1) Minimise adverse visual impacts, and
2) Be of a design and construction which takes into account the landscape and surroundings, and
3) Minimise the loss of existing trees and hedgerows, and
4) Include a comprehensive landscaping scheme, and

5) Conserve and where possible enhance the wildlife value of the site and adjacent areas, and
6) Not introduce inappropriate levels of traffic, noise, dust, fumes and effluent. and
7) Avoid damage to the historic environment including archaeological remains and other historic features in the landscape and their settings.

Policy NE10: Wildlife Sites
The Borough Council considers that Wildlife Sites of local ecological and environmental importance are a material consideration in the granting of planning permission. Proposals affecting such sites will be required to protect those features of scientific and conservation value.

Policy NE11: Watercourses
The Borough Council recognises the importance of the natural watercourse system for providing essential drainage of land, as visual and amenity features and, in many instances, as a valuable wildlife habitat and will seek to protect these interests against adverse forms of development. This will include the prevention of:

i. The loss of access to watercourses for future maintenance.
ii. The loss of natural floodplain except in exceptional circumstances and where compensatory measures as agreed with the Local Planning Authority are provided.
iii. Drainage from development giving rise to substantial changes in the characteristics of surface water run-off unless adequate off-site works can be provided.
iv. The loss of the valuable river corridor environment and the culverting of watercourses.

EMERGING PLANNING POLICY DOCUMENTS

A.1.4 **The Shropshire Core Strategy** (February 2010)

CS5 Countryside and Green Belt
In the open countryside, new development will be strictly controlled in accordance with national planning policies protecting the countryside and Green Belt from inappropriate development. Subject to the further controls over development that apply to the Green Belt, development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to: Small-scale new economic development diversifying the rural economy, including farm diversification schemes; dwellings to house agricultural, forestry or other essential countryside workers and other affordable housing or accommodation to meet a local need in accordance with national planning policies and Policies CS11 and CS12; With regard to the above two types of development, applicants will be required to demonstrate the need and benefit for the development proposed. Development will be expected to take place primarily in recognisable named settlements or be linked to other existing development and business activity.

agricultural/horticultural/forestry/mineral related development, although proposals for large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts; the retention and appropriate expansion of an existing established business, unless relocation to a suitable site within a settlement would be more appropriate; the conversion or replacement of suitably located buildings for small scale economic development / employment generating use; sustainable rural tourism and countryside recreation proposals in accordance with Policies CS16 and CS17; required community uses and infrastructure which cannot be accommodated within settlements; conversion of rural buildings which take account of and make a positive contribution to the character of the buildings and the countryside. Proposals for conversions will be considered with regard to the principles of PPS7, giving equal priority to the following uses: - small scale economic development/employment generating use, including live-work proposals and tourism uses; - affordable housing to meet local need (including agricultural workers dwellings); - other uses appropriate to a countryside location. Open market residential conversions will only be considered where high standards of sustainability are achieved and, except where the buildings are listed, a financial contribution for the provision of affordable housing to be delivered off site is provided in accordance with Policy CS11. In all cases, development proposals should be consistent with the requirements of Policies CS6 and CS17.

CS6: Sustainable Design and Development Principles

To create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness and which mitigates and adapts to climate change. This will be achieved by: Requiring all development proposals, including changes to existing buildings, to achieve criteria set out in the sustainability checklist. This will ensure that sustainable design and construction principles are incorporated within new development, and that resource and energy efficiency and renewable energy generation are adequately addressed and improved where possible. The checklist will be developed as part of a Sustainable Design SPD; Requiring proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced; And ensuring that all development: Is designed to be adaptable, safe and accessible to all, to respond to the challenge of climate change and, in relation to housing, adapt to changing lifestyle needs over the lifetime of the development in accordance with the objectives of Policy CS11 Protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, landscape character assessments and ecological strategies where appropriate; Contributes to the health and wellbeing of communities, including safeguarding residential and local amenity and the achievement of local standards for the provision and quality of open space, sport and recreational facilities. Is designed to a high quality, consistent with national good practice standards, including appropriate landscaping and car parking provision and taking account of site characteristics such as land stability and ground contamination;

Makes the most effective use of land and safeguards natural resources including high quality agricultural land, geology, minerals, air, soil and water; Ensures that there is capacity and availability of infrastructure to serve any new development in accordance with the objectives of Policy CS8. Proposals resulting in the loss of existing facilities, services or amenities will be resisted unless provision is made for equivalent or improved provision, or it can be clearly demonstrated that the existing facility, service or amenity is not viable over the long term.

CS7: Communications and Transport
A sustainable pattern of development requires the maintenance and improvement of integrated, accessible, attractive, safe and reliable communication and transport infrastructure and services. These need to provide a range of opportunities for communication and transport which meet social, economic and environmental objectives by improving accessibility, managing the need to travel, offering options for different travel needs and reducing the impacts of transport. This will be achieved by: promoting greater awareness of travel behaviour to encourage more informed choices about communication, the need to travel and alternative travel options; promoting the use of information and communication technologies (ICT) to reduce the impacts of individual travel decisions at work, at home and for leisure; facilitating enterprise and improved access to services and information using ICT/broadband technologies especially by managing the development of fixed and mobile ICT infrastructure and enabling local access to ICT facilities; protecting and enhancing strategic and local cycling, footpath, bridleway and canal networks as local transport routes and for recreation and leisure use; enabling the provision of accessible, affordable and demand responsive passenger transport services including bus, Park & Ride, rail, coach, taxi, community transport services and car sharing initiatives; promoting rail related developments to support the sub-regional role of Shrewsbury and the role of Market Towns and other rail linked centres and increasing choice of destinations and service frequency and travel times. This will require rail infrastructure and service improvements especially along the A5/M54 rail corridor including a Parkway Station for Shrewsbury; promoting and enabling improvements to the strategic and local highway network including improvements to the A5 Shrewsbury and Oswestry bypasses and promotion of the Shrewsbury North West Relief Road; facilitating freight movements through the County road and rail networks especially along the A5 and the A49 and to encourage greater freight movements by rail.

CS9: infrastructure contributions
Development that provides additional dwellings or employment premises will help deliver more sustainable communities by making contributions to local infrastructure in proportion to its scale and the sustainability of its location, in the following order of priority: 1. Critical infrastructure that is necessary to ensure adequate provision of essential utilities, water management and safe access for the development 2. Priority infrastructure, as identified in the LDF Implementation Plan, including contributions from residential developments towards affordable housing as required to meet Policy CS11 Type and Affordability of Housing 3. Key infrastructure as identified in the LDF Implementation Plan.

CS17: Environmental Networks

Development will identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources. This will be achieved by ensuring that all development: Protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment, and does not adversely affect the visual, ecological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors. Further guidance will be provided in SPDs concerning the natural and built environment; Contributes to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape, biodiversity and heritage assets, such as the Shropshire Hills AONB, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge Does not have a significant adverse impact on Shropshire's environmental assets and does not create barriers or sever links between dependant sites; Secures financial contributions, in accordance with Policy CS8, towards the creation of new, and improvement to existing, environmental sites and corridors, the removal of barriers between sites, and provision for long term management and maintenance. Sites and corridors are identified in the LDF evidence base and will be regularly monitored and updated.

CS18: Sustainable Water Management

Developments will integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within Shropshire, including groundwater resources, and provide opportunities to enhance biodiversity, health and recreation, by ensuring that: planning applications and allocations in the Site Allocations and Management of Development DPD, are in accordance with the tests contained in PPS25, and have regard to the SFRAs for Shropshire; new development is designed to be safe, taking into account the lifetime of the development, and the need to adapt to climate change. Proposals should have regard to the design guidance provided in the SFRAs for Shropshire; all development within local surface water drainage areas, as identified by the Water Cycle Study, and any major development proposals, demonstrate that surface water will be managed in a sustainable and coordinated way. Proposals should be supported by either a Surface Water Management Statement or Plan, depending on the scale of the development; all developments, including changes to existing buildings, include appropriate sustainable drainage systems (SUDS) to manage surface water. All developments should aim to achieve a reduction in the existing runoff rate, but must not result in an increase in runoff; new development improves drainage by opening up existing culverts where appropriate; proposals within areas of infrastructure capacity constraint, as identified by the Water Cycle Study and the Implementation Plan, and any major development, demonstrates that there is adequate waste water infrastructure in place to serve the development; new development enhances and protects water quality, including Shropshire's groundwater resources; new development, including changes to existing buildings, incorporate water efficiency measures, in accordance with the sustainability checklist in Policy CS6, to protect water resources and reduce pressure on wastewater treatment infrastructure; Further guidance on designing safe developments, surface water management and water efficiency will be provided in a Water Management SPD.

CS19: Waste Management Infrastructure

Sustainable waste management facilities and services will help to deliver greater resource efficiency for communities and businesses. This will be achieved by: Encouraging proposals for additional capacity to divert waste away from landfill in a way consistent with the waste hierarchy and the principles and targets of national, regional and local policies and strategies, including the principle of 'equivalent self sufficiency' and an allowance for cross boundary waste flows; Identifying specific sites to deliver additional waste transfer, recycling and recovery facilities in accessible locations close to the main urban areas within the broad locations identified in Figure 9 as part of the Site Allocations and Management of Development DPD. Outside these broad locations, Shropshire Council will support applications for smaller scale waste facilities capable of meeting local needs in locations which are consistent with the principles and site identification criteria set out in national and regional policy; Supporting the co-location of waste facilities and the integration of new waste facilities or space in the design of new development. Requiring applications for all types of development to include information about the management of waste during their construction and subsequent operation as part of the completion of the sustainability checklist required by Policy CS6; Ensuring that the continued operation of existing waste management facilities in locations which are consistent with the site identification criteria for new sites is safeguarded, including against the encroachment of incompatible uses, in a way consistent with Policy CS8 and national and regional guidance.