

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No.**

Date of Meeting	04 January 2017
Application Number	16/05728/FUL
Site Address	Church Farm Easton Grey Malmesbury Wiltshire SN16 0PF
Proposal	Erection of a new agricultural building (Anaerobic Digester)
Applicant	GS & CJ Tomlinson
Town/Parish Council	EASTON GREY
Electoral Division	SHERSTON – Cllr Thomson
Grid Ref	388085 187742
Type of application	Full Planning
Case Officer	Alex Smith

Reason for the application being considered by Committee**1. Purpose of Report**

To consider the above application and to recommend that planning permission be GRANTED

The application has been called into planning committee by Cllr Thomson on the following grounds

- Scale of Development
- Visual Impact on the Surrounding Area
- Design- Bulk, Height, General appearance
- Environmental or Highway Impact

2. Report Summary

The application is one of 9 concurrent applications at the site which seeks various agricultural buildings to allow for the accumulation of the applicant's beef and dairy businesses at one site. Alongside the expansion of the agricultural business, the development seeks the creation of an agricultural workers dwelling and an Anaerobic Digester for use by the applicant's business. The current application relates only to the Anaerobic Digester.

The application was advertised by site notice and neighbour consultation. This resulted in 14 consultation responses from members of the public, all in the objection to the development.

Easton Grey Parish Council: Object to all 9 applications on the grounds of the accumulative impacts of all applications on the following grounds:

Highway Impact: The information prepared and presented on behalf of the Applicant fails to provide any accurate or reasoned assessment of the likely traffic movements associated with this scale and form of development. Without such information being available and based on the details of the individual applications and knowledge of the existing levels of traffic generated by the existing farming enterprise, it is concluded that the proposed developments will result in a significant and unacceptable increase in traffic on the local road network. The network of single track and poorly aligned highways serving the community is not suitable for or capable of accommodating the increase in vehicle movements, including HGVs, between the Applicant's various farming interests and from beyond, without harm to the interests of highway safety for all road users.

Drainage and Flooding Issues: Whilst recognising that Church Farm does not lie within an area identified by the Environment Agency as being at risk from flooding, the local community is aware of a history of local drainage issues resulting from there being no effective system in place for the management of surface water within and adjacent to the farmstead at Church Farm. This, combined with the soil conditions on the land surrounding the farmstead, has resulted in frequent flooding of adjacent highways and adjoining land. This flooding involves contaminated water entering the local watercourses which in turn lead to the main river. The Applicant appears to have failed to carry out the necessary investigation to enable an assessment of the existing drainage information to show that the existing defects or shortfalls can and will be addressed as part of the combined developments.

Impact on the Local Community: Whilst it is recognised that agriculture is an important local industry and that improvement and expansion of existing farmsteads is to be expected, it is essential that each and every form of agricultural development is properly assessed to ensure that it is capable of being integrated without harm to the local community or the natural environment. In this case the scale of the development will give rise to significant adverse impact on the local community and surrounding countryside which is designated as an AONB. The Applicant, in the case of these applications, has failed to produce evidence to show how this scale and form of development can take place without harm to the local environment and highway network.

The main issues in the consideration of this application are as follows:

- EIA Screening
- The Principle of Development;
- Impact to the visual amenities of the Area of Outstanding Natural Beauty
- Impact to the residential amenity of the adjoining occupiers;
- Impact to Highway / Pedestrian Safety
- Sustainability
- Drainage
- Ecology

3. Site Description

The application relates to the site of Church Farm in Easton Grey. The site is part of a wider holding which is owned by the applicant which covers approximately 560 hectares and lies within the boundaries of both Wiltshire Council and Cotswold District Council. As well as Church Farm, the holding includes Hillcourt Farm and Cranmore Farm, which combined manage approximately 1,000 head of cattle. There are two main dairy herds which are arranged with 130 cows at Hillcourt Farm and 230 at Church Farm but the existing housing supports 280 cows. The remainder are roughly split 60/40 as beef cattle and dairy replacements and are currently accommodated at Cranmore Farm.

The existing wider site of Church Farm contains a number of agricultural buildings set to the east of the adjoining highway. To the north of these buildings are open agricultural fields, which contain the application sites for the 9 applications which have been submitted at the site. These fields are well screened from the public highway by a landscaped soil heap, which obscures a slurry pit from view. The western and northern boundaries of the adjoining field are screened by mature hedgerows, with two vehicular access available from the highway to the west.

The main accesses to the farm complex comprise of two established access points along the classified road within 350 m of the junction with the B4040 to the south. The Highways Officer has

noted that this C-road is 4 to 5 m wide in places and is adequate for use of farm vehicles to enter and egress the farm site.

The current application relates to two plots of land within the Church Farm site. A roughly rectangular plot of land which measures approximately 370 square metres, centrally located within the site and would provide land for the proposed Heifer shed. The second area of land would measure approximately 1480 square metres adjacent the western boundary of the site and would provide land for the new dwelling and the access to this. Partially contained within this land is a dilapidated semi-circular agricultural building which was not in use at the time of the site visit.

The site is located within the Cotswold Area of Outstanding Natural Beauty and is outside of limits of development of any settlement defined in the Wiltshire Core Strategy. The site has no other designations under the Wiltshire Core Strategy and is not at increased risk of flooding and so is designated as Flood Risk Zone 1 under the Environment Agency's flood risk maps.

4. Planning History

No previous planning history at the application site.

5. The Proposal

The application is one of nine applications which have been submitted for an extension to the agricultural operation at the site. The proposal is to consolidate the dairy and beef enterprises at Church Farm. The consolidated dairy unit would comprise a herd of 330 cows and a beef unit with capacity for up to 280 animals, together with approximately 40 downcalving heifers as homebred replacements for the dairy herd. Youngstock will be reared at Hillcourt Farm.

The current application seeks planning permission for the erection of an Anerobic Digester Unit (AD Unit) at the site. The proposed digester would be sited between the existing slurry pit and the highway in the western area of the site. The scheme has been amended during the course of the application to retain the existing bund within the site to ensure that this provides screening of the AD Unit from the public highway.

The proposed unit would measure 10.5 metres in height, 17.75 metres in width at its widest point and 21.2 metres in depth. The elevations of the building would be timber clad with a grey corrugated roof. The existing bund would be re-profiled and the building built into the bund using a retaining wall.

The proposed AD unit would be a *thermophilic* high throughput anaerobic biodegestion (HTAD) plant and micro-generation / combined heat and power (CHP) facility providing 200kw of energy production. The system feedstock in this circumstance would be dairy slurry, animal bedding / FYM and a small amount of grass silage, which would be automatically fed in from the adjoining slurry lagoon twice a day. The slurry lagoon would be split in two and then the final 'inert' digestate would be fed back into a second area of the slurry lagoon. This would then be emptied over a period of two days, four times per year and spread over the applicant's land.

6. Planning Policy

Wiltshire Core Strategy

- Core Policy 42 – Standalone Renewable Energy Developments
- Core Policy 48 – Supporting Rural Life
- Core Policy 50 – Biodiversity and Geodiversity
- Core Policy 51 – Landscape
- Core Policy 57 - Ensuring High Quality Design and Place Shaping
- Core Policy 60 – Sustainable Transport
- Core Policy 61 – Transport and Development
- Core Policy 67 – Flood Risk

Saved Policy NE18 – Noise and Pollution

National Planning Policy Framework

Paragraph 7 – Three Dimensions of Sustainable Development
Paragraph 14 – Presumption in Favour of Sustainable Development
Paragraph 17 – Core Planning Principles
Paragraph 28 – Supporting a Prosperous Rural Economy
Paragraph 32 – Highways Impacts

7. Consultations

Easton Grey Parish Council: Object to all 9 applications on the grounds of the accumulative impacts of all applications on the following grounds:

- Highway Impacts
- Drainage and Flooding Issues
- Impact on the Local Community

Highways: No objection; subject to conditions.

Ecology: No objection; subject to conditions

Drainage Officer: Holding Objection; the application does not contain sufficient information with regards to water discharge rates and a detailed drainage strategy.

Landscape Officer: Objection, This is one of the tallest buildings proposed as part of this farm expansion at approx. 10.50 Metres above existing ground level. While I appreciate that there has to be a physical relationship with the slurry pit, I do not support the proposed location of this building so close to the public highway. This new 5 building will be open to public view from the highway directly on the corner of the main access. The building has no architectural interest and does not support appropriate local vernacular. It would be preferable for landscape and visual interests to push this uncharacteristic modern square building further into the farmstead to benefit from screening provided by other buildings or additional screen planting.

Public Protection: No objection, subject to conditions.

Environment Agency: No objection.

8. Publicity

The application was advertised by site notice and neighbour consultation. This resulted in 14 consultation responses from members of the public, all in the objection to the development. These consultation responses can be summarised as follows:

- i) Harm to the visual amenities of the surrounding area and AONB;
- ii) Harm to highway safety and lack of detail over highways impacts;
- iii) Increased flood risk / drainage issues;
- iv) No need or evidence submitted for an additional dwelling at the site. The applicant owns three dwellings in close proximity to Church Farm;
- v) The accumulative impacts of development need to be considered and not each application is isolation;
- vi) Harm to residential amenity from increased odour and noise disturbance
- vii) Size of AD unit would require importation of material from land away from the application site in the applicant's ownership.
- viii) Impact to water pressure for the surrounding properties.
- ix) AD unit is larger than is required for the needs of the agricultural holding.
- x) Ecological Impacts;
- xi) Increase in Air Pollution

Case Officer Comment: It is noted that a number of residents objected to the development on the grounds that the development has been split across 9 applications. It is possible to consider the accumulative impacts of the 9 developments; however, the issue that they have been submitted across 9 applications does not form a material planning consideration for the determination of the applications.

9. Planning Considerations

Environmental Impact Assessment Screening

Paragraph 024 of the Planning Practice Guidance states that each Screening Opinion should be considered on its own merits. However, the same paragraph of the Planning Practice Guidance goes on to state that Local Planning Authorities should always have regard to the possible cumulative effect arising from any existing or approved development. It also advises that there could also be circumstances where two or more applications for development should be considered together.

It is noted that the cumulative agricultural operation would not be considered as Schedule 1 development nor would it form development under Schedule 2 – 1 Agriculture and Aquaculture, as it would not represent ‘intensive agricultural purposes’. In addition, the size of the AD Unit would be 400 square metres and would fall well below the 0.5 hectare threshold under Schedule 2 – 3 Energy Production (a) Industrial installations for the production of electricity, steam and hot water.

However, the Local Planning Authority consider that, for the sake of clarity, the development proposals should be considered cumulatively against the thresholds in Schedule 3 of the Environmental Impact Assessment to determine if the development represents EIA development.

Schedule 3, Paragraph 1 states that the characteristics of development must be considered having regard, in particular, to—

- (a) the size of the development;
- (b) the cumulation with other development;
- (c) the use of natural resources;
- (d) the production of waste;
- (e) pollution and nuisances;
- (f) the risk of accidents, having regard in particular to substances or technologies used.

The proposed enlarged agricultural operation (including Dwelling and AD unit) would cover approximately 2 hectares of existing agricultural land. When combined with the existing farm buildings at Church Farm the total size of the farmstead would be approximately 3.2 hectares and it is considered that the accumulative size of both developments would not represent the need for an EIA.

The site will involve the development of Grade 3 agricultural land for an expanding agricultural operation. The main significant waste produced would be animal waste, however, this would be reused to provide feedstock for the AD unit and then spread over the applicant's land. Furthermore, the development is an accumulation of the applicant's businesses onto one site, so the overall environmental impacts from waste and pollution would not significantly increase, above the combined levels from their existing sites. It is considered that the proposal would not increase the possibility of pollution, nuisance or risk of accidents to such an extent that this matter cannot be adequately addressed without an EIA.

Schedule 3, Paragraph 2 states that the environmental sensitivity of geographical areas likely to be affected by development must be considered, having regard, in particular, to—

- (a) the existing land use;
- (b) the relative abundance, quality and regenerative capacity of natural resources in the area;
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas—
 - (i) wetlands;

- (ii) coastal zones;
- (iii) mountain and forest areas;
- (iv) nature reserves and parks;
- (v) areas designated by Member States pursuant to Council Directive 2009/147/EC on the conservation of wild birds(a) and Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora(b);
- (vi) areas in which the environmental quality standards laid down in EU legislation have already been exceeded;
- (vii) densely populated areas;
- (viii) landscapes of historical, cultural or archaeological significance.

The site comprises an established agricultural field, surrounded by traditional field boundaries, sited in the AONB. The development would result in an increase in the size of the agricultural operation, however, the site is not within or adjoining a National Park, SSSI, SAC or within a heritage designation. The Council's Ecologist has noted that the majority of ecological interest is within the field boundaries and these would not be removed as part of the development.

The site is located outside of a densely populated area in the open countryside and there are no Listed Buildings or Schedule Monuments in close proximity to the site. Furthermore, there are no known sites of archaeological interest in the vicinity and the site falls under Flood Zone 1.

Therefore, despite falling within the AONB, the environmental impacts of the development are considered to not be so significant, that they could not be considered outside of the EIA process.

Schedule 3, Paragraph 3 states that the potential significant effects of development must be considered in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to—

- (a) the extent of the impact (geographical area and size of the affected population);
- (b) the transfrontier nature of the impact;
- (c) the magnitude and complexity of the impact;
- (d) the probability of the impact;
- (e) the duration, frequency and reversibility of the impact.

The likely impacts of this development are not considered to be complex and are largely localised upon the immediate surrounding area. The proposed development would have a lengthy lifespan and degree of permanence, however, the development is agricultural in nature and, as such, an expansion of agricultural operation would be expected to be undertaken on such land.

In conclusion, the Local Planning Authority considers that an EIA is not required for the development proposals which are spread across the 9 applications (16/05721/FUL – 16/05729/FUL) either in isolation or combination.

Principle of Development

The application seeks planning permission for the erection of an AD unit and micro-generation / combined heat and power (CHP) facility providing 200kw of energy production. The primary use is to provide power and heat for the applicant's business, but the statement outlines that any additional energy will be sold back to the grid.

Paragraph 17 of the framework outlines the 12 core planning principles, one of which is listed as:

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

Core Policy 42 of the Wiltshire Core Strategy states that Proposals for standalone renewable energy schemes will be supported subject to satisfactory resolution of all site specific constraints. In particular, proposals will need to demonstrate how impacts on the following factors have been satisfactorily assessed, including any cumulative effects, and taken into account:

- i. The landscape, particularly in and around AONBs
- ii. The Western Wiltshire Green Belt
- iii. The New Forest National Park
- iv. Biodiversity
- v. The historic environment including the Stonehenge and Avebury World Heritage Site and its setting
- vi. Use of the local transport network
- vii. Residential amenity, including noise, odour, visual amenity and safety
- viii. Best and most versatile agricultural land.

In this instance the development would not essentially form a standalone renewable energy scheme, as its primary purposes is to provide power and heat for the applicant's business. However, some additional surplus would be sold back to the grid.

It is noted that a number of neighbouring occupiers have objected to the development, on the grounds that the unit will produce more power than is needed for the applicant's business. However, Core Policy 42 is quite explicit in that "applicants will not be required to justify the overall need for renewable energy development, either in a national or local context." Therefore, there is no objection to the potential for an overprovision of energy to support the applicant's business and the principle of the AD unit on the land is considered to be supported by Core Policy 42 and paragraph 17 of the framework.

Impact to the Visual Amenities of Area of Outstanding Natural Beauty (AONB)

Core Policy 51 of Wiltshire Core Strategy states that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.

The Landscape Officer has considered that proposed development for the 9 applications on the whole, in terms of their impact to the AONB and noted:

"I do not raise a landscape objection to the principle of the proposed farm expansion at Church Farm, but these separate and combined applications must not generate harmful residual landscape effects to local countryside character or harmful residual visual effects to public visual receptors within an Area of Outstanding Natural Beauty."

It is noted that a number of neighbouring residents have objected to the development, on the whole, on the basis that it would form a large expansion to the farm within the AONB and would cause harm due to the size and scale of the expansion.

Firstly, the Landscape Officer does not share this in principle objection due to the size and scale of the development, but does raise some objections which are addressed below relating to the proposals covered by this application.

Secondly, all of the applicant's land, whether it be within Wiltshire or Cotswold DC is set within the AONB. Paragraph 28 of the framework notes that local development plans should "promote the development and diversification of agricultural and other land-based rural businesses". Therefore, if the existing agricultural operations are to be combined into one site within their holding, then it is going to require the use of land within the AONB, whichever site is selected.

Thirdly, Policy RLMP1 of the Cotswold AONB Management Plan 2013-18 states "Sustainable farming and forestry, which contributes to maintaining the special qualities of the AONB within a buoyant rural economy, remain the principal land uses within the Cotswolds." As such the management plan for the AONB has clear guidance that such agricultural uses are acceptable in the AONB and the AONB Conservation Board noted that they consider the impacts of the development could be mitigated, via a

suitable landscaping enhancement. Therefore, no objection is raised to the overall scale of the whole development and its impact to the AONB.

The one area of concern which the Landscape Officer does raise across the whole development is the lack of any detail over landscaping enhancements which would be required to mitigate the impacts of the development. The applications have been submitted as a series of individual red lines, mainly set tight around each application building. Therefore, limited consideration was given to any landscaping enhancement for the wider site which would be provided to mitigate the impacts to the AONB. The Landscape Officer has raised a holding objection to a number of the developments, until such time that the landscape enhancement have been provided. However, the applicant is in control of the wider land around the site and have confirmed their agreement to significant landscape enhancements, which would be secured by way of a pre-commencement condition.

With regards to the proposed AD unit, the Landscape Officer raised an initial objection to the development on the grounds that the building would be 10.5 metres in height and would be the tallest building within the site. Given the position at the frontage of the site, they considered that it would be too prominent addition and would harm the visual amenities of the surrounding area, especially when viewed from the adjoining public highway. Since these comments were provided the applicant has revised the development to show that the existing landscaping bund between the proposed AD Unit and highway would be retained and re-profiled. This bund would provide some degree of screening from the public highway. Further to this, the applicant has provided revised elevations for the building to show that it would be a timber clad building and would be agricultural in appearance. Whilst the objection of the Landscape Officer is noted, the AD unit would be set much further back from the public highway than the existing agricultural buildings, which include a significant agricultural barn which adjoins the highway. Therefore, the proposed AD Unit building would not be as prominent when compared to the existing buildings at the site, when viewed from the public highway. Furthermore, the new buildings would be read as a continuation of the existing farmholding and would be appropriate in a countryside setting.

Given that the AD unit would be set behind a significant bund, has the appearance of an agricultural building and would be set further back from the public highway than the existing buildings, it is considered that the proposed development would have an acceptable impact on the visual amenities of the surrounding area, subject to the wider landscape enhancement conditions, referenced above.

Impact to Residential Amenity

A number of neighbouring occupiers have objected to the development on the grounds of impact to their residential amenity, mainly from odour and noise disturbance. The majority of these objections relate to the Anaerobic Digester, which is the subject of this application.

The Council's Public Protection Officer has reviewed the proposed development and raised no objections. With regards to odour disturbance, the AD unit would use the existing slurry at the site which is automatically fed from the slurry lagoon into the AD unit. The slurry lagoon is in situ at the site and so already provides a level of odour disturbance, which is a material consideration in the determination of the application. The slurry is fed into the AD unit and then up to 80 to 90% of the methane / biogas is removed from the slurry for the production of energy. The waste product, (digestate) is then fed back into a segregated area of the slurry pit and collected once every 3 months to be spread over the applicant's land. The removal of the methane / biogas would result in a reduction in the odour given from the slurry and so the proposed development would result in an overall reduction in odour disturbance, from that of the existing slurry put. It is noted that the increase in livestock at the site would result in an increase in slurry. However, the potential increase in odour disturbance would not be significantly above the existing level, especially given the treatment of the slurry from use in the AD Unit. The Public Protection Officer has noted that an AD Unit can have the potential to cause odour disturbance, if not managed correctly. Therefore, they have requested an odour management plan, to ensure that the treatment of feedstock and digestate is undertaken in an acceptable manner and this would be required by way of a pre-commencement condition.

With regards to Noise disturbance, the Public Protection Officer has raised a concern that the development does not contain any information with regards to any plant installed for the anaerobic digester, extraction/ventilation plant for cattle housing, the dairy and grain drying plant. Therefore, they considered it prudent that a condition be attached to require a noise report for either the scheme as a whole or for each element where any such ventilation is proposed. The overall development would see an increase in the capacity for livestock at the site, providing up to 650 cows at the site. Whilst this would be a significant increase, the existing land is used for agriculture and any increase in noise or odour disturbance from the increase in animals at the site would not be to an extent which would warrant a refusal of the application. Therefore, subject to the required conditions for a noise report and odour management, the development is considered to have an acceptable impact on the residential amenity of the adjoining occupiers in terms of noise and odour disturbance.

The proposed AD Unit would be sufficiently distanced from the nearest neighbouring occupier to ensure no harm to residential amenity would occur due to a loss of light, loss of outlook or sense of dominance.

The Public Protection Officer has also requested a condition relating to a Construction Method Statement to ensure the protection of amenity of the adjoining occupiers during construction works.

Impact to Highway / Pedestrian Safety

Core Policy 61 of the Wiltshire Core Strategy states that proposed development should be capable of being served by safe access to the highway network. Paragraph 32 of the framework states that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

A number of residents have objected to the development on the grounds of the impact of the development on the highway network, given the narrow highway which is used to access the site.

The Highway Officer has reviewed the proposed development and raised no objection on highway safety grounds. An existing vehicular access into the site would be improved and used to provide access to the AD Unit. The Highways Officer has reviewed the use of the access and driveway and considers it acceptable in highway safety terms.

The applicant has provided additional highways movement information on 30th November 2016 relating to this intensification of use. The key aspect of this is that the proposed development would see an accumulation of the applicant's business from a number of sites to be focussed at Church Farm. This would see a reduction from inter-site related travel from the feeder wagons from 6 vehicular movements a day to 3 movements a day. Apart from the milk collection, which is a tanker every other day and would remain unchanged, this operation accounts for a large proportion of the vehicular movements to and from the site and would be reduced by 50% by the proposed amalgamation of the operations at Church Farm. In relation to the AD Unit, the unit would be an automated system which would be fed from the slurry lagoon, where the feedstock would be fed into from the agricultural buildings on the site. Therefore, no feedstock would need to be delivered to the site and the only vehicular movements associated to the development would be over 4 x 2 day periods per year, where the slurry lagoon would be emptied and spread over the applicant's land. The Highways Officer has reviewed this information and provided the following comments:

"I understand the proposal numbered 16/05728 is a proposal for a digester to operate as ancillary to the farming enterprise at Church Farm. Access and turning at the site should be sufficient to receive the appropriate level of vehicular movements. It is understood that this facility would be in operation constantly but without the need for deliveries of feed crops to bolster its production this building will not in itself produce a significant number of vehicular movements. I therefore raise no highway objection to this proposal."

Therefore, given their comments above, the Highways Officer has concluded that the development would not result in severe harm to the highways network, which is the test of paragraph 32 of the framework and would, therefore, be acceptable in this regard. Consequently, no objection is raised, subject to condition.

Sustainability

Core Policy 60 of the Wiltshire Core Strategy states that the council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire. The policy states that one of the ways this will be achieved is by planning developments in accessible locations.

The proposed development would see an intensification of use of the application site. However, as outlined above, given the reduction in inter-site vehicular movements, the proposed development would result in a reduction in the overall number of vehicular movements associated to the development. Therefore, the proposed development would comply with Core Policy 60 and 61 of the Wiltshire Core Strategy.

Paragraph 14 of the National Planning Policy Framework states the presumption in favour of sustainable development, whilst paragraph 7 outlines that the three dimensions of sustainable development are environmental, social and economic factors. The determination whether the overall development is sustainable development is made in the planning balance at the end of this report.

Drainage

Core Policy 67 of the Wiltshire Core Strategy states that all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable.

The Drainage Officer raised an initial objection to the development, on the grounds that each site had been considered in isolation and no overall drainage strategy had been provided for the wider development. Therefore, an outline drainage strategy was submitted by the applicant which provides details of the existing surface water drainage systems at the site. These form a drainage ditch which runs along the eastern edge of the field where the application sites for the 9 applications are located. This drainage ditch runs to a further ditch along the southern extent of the field to the east, which is also in the applicant's ownership.

The proposal is for enhancement of the capacity of the ditches and the provision of new drainage systems in order to slow the run off rate from the development site and comply with the requirement of Core Policy 67 of the Wiltshire Core Strategy. It is noted that a holding objection from the Drainage Officer remains as they consider that detailed plans and flow rate calculations should be submitted for consideration at this stage. However, given the extent of the land holding, the required SUDS systems could easily be incorporated within land in the applicant's ownership and the level of detail requested by the Drainage Officer could be secured by way of a suitable pre-commencement condition for the detailed design of the drainage enhancements for the wider site. With this condition attached, the development is considered to comply with Core Policy 67 of the Wiltshire Core Strategy.

Ecology

The Council's Ecologist has reviewed the proposed development and raised no objection. An ecological assessment of the site was carried out by Wessex Ecology in mid- September 2015. The Council Ecologist has noted that the report is missing identified species list and it fails to identify waterbodies in the surrounding vicinity. However, they have noted that the hedgerows along the northern and eastern boundaries of the field containing the application site will remain unaltered and these would provide the main habitats for any species within the site. Therefore, with conditions attached relating to an ecological enhancement plan, to include replacement trees for the loss of some within the site and details relating to the drainage systems, they raise no objection to the development.

10. Conclusion (The Balancing Exercise)

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 states that “*determination must be made in accordance with the plan unless material considerations indicate otherwise*”. Paragraphs 2 & 11 of the NPPF reiterate and confirm this requirement. The Wiltshire Core Strategy Adopted January 2015 forms the local component of the current development plan.

Paragraph 14 of the National Planning Policy Framework states the presumption in favour of sustainable development, whilst paragraph 7 outlines that the three dimensions of sustainable development are environmental, social and economic factors.

The proposed development would have the economic benefit of the expansion of a rural business, which is supported by local and national planning policy, alongside increased jobs during the construction phase of development. It would have the social and the environmental benefits of an increase in the production of energy from a renewable source, a reduced number of vehicular movements across the transport network and the potential for a reduction in odour disturbance to adjoining occupiers. These benefits have to be considered against the harms associated from the impacts to the AONB, which would be mitigated in some aspect by the required landscaping scheme. In addition, the proposal would result in an intensification of the agricultural operation but, as outlined above, the impacts of this to residential amenity would be limited. Therefore, it is considered that the benefits of the proposed development would outweigh any harms associated to it and the development would comply with the Wiltshire Core Strategy and National Planning Policy Framework.

RECOMMENDATION

APPROVAL, subject to the following conditions:

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan - 2663/01A - Received 13th July 2016;

Proposed Block Plan - PA400 - Received 2nd December 2016;

Proposed North Elevation - PA102 - Received 30th November 2016;

Proposed West Elevation - PA103 - Received 30th November 2016;

Proposed South Elevation - PA104 - Received 30th November 2016;

Proposed East Elevation - PA105 - Received 30th November 2016;

AD Unit Statement - 16-10211 - Received 30th November 2016.

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

- 3 No development shall commence on site until a scheme of hard and soft landscaping to mitigate against the impacts of the development on the Area of Outstanding Natural Beauty has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :

- o location and current canopy spread of all existing trees and hedgerows on the land;
- o full details of any to be retained, together with measures for their protection in the course of development;
- o a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- o finished levels and contours;
- o means of enclosure;
- o car park layouts;
- o other vehicle and pedestrian access and circulation areas;
- o all hard and soft surfacing materials;
- o minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- o proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- o retained historic landscape features and proposed restoration, where relevant.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5 No development shall commence on site until an Ecological Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The plan will address the loss of grassland and trees and the potential disturbance to wildlife using hedgerows and trees around the site boundary. It will offer gains for biodiversity by aiming to help meet targets in the Wiltshire Biodiversity Action Plan for named species.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

- 6 No development shall commence on site until a comprehensive scheme for the discharge of surface water from the wider site (including surface water from the access/driveways/service areas), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 7 No development shall commence on site until a scheme of acoustic insulation and noise control has been submitted to and approved in writing by the Local Planning Authority. The scheme should specify the acoustic insulation and other measures to be put in place to prevent and control the emission of noise from the development including noise from the anaerobic digester, grain drying plant and any mechanical ventilation.

The approved scheme shall be implemented in full before use commences and maintained at all times thereafter. In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a thorough background noise survey and noise assessment in accordance with BS4142:2014 (or any subsequent version) and demonstrate that the rating noise level is at or below the background noise level.

REASON: To ensure the retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 8 No development shall commence on site until an odour management plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures for the control of odours from the site arising from the use of the anaerobic digester. Thereafter, the scheme shall be implemented and maintained in strict accordance with the approved details for as long as the anaerobic digester is operational.

REASON: To ensure the retention of an environment free from intrusive levels of odour disturbance in the interests of the amenity of the area.

- 9 No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- i. The movement of construction vehicles;
- ii. The cutting or other processing of building materials on site;
- iii. Wheel washing and vehicle wash down facilities;
- iv. The transportation and storage of waste and building materials;
- v. The recycling of waste materials (if any)
- vi. The loading and unloading of equipment and materials
- vii. The location and use of generators and temporary site accommodation
- viii. Pile driving (If it is to be within 200m of residential properties)
- ix. Schedules for any plans to float polish flooring

Has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 10 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 11 INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

- 12 INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

13 INFORMATIVE TO APPLICANT:

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

14 INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

15 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

16 INFORMATIVE TO APPLICANT:

The proposed Anaerobic Digester (AD) Plant will require a permit under the Environmental Permitting Regulations 2010. The operator is advised to contact the EA's Permitting Centre on 03708 506 506 to discuss an installation pre application enquiry