

BOROUGH OF KETTERING

Committee	Full Planning Committee - 15/01/2013	Item No: 5.5
Report Originator	Chris Rose Development Officer	Application No: KET/2012/0620
Wards Affected	Queen Eleanor and Buccleuch	
Location	Home Farm, Cranford	
Proposal	Full Application: Anaerobic digestion plant with associated access and landscaping	
Applicant	Cranford Management Ltd	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the recording of any items of archaeological interest in accordance with Paragraph 141 of the National Planning Policy Framework.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping screening to the south of the site, which shall specify native species, planting sizes, spacing and numbers of trees and shrubs to be planted. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. No development shall commence on site until details of the types and colours of The materials to be used in the cladding of the external surfaces of the tanks and process building hereby approved, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. Any external illumination associated with the development hereby approved shall be directional and not illuminate nearby landscaping.

REASON: In the interests of visual amenity and biodiversity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. Any resultant noise from the anaerobic digestion plant hereby permitted shall not exceed 65 dB(A) as measured at 10 metres.

REASON: To protect the amenities of occupiers of nearby premises from unreasonable noise levels in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

7. The anaerobic digestion plant hereby permitted shall be run on 100% crop (maize or maize and wheat) only.

REASON: To prevent odour pollution in the interests of residential amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

8. The total number of lorry movements associated with external deliveries of crop to process at the anaerobic digestion plant hereby permitted shall not exceed 4 per calendar year.

REASON: To prevent and over-intensification of the site in the interests of the amenities and character of the area and to secure a satisfactory form of development; in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

Notes (if any) :-

- This planning permission is subject to "pre-commencement" conditions which require details/drawings to be submitted to and approved in writing by the Local Planning Authority before ANY development may lawfully commence. Any development commenced in breach of these "pre-commencement" conditions will be unauthorised, a breach of planning control, and liable to immediate Enforcement and Stop Notice action.

Security informative from Northants Police:

Access doors should comply with LPS1175 SR3.

Any automatic ventilation systems should not allow unauthorised access into buildings.

An intruder alarm system should be installed that meets the requirements for a police response following verified activation.

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Paragraphs 14, 17,18,19, 28, 93 and 98 and Sections 3, 10 and 12 of the National Planning Policy Framework, Policies 5, 9, 13 (d, l, n and o) and 14 of the North Northamptonshire Core Spatial Strategy. Although the proposal is not in accordance with Saved Local Plan Policy 7 and Policy 9 of the North Northamptonshire Core Spatial Strategy directives to strictly control development in the open countryside, in this instance the issues raised do not outweigh the principle policies referred to. There are no other material considerations that indicate against this proposal.

Officers Report

3.0 Information

Relevant Planning History

KR/73/81 – Additional farm buildings – Approved

KR/83/428 – Light industrial workshop – Approved 13/07/83

KE/89/0715 – Erection of gantry crane – Approved 31/08/89

Site Description

Officer's site inspection was carried out on 12/12/2012. The site is part of a working farm, accessed by a private track from Duck End, to the north of Cranford. The site comprises a flat area of land currently in general (non-cultivated) agricultural use and includes a number of small structures, including bird coops and pens.

The wider farm holding comprises a variety of buildings to the south and east of the site including traditional buildings and more modern structures. The most historic, Listed Buildings lie south-east of the site and are separated by a number of structures including a large stone barn, several more modern barns and a large storage tank.

The site is well separated, physically and visually, from the main core of the village and scattered properties to the east on Duck End are screened by high, dense trees.

Proposed Development

Anaerobic digestion plant with associated access and landscaping.

The proposal is part of a farm diversification project to produce renewable energy and biofertiliser from maize (and occasionally wheat) silage grown on the farm, by a process of anaerobic digestion. The biogas would be used to fuel a single Combined Heat and Power unit which will produce electricity (to be used on the estate with any surplus exported to the grid) and hot water (used to maintain temperature of the digester and for a district heating network on the estate).

The proposal involves 2 silage clamps to the north of the site (5m high storage areas for heaping silage, the like of which can be developed without the need for planning permission) and further structures to the south of the site covering an area of around 875m² and comprising:

- An anaerobic digester – a partially submerged concrete tank and associated fibreglass domes; 31.5m long x 6m wide x 1.4m high (capacity 500m³);
- A digestate storage tank – circular 15.6m across x 6m high (1,200m³ capacity) – a steel framework of struts with profile sheeting cladding behind;
- A gas holder – domed approx 8m wide x 4m high (volume 100m³);
- A process building – 8m long x 4.5m x 3m high; plus associated
- Concrete access driveways.

Any Constraints Affecting the Site

Cranford Conservation Area

2 listed Buildings and curtilages nearby

4.0 Consultation and Customer Impact

Northamptonshire County Council Highway Authority

No objection.

Northamptonshire County Council Archaeology

No objection subject to imposition of a condition relating to a programme of archaeological works.

Northamptonshire County Council Waste Planning Authority

Recommendation of a condition requiring that only crops produced on the farm shall be processed by the Anaerobic Digester.

Kettering Borough Council Environmental Health Service

Further information was requested and was received on 20/12/2012. No subsequent objection.

English Heritage

No objection.

Northants Police

No objection. Informatives recommended in relation to security.

The Wildlife Trust

Support for the findings and recommendations of the Ecological Walkover Survey report; conditions should require adherence with these recommendations, particularly in relation to landscaping and native species.

Northants Badger Group

No objection.

Neighbours

4 neighbour representations, including from Cranford Parish Action Group, citing:

- Concern about the amenity impacts on no. 37 Duck End from odour pollution;
- Reassurance sought that no food waste be processed and only maize grown on the estate will be used and transported by farm tractors.
- Odour pollution;
- Increased volume of farm traffic and on local access roads, including lorries and tractors through the village (including delivery, service and maintenance trips associated with the plant);
- Unsuitable development for a Conservation Area and close to Listed Buildings;
- Detrimental impact on the landscape;
- Noise;
- Concern about the capacity of the farm to produce sufficient maize to feed the operation;
- Sustainability of growing maize as a mono-culture;
- Detrimental impact on soil and water quality; and
- Insufficient time and information has been given for Cranford village to make an informed decision.

5.0 Planning Policy

National Planning Policy Framework

Policy 3 - Supporting a prosperous rural economy

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

Policy 12 - Heritage, Conservation and Archaeology

East Midlands Regional Plan

Policy 2 – Promoting better design

Policy 27 - Regional priorities for the historic environment

Policy 39 – Regional priorities for energy reduction and efficiency

North Northamptonshire Core Spatial Strategy

Objective 1 – Green Living

Paragraph 3.91 – Employment

Policy 5 – Green Infrastructure

Policy 9 – Distribution and Location of Development

Policy 13 – General Sustainable Development Principles

Policy 14 – Energy Efficiency and Sustainable Construction

Local Plan

Policy 7 – Protection of the Open Countryside

Supplementary Planning Documents
North Northamptonshire Biodiversity SPD

Other

Cranford Conservation Area Appraisal

Emerging Policies

North Northamptonshire Joint Core Strategy - Emerging Draft for Consultation (Aug 2012)

Draft Policy 25 - Rural Economic Development and Diversification

Site Specific Proposals Local Development Document – Options Paper (March 2012)

Draft Policy 10 – Agricultural Diversification

6.0 Financial/Resource Implications

None.

7.0 Planning Considerations

The key issues for consideration in this application are:

1. Principle of Development
2. Impact on Character, Conservation Area and Listed Buildings
3. Environmental Health Implications / Impact on Amenity
4. Transport implications / Highways
5. Ecological Impacts

1. Principle of Development

The site falls outside of the Village Boundary for Cranford and therefore must be considered as the open countryside. Saved Local Plan Policy 7 and Policy 9 of the North Northamptonshire Core Spatial Strategy (CSS) seek to strictly control development in the open countryside in order to protect its intrinsic rural character from inappropriate development. However, it is considered that the character of the site is of an existing agricultural holding and the land already functions as part of the working farm, for example it already houses various structures and plant related to the farm. The site is consequently not isolated land in the open countryside (which the spirit of the above policies strives to protect) and it is adjacent to the settlement boundary.

Moreover, there is a very strong national and sub-regional policy directive (which supersedes the 1995 Local Plan Policy) to support farms and farm diversification, and to support proposals for sustainable means of energy generation. As will be discussed below, it is considered that this outweighs the requirement to prevent development in the open countryside in this instance.

Paragraph 14 of the National Planning Policy Framework (NPPF) is clear that at the heart of the policy framework is a presumption in favour of sustainable development. This means that development proposals that accord with the

development plan should be approved without delay. Paragraphs 18 and 19 of the NPPF further underline the Government's objective to foster sustainable economic growth and stipulate that planning must encourage, rather than impede, such growth. The proposal would help support and diversify a working rural agricultural enterprise and associated estate and, therefore, is considered as economic development.

Objective 1 of the CSS promotes renewable energy and green technologies whilst Policy 14 requires the highest viable standards of resource and energy efficiency and reduction in carbon emissions. Paragraph 17 of the NPPF is clear that one of the core planning principles of the NPPF is to encourage the development of renewable energy; and Paragraph 93 is clear that planning must support the delivery of renewable and low carbon energy. Paragraph 98 states that when determining planning applications for renewable energy generation, local planning authorities should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy;
- recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application if its impacts are (or can be made) acceptable.

Policy 3 of the National Planning Policy Framework promotes the development and diversification of agricultural and other land-based rural businesses. Paragraph 28 of the NPPF is clear that planning should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Paragraph 3.91 of the CSS states that diversification of the rural economy will be supported.

Whilst limited weight can be given to emerging policies it is also important to note that the proposal is in accordance with emerging North Northamptonshire policy (North Northamptonshire Joint Core Strategy - Emerging Draft for Consultation (August 2012)) and local policy (Site Specific Proposals Local Development Document – Options Paper (March 2012)). Draft Policy 10 of the latter document sets out a policy which encourages farm diversification where certain criteria are met, which includes environmental enterprises. Whilst draft Policy 25 of the former document provides a more positive approach to the rural economy than the current CSS Policy 9, recognising the economic potential in rural areas as highlighted in Paragraph 28 of the NPPF. The draft policy states that in rural areas the development of renewable energy sources and production, particularly microgeneration and small scale renewable energy generation will be supported and encouraged.

In summary it is considered that the requirement to strictly control development in the open countryside is outweighed by the close association of the land with an existing working farm and settlement boundary and the significant policy support for economic development; farm diversification; sustainable rural enterprise; and renewable energy generation. The proposed development is therefore considered to be acceptable in principle, in accordance with Policies 3 and 10 of the NPPF, Policy 39 of the East Midlands Regional Plan (EMRP) and Policy 14 of the CSS.

2. Impact on Character, Conservation Area and Listed Buildings

The site falls to the north-east of Cranford Conservation Area and 2 Listed Buildings and lay south east of the site. Local Planning Authorities are required by Sections S72(i) and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas and Listed Buildings. Policy 12 of the NPPF sets out requirements for proposals which would involve the harm or loss of Heritage Assets or detriment to a Conservation Area. CSS Policy 13 (o) requires new development to conserve and enhance landscape character and the historic landscape.

The buildings proposed and their dimensions are set out under 'Proposed Development', above.

Cranford Conservation Area Appraisal makes no particular reference to the site, or to the farm, except to acknowledge the important contribution to the rural character of the village which a vibrant working farm makes. A proposal to diversify and support the ongoing operation of the farm can be viewed positively in this respect.

It is recognised that it is important that the character of the Conservation Area is protected from inappropriate development. However, the existing character of the site and its surroundings must be given due weight. In this case the presiding character in the vicinity is very much one of a modern operational farm with numerous functional and utilitarian structures necessary for a modern agricultural holding, for example large modern barns and storage tanks. The new structures proposed, whilst designed to be functional rather than aesthetically pleasing in their own right, are not incongruous to the context of the farm's character.

It is considered that the scale of the structures proposed are directly comparable to the scale and mass of existing structures close by, for example a large domed-roof storage barn and a cylindrical storage tank. It is also considered that the scale of the proposal overall is relatively small, particularly when viewed against the wider cultivated arable farmland to the north, which makes the largest contribution to the rural character of the area. It is considered that, given the small scale operation proposed, it would not unacceptably impinge on the open rural character of these fields or detract from the general landscape character and wider rural, green setting of the farm and the Conservation Area.

The historic Listed Buildings lay south-west of the site at a distance of some 120-130m and are separated by a number of structures including a large stone barn, several more modern barns and a large storage tank. It is therefore not considered that there would be any detrimental impact on these Listed Buildings, or their curtilages, arising from the proposal; or any impact incongruous to the current environment of a busy working farm. It is noted that the site is well separated, physically and visually, from the main core of the village and Conservation Area. The structures would be located adjacent to the

functional working hub and yard of the farm and several large-scale buildings. It is considered that the plant would read as a continuation of these functional structures. The site is well screened from the east, including from scattered properties on Duck End, by high, mature and dense trees. Landscape screening with native species is proposed to the south of the site which will further mitigate its visual impact and impact on the Conservation Area. This can be secured by condition.

In terms of materials, the supporting Design and Access Statement states that the tanks and process building would be clad in forest green profile sheeting. It is considered that it would be appropriate to control the colour and nature of the cladding by condition.

English Heritage have been consulted on the proposal and raised no objection. The proposal is considered in accordance with Policy 12 of the NPPF, Policy 27 of the EMRP and Policy 13 (o) of the CSS.

3. Environmental Health Implications / Impact on Amenity

Policy 13 (l) of the North Northamptonshire Core Spatial Strategy requires that development will not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking. Policy 2 of the EMRP and Paragraph 17 of the National Planning Policy Framework state that development must secure a good standard of amenity for all existing and future occupants of land and buildings.

Representations were received from neighbours concerned about the potential for odour pollution from the proposal. Kettering Borough Council Environmental Health Service was consulted on the application and requested further information from the applicant, which was received on the 20/12/2012. This information related to the materials, outputs, and odour and noise impacts of the anaerobic digestion plant. In this information and in the supporting Design and Access Statement the applicant has indicated that the plant is very small scale; that the intention is to run the plant solely on crops (primarily maize with occasional wheat), which will not be supplemented with manure; that all biogas from the plant will be captured with none released to the atmosphere; that little or no odour will result (particularly when compared with everyday farm activities, for example silage storage and processing); and that the maximum noise output from the plant would be 65dbA at a distance of 10 metres (compared to the level of a normal human conversation of 60dbA).

Given the small scale of the plant proposed; its siting distant from residential properties; the nature of the product involved (100% crop); and the comparison with the odour and noise outputs of ordinary agricultural activities, that no unacceptable amenity implications will occur, subject to the imposition of appropriate conditions. It is considered that 3 conditions are necessary in this respect:

- To limit the input into the digester to crops silage (maize with occasional wheat) only - thereby preventing the use of more odorous food waste or manure;
- To limit the crop to only that produced on the farm (with limited

flexibility of 3 deliveries a year to allow for exceptional circumstances) – to prevent an over-intensive use of the plant to that which has been applied for and associated negative amenity impacts, for example from vehicle movements; and

- To limit the maximum noise associated with the plant to 65dbA at a distance of 10 metres – to ensure noise levels are kept within those specified in the application.

Subject to the imposition of these conditions it is considered that the proposal is acceptable in amenity terms and in accordance with Policy 13 (l) of the CSS and Policy 2 of the EMRP.

4. Transport implications / Highways

Policy 13 (d) and (n) of the CSS requires that developments have a satisfactory means of access and do not have an adverse impact on the highway network or prejudice highway safety.

Neighbour representations were received objecting to the perceived increase in farm traffic and volume of lorries and tractors moving through the village (including delivery, service and maintenance trips associated with the plant).

Further information was sought from the applicant in relation to vehicular movements associated with the proposal. This information was received on 04/01/2013 and demonstrated that material would be transported within the farm only; that no external vehicle movements would be necessary for the day-to-day running of the plant; that visits to the site to service the plant would be annual and in the form of a transit-van; and that only in exceptional circumstances would crop from outside of the farm be brought onto the site.

Importantly, the plant will primarily process only crop grown within the farm. Only on rare occasions where a crop on a nearby farm fails may it be desirable for there to be external deliveries of crop fodder for the digester. This would necessitate no more than 4 vehicle movements per annum. Whilst it is accepted that this is rare, this would intensify the vehicle movements to the farm so it is considered reasonable to limit this activity by condition to a maximum of 4 offsite lorry deliveries, i.e. one failed crop a year.

Consideration should also be given to the fact that the site is already a working farm and thereby a number of existing vehicular movements, including deliveries and tractor movements are already associated with the premises. The proposal would not result in vehicular movements incongruous to this existing situation, exceed those which could reasonably be expected to be associated with a busy, modern agricultural holding or result in an over-intensification of the site in terms of vehicular movements. The Highways Authority were consulted on the proposal and concurred with this conclusion and raised no objection.

It is considered that on site vehicle movements around the plant are

adequately addressed with sufficient space provided for vehicle turning and manoeuvring and concrete access ramps to minimise dust from vehicle movements.

The proposal is therefore acceptable in highways terms and in accordance with criteria (d) and (n) of CSS Policy 13.

5. Ecological Impacts

It is considered that the ecological implications of the proposal have been adequately assessed and addressed in the thorough Ecological Walkover Survey provided with the application (dated 14th November 2012). The report concludes that the proposal would not result in any negative impact on biodiversity and may result in a net gain through the removal of snowberry (an invasive garden escapee) and the introduction of a belt of planting to the south of the site with native species. The Wildlife Trust were consulted on the proposal and supported the findings of this report, subject to its recommendations being enshrined in conditions covering native species of local provenance for the landscaping belt and directional, non-invasive lighting.

The proposal is therefore in accordance with Policy 5 and 13 (o) of the CSS and the North Northamptonshire Biodiversity SPD, which require the protection of and (where possible) enhancement and net gain of biodiversity.

Conclusion

The proposal is not in accordance with Saved Local Plan Policy 7 and Policy 9 of the North Northamptonshire Core Spatial Strategy directives to strictly control development in the open countryside. However in this instance, this consideration is outweighed by the close association of the land with an existing working farm and conformity with a significant weight of policy which supports economic development; farm diversification; sustainable rural enterprise; and renewable energy generation. Subject to conditions the proposal is in accordance with Policies 3, 10 and 12 of the National Planning Policy Framework, Policies 2, 27 and 39 of the East Midlands Regional Plan, Objective 1 and Policies 5, 9, 13 (d, l, n and o) and 14 of the North Northamptonshire Core Spatial Strategy and the North Northamptonshire Biodiversity SPD. There are no material planning considerations that would indicate against the proposal and the application is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Chris Rose, Development Officer on 01536 534316

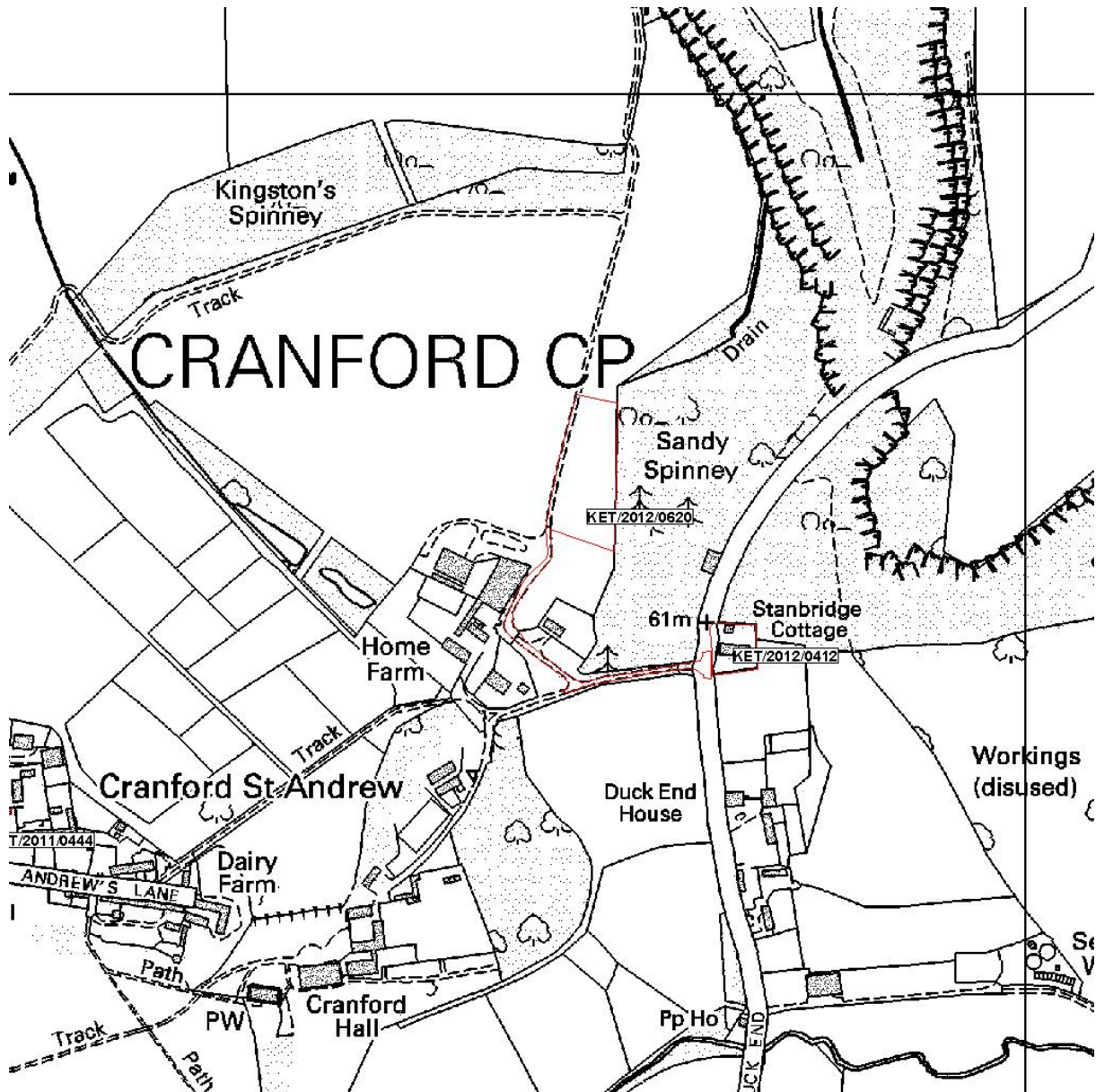
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Ref:

Date:

SITE LOCATION PLAN

Home Farm, Cranford
Application No.: KET/2012/0620



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