

16/00717/FUL

Mr Henry Waite

**Cllr Leonard Bates
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PENKRIDGE**

Lower Drayton Farm, Lower Drayton Lane, Penkridge ST19 5RE

Proposed on farm gas to grid anaerobic digestion plant for the generation of biomethane and electricity, associated ancillary equipment, construction of new access track, highway improvements and landscape planting, on land at Lower Drayton Farm, Penkridge, Staffordshire.

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The application site relates to a rectangular piece of land that measures approximately 3ha and is associated with Lower Drayton Farm. The site is to the south of the existing working farm that grows wheat, rape oilseed and potatoes and they also rear cattle. In total the farm business as a whole farms 242.8ha of land in the area.

1.1.2 The application site is in a rural location and sited between the A449 (to the west) and the M6 (to the east). Most of the site is currently used for storage and there are many shipping containers, cars and buses on the site; with part of the site to the east and south used as a motorsport racing track. The site is bound by a mature hedgerow to the west and a hedgerow with trees to the north. To the east and south the site opens up to the wider area.

1.1.3 To the north of the site are existing large farm buildings and Lower Drayton Lane where access to the site is achieved. The streetscene from this lane comprises two storey residential dwellings and large agricultural units.

1.1.4 To the west of the site is existing farmland that extends beyond the A449 with much of it owned by the applicant. To the east of the site is a dirt race track that extends to the south of the site. Also to the east are key features that include a woodland strip with the River Penk further over; then Teddesley Road, the M6 motorway and the Staffordshire and Worcestershire Canal which is part of a Conservation Area; and then further over this across the landscape is Teddesley Park that is part of a Historic Landscape Area and the Cannock Chase AONB.

1.1.5 There is an identified bridleway (IR/2205) to the northeast of the site that comes off Lower Drayton Lane over the River Penk and works its way under the M6. To the west of the site, adjacent to the A449, is a gas connection point.

1.1.6 There are isolated dwellings close to the site that includes four houses on Lower Drayton Lane and two houses on Teddesley Road and the A449 respectively.

1.2 Relevant Planning History

2003, Change of use of part of land to be used for paint ball games, Approved (03/00673/COU)

2004, Erection of a 17.5m slimline lattice supporting 3 no antennas, up to 4 no 0.6m dishes, equipment cabinets, enclosure and ancillary telecommunications development, Approved (04/01228/FUL)

2005, Renewal of Application 03/00673/COU. Change of use of part of land to be used for paint ball games, Approved (05/00100/REN)

2006, Existing dirt track to be used for mud karts, Refused (06/01252/COU)

2007, Existing dirt track to be used for mud karts, Approved (07/00213/COU)

2008, Existing dirt track to be used for mud karts renewal of application 07/00213/COU, Approved (08/01221/COU)

2011, Change of use of part of field to fly model aircraft, Approved (11/00848/COU)

2012, Removal of Condition 5 - The use hereby approved shall be discontinued and the land restored to its condition as agricultural; on or before 28th February 2013; in accordance with a scheme of work to be submitted to the Local Planning Authority. (11/00848/COU), Approved (12/00847/VAR)

2013, Change of use of part of field to fly model aircraft - Variation of condition 2 of planning application 11/00848/COU, Approved (13/00009/VAR)

2014, Building, Approved (14/00198/AGR)

2014, Residential caravan site for 7 static caravans, Refused (14/00950/FUL)

2014, Installation of a single medium scale wind turbine measuring 30m to hub and 45m to blade tip with access track and associated ancillary structure, Refused (14/00985/FUL)

2015, Change of Use of existing annex into Bed & Breakfast unit and change of use of part of existing barn to form Bed & Breakfast unit and education room, Approved (15/00087/COU)

2015, The proposal is for the storage of up to 8000 cubic metres of liquid fertilizer. The Land at Lower Drayton Farm extends to 200Ha and a further 100 Ha is farmed in the locality. Overall the farm has a requirement for 12,000 cubic metres of the liquid fertilizer which will replace manufactured fertilizer currently used on the farm, Approved (15/00161/AGR)

2015, Erection of agricultural building, Approved (15/00516/FUL)

2015, Use of farmland by Staffordshire Rural Support. to conduct the activities of animal care, horticultural and minor farming activities for persons with learning difficulties, Approved (15/00538/COU)

2015, Participation in the rural sport of target shooting using air rifles limited to 12 foot pounds of energy, provision of metal container and parking of vehicles, Approved (15/00869/FUL)

2016, We would like to build a modern steel portal barn, with a fibre cement roof and wooden Yorkshire boarding sides, Approved (16/00163/AGR)

2016, Retention of the LDF entertainment and education hub and provision of septic tank and improved access road, a temporary application for 3 years initially, Pending Consideration (16/00280/FUL)

2016, Change of use of storage yard No2 from agricultural materials storage to garaging of buses used for local bus and school services, Approved (14/00463/COU)

2016, Telephone poles are brought in from various sites, stored and taken for re-processing and new poles are bulk stored and then delivered to sites various - by Midland Poling Services Limited on a British Telecom Openreach health and safety programme, Refused (16/00597/LUE)

2016, Change of use from agricultural to a camping field to site 10 log cabins, 5 camping pods and toilet and shower block and associated hard standing for car parking and access track improvements, Pending Consideration (16/00625/FUL)

A screening opinion was submitted by the applicant to determine whether an Environmental Impact Assessment was necessary for an anaerobic digestion plant. The Planning Department concluded on the 29/02/16 that a full EIA was required.

It should be noted that there are many unauthorised uses on the site that are currently under investigation by Planning Enforcement. The proposal subject to this application will be treated on its own merits without prejudice to the current enforcement history on the site.

1.3 Pre-application Discussions

1.3.1 Pre-application discussions have taken place.

2. APPLICATION DETAILS

2.1 Proposal

2.1.1 The proposal is for the erection of an Anaerobic Digestion (AD) plant. This would generate energy in the form of biogas and electricity

utilising organic matter (biomass) in the form of manure produced onsite and locally sourced crop residue. The gas would be transported to the gas connector to the west of the site adjacent to the A449. The gas pipeline that would go to the gas connector does not form part of this application because there is an allowance for this to be done under Permitted Development.

2.1.2 To the east of the AD plant, over the bund, would be a detention basin in the form of an attenuation pond for surface water drainage that would have a capacity of 1,212sqm. This pond would not collect water that comes into contact with the feedstock but will collect surface water and direct it to the field to the east to drain at a suitable rate. Surface water that comes into contact with the feedstock will have anaerobic potential and will be directed into the AD system.

2.1.3 The junction would be widened off the A449 and Lower Drayton Lane would be widened for approximately 135m, to accommodate HGVs, with a new access point proposed into the site. The new access track to serve the site would extend by approximately 385m to the AD plant. This would be constructed to avoid potential conflict of vehicle movements on Lower Drayton Lane and with the existing access point to the main operation of the farm.

2.1.4 The letter from the applicant's agent dated 25/10/16 states that the operation of the AD plant is likely to employ approximately two full-time equivalent members of staff with extra support being provided by the technology provider on a remote basis with occasional site visits as required. The work onsite will be delivered by existing or future farm workers, which sits alongside similar tasks and work undertaken within the farming operation. The operation of the plant would be 24hrs.

2.1.5 The biogas produced will be upgraded to pure biomethane and 450Scm/h will then be injected into the local gas grid on site. Some of the biogas would be used to generate electricity and heat using a Combined Heat and Power (CHP) engine that will provide the electricity needed to power the AD plant. Surplus electricity will be exported into the local electrical distribution network. Heat generated by the CHP will be recycled to heat the digesters. The nutrient-rich digestate, which is the residual material left from the AD process, will be spread across the land as a chemical fertiliser replacement.

2.1.6 The AD plant has been designed to process up to 46,000 tonnes of feedstock per annum from the landholding under the control of Lower Drayton Farm, from local farms within the area and other suppliers of suitable feedstocks. The material will typically consist of:

- Break crops (maize and beet), essential for disease control (black grass) in continuous wheat production;
- Farm yard manure and slurry from the farm cattle and pig and poultry litters from neighbouring farms;
- Rejected low quality feed crops, unsuitable for further use, as part of existing arable rotation;
- Grass silage surplus from existing pasture land; and

- Whey permeates, agricultural wastes and residues.

2.1.7 The proposed AD plant would comprise a variety of equipment that would all be confined in close proximity to one another. They are:

Storage tanks

Two storage tanks would be erected that are circular in shape with a coned roof. These would provide storage capacity for the liquid fraction of the digestate. They will provide a temporary storage facility from which any liquid required for mixing with newly introduced feedstocks can be obtained.

Each tank would have a diameter of 33m and a total height of 13.2m. However, 4m would be subterranean with 9.2m being above ground. Of the 9.2m, it would be 4m to the top of the tank with the coned roof being 5.2m. They would be constructed from concrete or glass fused steel panels and be clad in dark green.

Digester tanks

Two digester tanks would be erected close to the storage tanks that would be circular in shape with a domed roof. They will provide the required environment for anaerobic digestion of the feedstock.

Each tank would have a diameter of 28.8m and a total height of 15.2m. However, 4m would be subterranean with 11.2m being above ground. Of the 11.2m, it would be 4m to the top of the tank with the domed roof being 7.2m. They would be constructed from concrete or glass fused steel panels and be clad in dark green.

Rack tanks

Two cylinder shaped rack tanks would be sited to the middle of the storage/digester tanks that would be 2.5m in diameter and measure a height of 4m. they would act to provide a buffer of liquid from the digester to use in the pre-mixing of the fresh material for the supply of residue to the separation system.

Recirculation container

This would be sited close to the digester tanks and would comprise a shipping container measuring a length of 9m, a width of 2.4m and a height of 2.4m. it would house a collection of pumps and valves to distribute digestate.

Feed hopper and feedstock mixing units

These would be sited close to the recirculation container with there being two feed hopper containers and two feedstock mixing units. The hoppers would be shipping containers measuring a length of 12.3m, a width of 3.5m and a height of 2.8m. The mixing units would also be shipping

containers measuring a length of 12.2m a width of 2.4m and a height of 2.4m.

Pre-tank

This would be sited adjacent to the hoppers and be circular in shape with a diameter of 9m and a height of 6m.

Separator

Sited next to the pre-tank measuring a depth of 6.5m, a width of 6m and a height of 2.5m.

Propane tanks

Two propane tanks would be sited next to one of the digester tanks. Each tank would have a capacity of 12t with a low level fence around them to restrict access.

2.1.8 Other associated equipment would be sited adjacent to the storage/digester tanks, to the west, and would comprise:

CHP container

This will upgrade a proportion of the raw biogas to biomethane, to generate electricity required for operation of the AD plant. It would be housed in a shipping container that measures a length of 12.2m, a width of 3m and a height of 4m.

Electrical point of connection and meter kiosk

This allows electricity generated by the CHP to be exported off-site to local buildings and the national grid. It would consist of two buildings with one building having a length and width of 2.4m with a height of 2m, and the second building being 1m in length and width with a height of 1.3m.

Transformer

This would have a length and width of 3m with a height of 2.5m.

Biogas upgrading and control systems

This will 'clean' the biogas produced by the AD process resulting in pure, dry biomethane biogas. It would occur in three separate shipping containers with each measuring a length of 12.5m, a width of 3m and a height of 3m.

Network entry facility

This would be a pre-fabricated building on a concrete base that would house the biomethane piping as well as the control and telemetry systems that would be owned by the gas grid network operator. It would have a length of 8m, a width of 3m and a height of 2.6m.

Odorant equipment

This will detect any leaks in the national distribution network or within domestic properties. This would be a pre-fabricated container measuring 2.25m in length and width with a height of 4.5m.

Gas flare

This would be sited on a concrete plinth with a cylinder shape that has a diameter of 1.5m and a height of 5.3m. It would provide a safety outlet for the biogas in the event of over-pressurisation, pipeline or tank leaks or any other emergency condition requiring biogas diversion.

2.1.9 To the south of the AD plant equipment would be four silage clamps that would store the feedstock outside of the harvest season. They would be cast in situ concrete bays with the side walls being made from pre-cast concrete at 3.5m high. They would have a depth of 78m and a combined width of 100m, with all having an integral water/leachate seals and drainage systems.

2.1.10 It is proposed to confine the overall development of the AD plant and silage clamps with a 3m high bund that would be 6m wide. This bund would not only provide visual screening but would have the capacity to contain the digestate in the event of a catastrophic failure of tanks, valves and pipe work. The bund would be soft engineered and lined with an impermeable geosynthetic membrane to eliminate the risk of leakage. The internal face and the top of the bund would be grass planted with the external face planted with trees and shrubs.

2.1.11 The site is currently used for storage and the shipping containers, cars and buses on the site would need to be removed as would part of the motorsport track. If this application is approved it does not grant or imply acceptance that the paraphernalia can be relocated to another part of the farm. If the applicant wishes this to happen, then a formal planning application would need to be submitted.

2.2 Agent Submission

Design and Access Statement

Planning Policy Statement

Flood Risk Assessment

Environmental Statement

Non-technical Summary and Environmental Considerations

Historic Visual Impact Assessment

Landscape and Visual Report

Extended Phase 1 Habitat Survey

Great Crested Newt Surveys

Noise Assessment

Transport Statement

Odour Assessment

Letter from applicant's agent dated 19/10/16 detailing actions to be taken if minerals found

Letter from applicant's agent dated 25/10/16 detailing operation and employment of the proposal

3. POLICY CONTEXT

3.1 The application site is within the Open Countryside.

3.2 Core Strategy Development Plan Document, December 2012

NP1: The Presumption in Favour of Sustainable Development

CP1: The Spatial Strategy for South Staffordshire

CP2: Protecting and Enhancing the Natural and Historic Environment

CP3: Sustainable Development and Climate Change

CP9: Rural Diversification

OC1: Development in the Open Countryside Beyond the West Midlands Green Belt

EQ1: Protecting, Enhancing and Expanding Natural Assets

EQ2: Cannock Chase Special Area of Conservation

EQ3: Conservation, Preservation and Protection of Heritage Assets

EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

EQ6: Renewable Energy

EQ7: Water Quality

EQ9: Protecting Residential Amenity

EQ10: Hazardous and Environmentally Sensitive Development

EQ11: Wider Design Considerations

EQ12: Landscaping

EV5: Rural Employment

EV11: Sustainable Travel

3.3 National Planning Policy Framework

3.3.1 This sets out the national overarching aims for planning with a presumption in favour of sustainable development. Development that is sustainable should be favoured, without delay, and should be seen as a golden thread running through both plan-making and decision-taking.

Para 6-7: Achieving sustainable development

Para 11-16: The presumption in favour of sustainable development

Para 93-108: Meeting the challenge of climate change, flooding and coastal change

Para 142-149: Facilitating the sustainable use of minerals

3.4 Waste Management Plan for England

4. CONSULTATION RESPONSES

CLlr L Bates (17/08/16): comfortable with the application subject to a landscape scheme being provided.

4.1 Consultee responses

Penkridge Parish Council (26/08/16): concerns over possible gasses/smells from the site.

Environmental Protection (25/08/16): no objection subject to condition that the Odour Management Plan forms part of the consent.

Conservation Officer (30/08/16): *The application includes a comprehensive Heritage Statement and I concur with its conclusions and have no objections to the proposals.*

The application site is close to 3 Grade II listed structures and a number of undesignated heritage assets. The impact of the proposals on these heritage assets is thoroughly assessed and the conclusions are that the impact of the development on the setting of these assets will be minor or negligible.

My only negative comment on the Heritage Statement is that it does not include an assessment of the impact of the proposals on the Conservation Area. The CA is item 7 in Table 1 but it is not addressed in section 4.6. A Conservation Area is a designated heritage asset and so the impact of the proposals on it should have been given the same level of scrutiny as for other designated heritage assets. However two of the listed structures are bridges over the canal and as the impact on these is negligible I could conclude that the impact on the canal conservation area would also be negligible.

Local Plans (30/09/16): *This is a full application for the construction of a gas to grid anaerobic digestion plant for the generation of biomethane and the production of electricity. It is proposed to source the waste material onsite and also utilise locally sourced crop residue. The proposal includes the construction of a new access track, improvements to the existing highway network and a landscape scheme. The site is situated within an area of open countryside located between the M6 and the A449, north of Penkridge at Lower Drayton Farm. The site is currently utilised for the storage of machinery and occasional motor sport activities.*

Policy Context

National Policy

The National Planning Policy Framework (NPPF) is based on a presumption in favour of sustainable development which it is argued should be seen as golden thread running through the planning system. The NPPF is also clear however that the starting point in determining the acceptability of any proposal is the adopted development plan except where the plan is absent, silent or out of date.

National policy supports measures which will promote the development and diversification of agricultural businesses (para 28). The core principles of planning identified in the NPPF includes support for the transition to a low carbon future including the encouragement of the use of renewable energy resources (para 17). In supporting this objective national policy places a responsibility on all communities to contribute to energy

generation from renewables and low carbon sources by seeking to maximise renewable and low carbon energy development (para 97). In so doing the NPPF does identify the need to ensure that adverse impacts including cumulative landscape and visual effects are addressed (para 97).

South Staffordshire Local Plan

The 2012 Core Strategy is the adopted NPPF compliant development plan for the district. Policy CP1 outlines the spatial strategy for the district. This strategy identifies a hierarchy of service villages with growth being primarily focussed towards the larger and more sustainable settlements. Outside of the service villages the emphasis is on protecting the character of the countryside though there is recognition that certain types of development may be acceptable including developments which support the local rural economy and rural diversification, additional policy detail on this matter is contained in policy EV5. This approach is reiterated in policy OC1 which states that the open countryside will be protected for its own sake but notes that certain uses will normally be considered acceptable, including purposes directly related to agriculture and forestry. Any new development will need to take full account of the nature and distinctive qualities of the local landscape (Policy EQ4).

The core strategy (CP9) supports the diversification of the rural economy where this does not conflict with environmental policies. In particular support is given to the appropriate diversification of the agricultural economy including the development of small scale renewable energy projects. The core strategy (policy EQ6) is committed to supporting renewable energy provision with a noticeable focus on the potential for biomass energy generation. This reflects the findings of the 2010 Staffordshire Countywide Renewables Energy Study which commented that 'biomass is very significant contributor to the overall potential for the district and as such has a very significant role to play'. The study also noted that the most significant biomass resources within the district were agriculture and wood waste.

Principle of Development

The proposal to generate energy from sustainable and low carbon sources has a strong measure of policy support both nationally and within the adopted core strategy. The district is committed to an aim of generating 9.6% of energy demand from renewable sources by 2020 with biomass energy generation highlighted as having a very significant role in helping to move towards this target. There are obvious benefits which derive from a rural location given the intention of generating energy from agricultural waste and the ready access such a location provides to source materials. Aside from more localised amenity issues relating to noise and odour generation, the key considerations would appear therefore to relate to potential impacts on the character of the open countryside and the specific landscape impacts that may arise given the scale of the proposal. There are in addition potential impacts to be considered on a number of designated heritage assets and issues relating to impact on nature conservation interests.

Impact on the Open Countryside

The core strategy aims to protect the open countryside for its own sake and therefore identifies a limited number of mainly smaller scale and rural related activities as being acceptable development in open countryside areas. Included within this list of acceptable uses is development directly related to agriculture or forestry. This use is related to agriculture however the principle objective of generating energy would exclude the proposal from being considered as meeting the policy exception in OC1. It is noted however that the buildings will have an agricultural appearance and will therefore in this sense not appear to introduce conflicting or inappropriate elements into the landscape. The other potential issue relating to impact on the character of the area is the increase in vehicular movements that may be associated with the delivery of waste materials to maintain a constant supply of material to feed to the anaerobic digestion system. The need to import biofuels for the anaerobic digester does somewhat negate the sustainable benefits of the development, therefore it would be helpful to understand how much waste could already be sourced on site from existing farm units. A clearer indication of the likely number of vehicles to be expected daily would be welcome in order to assess the scale of impact which may occur as a result of this element of the operation. Equally a long term business plan to set out clearly the way in which locally sourced biofuels will be encouraged, and ultimately replace long distance imported materials, would be helpful.

Impact on the Landscape

The relevant landscape policies in relation to this proposal are: South Staffordshire Local Plan EQ4: Protecting and Enhancing the Character and Appearance of the Landscape EQ11: Wider Design Considerations C. Form e), EQ12: Landscaping and NPPF paragraphs 17, 28, 109 & 115.

The site is bounded to the west and east by the A449 and M6. Aside from the substantial transport infrastructure running through the landscape, the character of the local area is largely informed by a pattern of medium to large scale agricultural fields bounded by existing hedgerows and pockets of woodland. There are also some isolated dwellings, commercial and agricultural buildings, which are mainly concentrated around the A449. Whilst the local landform is generally flat, a river valley runs through the area, affording greater potential for medium and long distance views to the south-east and east of the site.

Elements of the proposal, such as the digester and storage tanks, would be located in close proximity to the existing substantial agricultural buildings at Lower Drayton Farm and are not uncommon features on such larger scale farm facilities. However, the bund proposed around the site, clamp wall and potential lorry parking are features less commonly experienced in such an agricultural landscape and may appear incongruous in surrounding views if not appropriately screened. The proposal would also necessitate the removal of a hedgerow along Lower Drayton Lane to facilitate the construction of an access road. The potential harm arising from these landscape effects can be satisfactorily mitigated by the landscape mitigation measures detailed on page 21 of the

submitted Environmental Statement, in particular the replanting of the removed hedgerow and the provision of native species boundary planting surrounding the site.

The proposal would not be seen in views from dwellings in Penkridge to the south due to the intervening woodland planting. There are some isolated dwellings along A449, Teddesley Road and Lower Drayton Lane which lie in close proximity to the site and would achieve partial views to the development, although ultimately few residents would be affected and the extent of screening planting would serve to minimise this impact over time. There are potential viewpoints to the site from PRow's in the AONB, Historic Landscape Area and the canal walk to the east (adjacent to Teddesley Road). However, views from such locations would be largely screened by existing vegetation, and any remaining views would be softened over time as the proposed boundary planting grows. Some road users in the surrounding area may be afforded views of the site, particularly from the M6. However, views achieved will generally be transient in nature and experienced by less sensitive visual receptors, who can already observe other large scale features (such as sizable farming complexes and renewable energy development) sequentially as they travel along the M6.

Therefore, subject to a condition (L01) securing the appropriate screening and hedgerow maintenance and planting measures, there is no objection to the development on landscape and visual grounds. Any future landscaping scheme submitted to discharge this condition should reflect the landscape mitigation measures detailed in the document titled 'Environmental Statement - Proposed on Farm Gas to Grid Anaerobic Digestion Plant on Land at Lower Drayton Farm, Penkridge, Staffordshire, July 2016'.

Impact on Heritage Assets

A heritage assessment commissioned by the applicants identified that the proposal would have a potentially negative impact on at least three designated heritage assets and that this has been assessed as being negative/minor. It is therefore suggested that the views of the conservation officer are sought on this proposal.

Impact on Natural Environment Assets

There are a number of potential nature conservation issues which arise as a consequence of this proposal including potential air pollution impacts on the nearby Cannock Chase SAC and the potential presence of Great Crested Newts within the survey study area. It is recommended that the views of Natural England are sought on this aspect of the proposal.

Impacts on Local Amenity

The application is supported by a number of technical studies which seek to address the issues which could generate concern in relation to this type of proposal. The reports submitted by the agents conclude that under normal working conditions there should be no odour emissions, a low

impact in relation to noise and only small emissions of gases related to the CHP operation.

Conclusion

Local policy places a high value on protecting areas of open countryside (OC1) and seeks to restrict the approval of new developments in such areas to smaller scale rural related activities, an objective supported in policy EV5 which promotes small scale and sustainably accessible locations. It is noted however that the proposal would have a strong agricultural character and would be very closely related to the agricultural enterprise of which it will form a part, the nature and character of the proposal would also suggest that a location more closely related to one of the existing service villages would not be appropriate. The proposal would contribute to the key planning policy objectives of supporting the diversification of the rural and agricultural economies (CP9) and most significantly would make a very valuable contribution towards meeting the district renewable energy supply targets from a source identified as having significant potential within the district (EQ6).

The site has a long history of planning and enforcement cases for more commercial activities, and assurance is sought that if the development is permitted, that environmental mitigation measures are implemented to protect amenity, and that a robust business case is prepared to support its implementation and continued use.

Local Plans support the principle of this proposal, in this location, as the application shows strong linkages with the existing agricultural business. It is therefore suggested that subject to a satisfactory resolution of:

- o any outstanding issues regarding local amenity,*
- o heritage and nature conservation impacts,*
- o landscape impacts,*
- o a clearer indication of the number of daily vehicle movements, and*
- o a strong longer term business plan for the sustainable future of the anaerobic digester;*

that this application should be supported.

Arboricultural Officer (expired 06/09/16)

County Highways (02/09/16): *no objection subject to conditions:*

- 1. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed.*

2. *The development hereby permitted shall not be brought into use until the access drive, parking, servicing and turning areas have been provided in accordance with the approved plans.*

3. *The development hereby permitted shall not be commenced until the following off-site highway works have been constructed in accordance with the approved plans:*

- *Widening of existing junction of the A449 with Lower Drayton Lane and associated works*
- *Widening of Lower Drayton Lane and associated works.*

County Flood Risk Team (06/09/16): no objection subject to condition:

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme must be based on the design parameters and proposed strategy set out in the Flood Risk Assessment (Project No RMA-C1563, 11th April 2016).

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- o Surface water drainage system(s) designed in accordance with the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).*
- o SuDS design to include adequate water quality treatment including a detention basin and conveyance swale.*
- o Limiting the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm so that it will not exceed the corresponding greenfield rates.*
- o Provision of sufficient storage to accommodate 'dirty' water that has come into contact with feedstock, prior to use within the digester tanks or transport off-site.*
- o Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.*
- o Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.*
- o Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for*

the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and contact details for the organisation responsible for carrying out these duties.

County Planning (19/10/16): *Having regard to the observations above, it is reasonable to now conclude that the proposal would not lead to the sterilisation of significant underlying mineral resources.*

Therefore, in accordance with the powers contained in the 'Scheme of Delegation to Officers', this letter confirms that Staffordshire County Council, acting as the Minerals and Waste Planning Authority, withdraws their holding objection to the proposal, and now has NO OBJECTION to the planning application for the development of an on farm gas to grid anaerobic digestion plant for the generation of biomethane and electricity, associated ancillary equipment, construction of new access track, highway improvements and landscape planting, on land at Lower Drayton Farm, Penkridge, Staffordshire.

County Ecologist (09/09/16): *no objection subject to conditions for the following:*

- Landscape and aftercare scheme
- Lighting plan
- Protection of breeding birds

County Archaeology (31/08/16): *no objection subject to condition;*

Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written approval of the District Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication. The Scheme shall thereafter be implemented in full in accordance with the approved plans.

National Planning Casework Unit (expired 06/09/16)

Police (17/08/16): *standing advice given.*

Staffordshire Badger Conservation Group (17/08/16): *no objection.*

Canal and River Trust (17/08/16): *no comment.*

Inland Waterways Association (17/08/16): *The application site is approximately 300 metres away from the canal across the valley, and the plant will be partly screened by the proposed earth bunds although the conical and domed tops of the tanks will be visible above the bunding.*

The Viewpoint 2. Staffordshire & Worcestershire Canal photograph is taken across a cottage garden but views from the canal and towpath north from there up to Longford Bridge are more open and the visual impact of the proposals will have some affect on the rural setting of this part of the canal and its Conservation Area, although this can be mitigated over time by planting on the bunds. However, the existing farm buildings,

containers and vehicle storage on the site which already adversely impact the view from the canal will be removed so the net effect will be small.

The plans appear to show retention of part of the motor sport track but this will presumably be redundant and it would be beneficial to the wider landscape and views of the site if this adjoining area were returned to agriculture or used for mitigation planting and wildlife conservation. Certainly, it should be a condition that this activity, with all its untidy paraphernalia and noise generation, ceases and is not relocated to another part of the farm.

On balance, therefore, IWA has no objection to this application, subject to appropriate conditions on the screening bunds and planting, discontinuance of the motor sport activities and landscape restoration.

Environment Agency (05/09/16): no objection, but an environmental permit will be required.

Highways England (01/09/16): no objection.

Network Rail (17/08/16): no comment.

Ramblers Association (02/09/16): *The proposed replacement building will have no adverse effect on the Public Right of Way, a bridleway No 2 of Penkridge Parish, which passes through the farm. However I do have concerns if this proposal is given planning permission regarding the increased volume of heavy traffic that will be using the lane from the A449. The anaerobic digester will require constant deliveries of waste materials to operate twenty-four hours a day. Walkers and horse riders use the lane frequently and may come into conflict with the heavy lorries as the lane is very narrow.*

AONB Joint Committee (31/08/16): *The site is outside the AONB, approximately 4km to the west of the boundary on the A34 at Vivian's Wood and 4.5 km from the public footpath at Dark Slade where it emerges onto open ground, inside the AONB. At this point the altitude is around 160m and although the application site is lower, at 85m, the undulating topography and landscape, which contains a number of mature woodlands, means that the installation is unlikely to be visible from the AONB.*

In addition, I note the extensive on and off site landscaping and planting that is proposed and the fact the application site is to the west of the M6 motorway which runs on an embankment at that point.

I can confirm, therefore, the AONB Joint Committee has no objection to the proposed development.

Severn Trent Water (31/08/16): *no objection subject to condition requiring drainage plans for foul and surface water disposal.*

Natural England (06/09/16): *no objection.*

Health and Safety Executive (expired 06/09/16)

Western power Distribution (expired 06/09/16)

Staffordshire Fire and Rescue Service (expired 06/09/16)

Waste Management Unit (expired 06/09/16)

Campaign to Protect Rural England (expired 06/09/16)

Staffordshire Wildlife Trust (expired 06/09/16)

National Grid (expired 06/09/16)

Open Spaces Society (expired 06/09/16)

4.2 Representations

4.2.1 Four letters of support, and six letters of objection received raising the following:

- Increase of traffic on Lower Drayton Lane and the A449 will cause congestion and highway danger
- It will be visible upon views from the canal bridge and potentially upon the AONB

Site notice posted (expired 07/09/16) and advertisement published in Express and Star (expired 20/09/16).

5. APPRAISAL

5.1 The application has been presented to Planning Committee because it is contrary to Policy OC1.

5.2 Key Issues

- Principle of development
- Siting and operation
- Design and layout
- Impact on landscape
- Impact on ecology
- Impact on the historic environment
- Impact on agriculture and recreation
- Minerals
- Highways and access
- Impact on neighbouring dwellings
- Sustainable development
- Representations

5.3 Principle of development

5.3.1 The application site is outside of a defined service village and within the Open Countryside. CP1 seeks to protect the rural character of the

countryside and restricts development to particular forms of development as highlighted in Policy OC1.

5.3.2 Policy OC1 seeks to protect the Open Countryside for its own sake, in terms of its landscape, areas of ecological, historic, archaeological, agricultural and recreational value.

5.3.3 There are certain forms of development for new buildings that are considered to be appropriate in this area and they are for:

- Purposes directly related to agriculture and forestry;
- Small-scale facilities for outdoor sport or recreation, nature conservation, cemeteries and for other uses which preserve the appearance or character of the Open Countryside;
- Affordable housing where there is a proven local need; and
- Limited infilling, limited extensions and replacement buildings.

5.3.4 The proposed AD plant does not meet the permitted forms of development as outlined above.

5.3.5 However, NP1 tasks the Council to take a positive approach when considering development proposals that reflects the presumption in favour of sustainable development contained in the NPPF. This is to ensure proactive working with applicants to find solutions to secure development that improves the economic, social and environmental conditions of the District.

5.3.6 The NPPF states that development plans are the starting point for the decision making process, whether applications are approved or refused, unless material considerations indicate otherwise. Although the Open Countryside is a safeguarded area within our Core Strategy, the presumption in favour of sustainable development still applies (unlike the Green Belt or AONB) as highlighted in NP1 and the NPPF; therefore other material considerations and policies need to be weighed in the balance upon making a decision.

5.3.7 CP9 supports the social and economic needs of rural communities and supports developments for small-scale renewable energy projects; and Policy EV5 supports small-scale employment development that have a business case to demonstrate how it will support the local economy.

5.3.8 Policy EQ6 encourages the delivery of renewable energy generation in the District. It states that a minimum of 9.6% of its energy demand should be derived through renewable energy sources by 2020. There is a strong focus on bio-energy, particularly those using locally derived sources, which are considered against the following criteria:

- Impact on designated biodiversity sites and species, ancient woodland and heritage assets and their settings;
- Brownfield sites or co-located with other wood processing industries;
- Located and scaled to avoid adverse off-site impacts;

- Located close to the point of demand or adjacent to existing transport corridors;
- Minimise pollution from noise, emissions and odours; and
- Minimise impacts on amenity on existing residential developments.

(n.b. the above criteria has been considered as part of the overall report)

5.3.9 The NPPF supports the delivery of renewable energy projects and states that local authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy. Within the Waste Management Plan for England it states:

"The Government supports anaerobic digestion (AD) because of its value in dealing with organic waste and avoiding, by more efficient capture and treatment, the greenhouse gas emissions associated with its disposal to landfill. AD also recovers energy and produces valuable bio-fertilisers. The Government is committed to increasing the energy from waste produced through AD..."

5.3.10 Although CP9 supports small-scale renewable energy projects (which this scheme is not considering the size of the AD plant) in rural areas, Policy EQ6 encourages the delivery of renewable energy schemes particularly those utilising bio-energy and national policy is committed to increasing AD.

5.3.11 The proposal is not considered to be an employment use because it will only employ the equivalent of two members of staff with the work being delivered by existing or future farm workers. The proposal is a renewable energy scheme, first and foremost, therefore a business case to demonstrate how it will support the local economy it is not deemed necessary as would normally be required under Policy EV5.

5.4 Siting

5.4.1 CP3 (Sustainable Development and Climate change) encourages the preference to develop on brownfield sites in sustainable locations and the re-use of buildings. This is reflected in Policy EQ6 (Renewable energy) where it states that consideration should be given to brownfield sites.

5.4.2 As this is a specialist type of development, it is unlikely that a building could be converted to accommodate an AD plant and there are not any known vacant AD plants that could be re-used in the District.

5.4.3 In terms of selecting this site, within the submitted Design and Access Statement it is stated that the applicant before considering this site sent out over 3000 letters to land owners across the country who own land within a viable distance from the required gas distribution network. The National Land Use Database of Previously Developed Land, which provides a record of all brownfield sites in England, was also analysed and found that 938 sites were potentially suitable for AD. None of these sites were within the District, with six sites found in Stafford:

1. 31.01ha of brownfield defence land;

2. 3.01ha former scrapyard;
3. 3.11ha of brownfield defence land;
4. 2.6ha former proof and experimental range;
5. 5.55ha of brownfield land and buildings; and
6. 1.67ha of brownfield land and buildings.

5.4.4 It was stated that site 1 is listed for accepting refuse for disposal, with site 5 being suitable for employment and site 6 was not considered big enough for an AD plant of this nature.

5.4.5 Sites 1 and 3 were not close to a strategic road network and also had ecological value, meaning that developing these sites would impact upon biodiversity. Site 2 was also away from a strategic road network and was adjacent to a SSSI and close to a residential area. Therefore all the sites were discounted.

5.4.6 Within Policy EQ6, under map 11, certain sites have been highlighted for renewable energy potential. However, sites have been highlighted for wind energy but not for biomass energy due to their highly distributed nature. Therefore, there are no designated brownfield sites or preferred sites within the Core Strategy for AD plants; unlike those for housing or employment.

5.4.7 Additionally, the NPPF states that sequential tests should be applied for main town centre uses that are proposed outside of existing centres (which does not apply to this proposal) or to steer development away from areas at risk of flooding.

5.4.8 A Flood Risk Assessment was submitted with the application that found the site to lie entirely within Flood Zone 1 (low risk). At its nearest point, the floodplain of the River Penk is approximately 90m to the east of the site and this falls within Flood Zone 3 (high risk). Considering that the site is not within an area at high risk of flooding, with the floodplain being approximately 90m from the site, a sequential test is not deemed necessary. It should also be noted that the Environment Agency and the County Flood Risk Team raised no objections to the proposal, subject to conditions, and did not consider the development to have a negative impact on water quality; complying with EQ7.

5.4.9 Therefore, the siting of the application (notwithstanding the other material considerations) is considered acceptable without a full sequential test.

5.4.10 In the absence of designated brownfield sites suitable for AD plants in the District, and that the proposal would be co-located next to a farm with gas connection access and amongst a strategic highway network (the A449 and the M6); it is considered that the siting of the plant is acceptable, complying with Policy EQ6.

5.5 Design and layout

5.5.1 Policy EQ11 seeks high quality design for all new developments that take into account local character and distinctiveness; and Policy EQ12

emphasises that the landscaping of new development should be an integral part of the overall design.

5.5.2 The different elements of the proposal would all provide a functional use for the overall operation of the AD plant; therefore its design is rather restricted in that sense. From the surrounding road network the plant would be sited approximately 190m from Lower Drayton Lane, 390m from the A449, 300m from the M6 and 305m from Teddesley Road. From the bridleway and the canal, the plant would be sited approximately 200m and 390m respectively

5.5.3 Views of the site from the streetscene, bridleway and canal are restricted due to the distance of the proposal and the vegetation around the site creating a screening effect. This would collectively result in the proposed AD plant having a relatively limited impact upon the streetscene even when taking the large storage and digester tanks into account.

5.5.4 Even though having a limited impact from the streetscene, the most visually dominant aspect of the proposal would be the tanks. When considering their design, they would be somewhat agricultural in appearance and clad in dark green which would assist in absorbing them within this rural location. It is therefore considered they would not detrimentally impact upon local character or distinctiveness; complying with Policy EQ11.

5.5.5 Within the submitted Landscape and Visual Report a landscape scheme has been proposed comprising additional hedgerow and tree planting along the A449 and the reinstatement of the hedgerow along Lower Drayton Lane where the road is to be widened and the new access point inserted. A 3m high bund, with a total length of 660m, would be inserted around the AD plant to contain it and this would have shrub and tree planting on the outside where it is anticipated that the trees would grow to a minimum height of 12m. planting on the outside comprising trees and shrubs.

5.5.6 The landscape planting proposed is considered acceptable and would assist in further screening the proposed development from public views, particularly the bund which will contain the plant. To ensure that the proposed landscaping is delivered a condition has been imposed to this affect.

5.6 Impact on landscape

5.6.1 Policy EQ4 seeks to protect the rural character and local distinctiveness of the landscape and that it should be maintained and enhanced where possible. Policy OC1 seeks to protect the landscape of the open countryside and Policy EQ3 seeks to protect historic landscapes.

5.6.2 A Landscape and Visual Report was submitted with the application that analysed viewpoints from six key receptor points around the site:

1. Sabrina Way - 500m northwest of site

2. Staffordshire and Worcestershire Canal - 400m southeast of the site
3. Teddesley Road - 350m southeast of the site
4. Teddesley Park - 1.1km northeast of the site
5. Wolgarston Farm - 1.3km southeast of the site
6. Cannock Chase AONB - 4.7km northeast of the site

5.6.3 Overall it was concluded that the impact of the proposal would on the whole have a 'slight adverse' impact on the landscape from the viewpoints closer to the site, with a 'negligible / slight adverse' impact from views that are further away. This report was shown to our Urban Design and Landscape Officer who raised no objections to the impact upon the landscape.

5.6.4 Views of the site are rather restricted due to the undulations of the land and the intervening vegetation that screens the site from the wider landscape. Importantly the views from Teddesley Park, which is a designated Historic Landscape Area, will not be detrimentally impacted upon. Therefore, the development will not be obtrusive amongst the wider landscape.

5.6.5 Views of the site from the surrounding road network and the bridleway is largely screened by hedgerows and trees with the clearest most open view achieved from the M6. However, this view is from passing traffic travelling at high speeds and is transient in nature.

5.6.6 Partial views of the development may be achieved from the isolated neighbouring dwellings which lie in close proximity to the farm, but ultimately few residents would be affected and the proposed landscaping scheme would serve to minimise this impact over time.

5.6.7 The digester and storage tanks, which are the most prominent features of the proposal, would be sited towards the existing agricultural buildings. This will assist in absorbing the development amongst the landscape as it would 'group' the larger buildings into a particular area of the farm and buildings of this size that are agricultural in appearance are not uncommon features on large scale farm facilities.

5.6.8 The application site is approximately 4km west of the AONB, and the AONB Joint Committee was consulted upon the application. No objections were raised and they concluded:

"The site is outside the AONB, approximately 4km to the west of the boundary on the A34 at Vivian's Wood and 4.5 km from the public footpath at Dark Slade where it emerges onto open ground, inside the AONB. At this point the altitude is around 160m and although the application site is lower, at 85m, the undulating topography and landscape, which contains a number of mature woodlands, means that the installation is unlikely to be visible from the AONB."

5.6.9 It is therefore concluded that overall the proposed development would not have an adverse impact upon the wider landscape or compromise the character of the Open Countryside or views from the Historic Landscape Area and the AONB; complying with policies EQ3, EQ4, EQ6 and OC1.

5.7 Impact on the historic environment

5.7.1 Policy EQ3 seeks to conserve and enhance the historic environment of the District. The County Archaeologist raised no objection to the proposal subject to condition for a written scheme of archaeological investigation; and the Conservation Officer agreed with the conclusions of the submitted Historic Visual Impact Assessment that any impact upon designated and non-designated heritage assets would be minor or negligible.

5.7.2 The Conservation Officer also stated that the impact upon the Staffordshire and Worcestershire Canal Conservation Area, 300m to the southeast of the site, would be negligible. Comments were also received from the Inland Waterways Association who recognise the valuable amenity and recreational corridor that the canal functions as and held no objections to the proposal. They did however request that the existing motorsport track and its paraphernalia be discontinued and removed for the benefit of the landscape. However, the removal of this activity is not necessary to make this application acceptable in planning terms; therefore any condition to this effect will likely fail the test of reasonableness.

5.7.3 Considering that there would not be a material impact upon the historic environment as a result of the development, it complies with policies EQ3, EQ6 and OC1.

5.8 Impact on ecology and Cannock Chase SAC

5.8.1 Policy EQ1 will support development that does not cause significant harm to habitats of nature conservation, together with species that are protected or under threat. Policy EQ2 seeks to protect the Cannock Chase SAC and to only permit development that does not impact upon its integrity.

5.8.2 An Environmental Assessment and ecological surveys have been submitted with the application including an Extended Phase 1 Habitat Survey and a Great Crested Newt Survey. Natural England raised no objection to the proposal and confirmed that it would not damage or destroy the interest features of the SAC, which is sited 5km to the east of the site.

5.8.3 The County Ecologist also raised no objection to the proposal in terms of impact upon protected species subject to conditions that include a landscape, lighting plan and for works to be conducted outside of the bird breeding season.

5.8.4 It is therefore concluded that the proposal would not detrimentally impact upon protected species or upon the integrity of the Cannock Chase SAC; complying with policies EQ1, EQ2, EQ6 and OC1.

5.9 Impact on agriculture and recreation

5.9.1 Policy OC1 seeks to protect the agricultural and recreational value of the Open Countryside with CP2 aiming to protect the best and most versatile agricultural land.

5.9.2 Within the Agricultural Land Classification (2010) map produced by Natural England it shows the site within Grade 2 which is 'Very Good' agricultural land meaning it is one of the most flexible in terms of productivity.

5.9.3 Notwithstanding this, the site value as agricultural land is limited due to it currently being used for storage and motorsport activities; and upon my site visit I could not see any evidence that the site area is being farmed at all. Therefore there would be no net loss of agricultural production from the site.

5.9.4 It should also be noted that Natural England raised no objection to the proposal and stated:

"...the proposed development would not appear to lead to the loss of over 20ha 'best and most versatile' agricultural land..."

5.9.5 Additionally, as a Green Belt authority, the District benefits from a plethora of high grade agricultural land; and the loss of this site area for a renewable energy development would not materially compromise the District's availability of farming land or functioning of farming practices.

5.9.6 Currently the only recreational value the site benefits from is the motorsport racetrack that is partly within the site. The development of this AD plant would shorten this track but would not lead to its loss. It is therefore considered that the proposal would not lead to a material decrease in agricultural land availability or upon recreational value; complying with policies CP2 and OC1.

5.10 Minerals

5.10.1 The NPPF recognises that a sufficient supply of materials is available to support sustainable economic growth, and because they can only be worked where they are found it is important to secure their long-term conservation.

5.10.2 The County Council highlight the site as an area with sand and gravel resources and the development could therefore lead to adverse impacts on underlying mineral resources. Within the letter dated the 19/10/16 from the applicant's agent, it is stated that:

"I can confirm that should any material of this nature be encountered during excavation or site levelling works onsite then every effort will be

made to explore the potential of using it within the development. This is especially relevant as the proposal contains containment bunds within which this material may be used. In the instance that the material is found not to be suitable for use within the development onsite then every effort will be made to ensure that this material will be put to beneficial use instead of being disposed of."

5.10.3 The County Council are comfortable with this approach and a condition has been imposed to this effect. It is therefore considered that the proposal will not lead to sterilisation of significant underlying mineral resources complying with the NPPF.

5.11 Highways and access

5.11.1 It is proposed to widen Lower Drayton Lane and the junction from the A449 to accommodate HGVs. A Transport Assessment has been submitted with the application that calculates an average of 14 vehicle movements per day on the local highway network based on an operational timeframe of 313 days per year. However, it should be noted that this proposed traffic generation is based upon a worst-case scenario if all the feedstock material for the plant is sourced off-site. Highways England have raised no objection to the proposal and neither have County Highways subject to conditions.

5.11.2 Policy EV11 seeks the provision of sustainable forms of transport to access sites. This includes footpaths, cycleways, cycle parking and bus stops.

5.11.3 There is a footpath along the A449 up to Lower Drayton Lane and there is a bus stop directly by this junction served by the numbers 54 (Stafford), 75 (Cannock) and 76 (Wolverhampton). There is also ample space on site for cycle parking if necessary. It is therefore considered that the proposal complies with EV11 and would not give rise to highway danger complying with EQ6.

5.12 Impact on neighbouring dwellings

5.12.1 Policy EQ9 seeks to protect the amenity of nearby residents, including any detrimental impact from noise and disturbance. Policy EQ10 seeks to protect public health and amenity from potentially hazardous activities including gas transmission pipelines.

5.12.2 Within this rural locale there are pockets of isolated residential dwellings around the application site. There is a terrace of four houses, 1-4 Lower Drayton Lane, over 250m to the north of the site and over 390m away from the entrance of the proposed new access road. The two dwellings Bridge Cottage and Longford House on Teddesley Road would be over 300m to the southeast and the properties Chase View and Old Drayton Farmhouse that are served off the A449 would be over 400m to the southwest of the site.

5.12.3 The nearest residential dwellings around the site are at a distance to mitigate any detrimental loss of light, overbearing impact or loss of privacy.

5.12.4 An Environmental Statement as well as a Noise Assessment and Odour Assessment were submitted as part of the application. The Environment Agency raised no objection to the proposal and stated that an environmental permit would be required for the operation of the AD plant. The Council's own Environmental Protection team has reviewed the information and raised no objection subject to condition that the Odour Assessment forms part of the planning consent. The Health and Safety Executive were also consulted as were the National Planning Casework Unit who raised no concerns over public safety.

5.12.5 Considering that the nearest neighbouring dwelling is over 250m away and that the applicant has demonstrated through assessments that there would be no detrimental impact caused upon neighbouring amenity by way of emissions, noise or odour; and that no concerns have been raised over public health; the proposal complies with policies EQ6, EQ9 and EQ10.

5.13 Sustainable development

5.13.1 Policy NP1 tasks the Council to take a positive approach that reflects the presumption in favour of sustainable development. Proactive engagement should be conducted with applicants to find solutions to approve proposals wherever possible, and to secure development that improves the economic, social and environmental conditions in the District.

5.13.2 The three facets of sustainable development have been assessed below:

- Economic

The proposal would contribute to the local economy through the construction process via the purchasing of materials and job creation.

- Social

The proposal would contribute to the wellbeing of the District by creating job opportunities for residents during the construction process.

- Environmental

The development of the site would not cause detrimental impact upon local ecology or underlying minerals and will introduce a renewable energy scheme for anaerobic digestion that will deliver environmental benefits for the District.

5.13.3 On balance it is considered that the proposed development satisfies the three facets of sustainable development.

5.14 Representations

5.14.1 Comments received have been addressed.

6. CONCLUSION

6.1 The proposal is for the delivery of a renewable energy AD plant and would contribute to the renewable energy aspirations of the District and the delivery of such projects is strongly supported nationally. Although the development is by principle contrary to Policy OC1, it is considered that the development would not detrimentally impact upon the landscape, ecology, historic and archaeological features, or upon agricultural and recreational value, which collectively make-up the key qualities of the Open Countryside.

6.1.1 The proposal is sited on an existing farm where materials are easily accessible and is by a gas connection and surrounded by a strategic road network. The design of the plant is considered acceptable and together with the proposed landscaping, there would not be a detrimental impact upon the wider landscape or the AONB. There also would be no material harm to the integrity of the Cannock Chase SAC and would not jeopardise the agricultural capacity of the District or upon mineral resources. There would be no detrimental harm upon the amenity of nearby residents or upon public health and in weighing up all material considerations, it is considered that the proposal meets the facets of sustainable development and is therefore recommended for approval; complying with policies NP1, CP1, CP2, CP3, CP9, EQ1, EQ2, EQ3, EQ4, EQ6, EQ7, EQ9, EQ10, EQ11, EQ12, EV5 and EV11 and the National Planning Policy Framework.

7. RECOMMENDATION APPROVE

Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings and surveys:

1548/D001 V1
1548/D002 v.2
1548/D003 v.2
1548/D007 v.a
1548/D008 v.a
1548/D009 v.a
1548/D010 v.a
1548/D011 v.a
1548/D012 v.b
1548/D013 v.a
1548/D014 v.a
1548/D015 v.a

1548/D016 v.a

1548/D017 v.a

1548/D018 v.a

1548/D019 v.a

1548/D020 v.a

1548/D021 v.a

1548/D022 v.a

1548/D023 v.a

1548/D024 v.a

1548/D025 v.1

Odour Assessment

Extended Phase 1 Habitat Survey

3. The development hereby permitted does not allow the processing of household waste.
4. Before the development commences a landscape scheme, that includes an aftercare scheme, shall be submitted to the Local Planning Authority for approval. The approved scheme shall be implemented concurrently with the development and completed within 12 months of the completion of the development. The Local Planning Authority shall be notified when the scheme has been completed. Any failures shall be replaced within the next available planting season and the scheme shall be maintained to the satisfaction of the Local Planning Authority.
5. No existing trees, shrubs or hedges on the site or its boundaries shall be lopped, topped or cut down without the prior consent of the Local Planning Authority. If any existing trees, shrubs or hedges are cut down or die, they shall be replaced with the same species (unless otherwise agreed with the Local Planning Authority) within the next available planting season and shall be maintained to the satisfaction of the Local Planning Authority.
6. Before the development commences the existing trees, shrubs and hedges on the site shall be protected by fencing constructed in accordance with BS5837:2012 in positions to be agreed with the Local Planning Authority which shall be retained throughout the development of the site in the approved positions.
7. Vegetation removal shall only be conducted outside of the bird breeding season (March-August inclusive) with any removal within this time to be preceded by an ornithological survey.
8. The permission hereby granted does not grant or imply consent for the installation of any means of lighting on the site or the building. Before any development takes place a scheme for the lighting of the building, roadways and parking areas shall be submitted to the Local Planning Authority for approval and the development shall be carried out in accordance with the approved scheme. Additional lighting or alterations to the approved scheme shall not be carried out other than with the written approval of the Local Planning Authority.

9. Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written approval of the District Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication. The Scheme shall thereafter be implemented in full in accordance with the approved plans.
10. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
11. No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The scheme must be based on the design parameters and proposed strategy set out in the Flood Risk Assessment (Project No RMA-C1563, 11th April 2016).

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- o Surface water drainage system(s) designed in accordance with the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).
- o SuDS design to include adequate water quality treatment including a detention basin and conveyance swale.
- o Limiting the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm so that it will not exceed the corresponding greenfield rates.
- o Provision of sufficient storage to accommodate 'dirty' water that has come into contact with feedstock, prior to use within the digester tanks or transport off-site.
- o Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- o Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.

Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a

schedule of required maintenance activities and frequencies, and contact details for the organisation responsible for carrying out these duties

12. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed.
13. The development hereby permitted shall not be brought into use until the access drive, parking, servicing and turning areas have been provided in accordance with the approved plans.
14. The development hereby permitted shall not be commenced until the following off-site highway works have been constructed in accordance with the approved plans:
 - Widening of existing junction of the A449 with Lower Drayton Lane and associated works.
 - Widening of Lower Drayton Lane and associated works.
15. If 'River Gravel Resources' are found during the construction of the development then every effort shall be made to explore the potential of using it within the development.

Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. To safeguard the amenity of residents in accordance with policy EQ9 of the adopted Core Strategy.
4. To safeguard the amenity of the area in accordance with policies EQ1, EQ11 and EQ12 of the adopted Core Strategy.
5. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
6. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy.
7. To avoid any adverse impact upon ground nesting birds in order to comply with policy EQ1.
8. To safeguard the amenity of the area in accordance with policies EQ9 and EQ11 of the adopted Core Strategy.

9. To safeguard the amenity of the historic environment in accordance with policy EQ3 of the adopted Core Strategy.
10. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
11. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
12. In the interest of highway safety and to comply with Staffordshire County Council requirement for vehicular access crossings.
13. In the interest of highway safety.
14. In the interest of highway safety.
15. To prevent the sterilisation of significant underlying mineral resources.
16. Pro-active Statement

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (2012) the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the adopted Core Strategy (2012).

17. INFORMATIVES

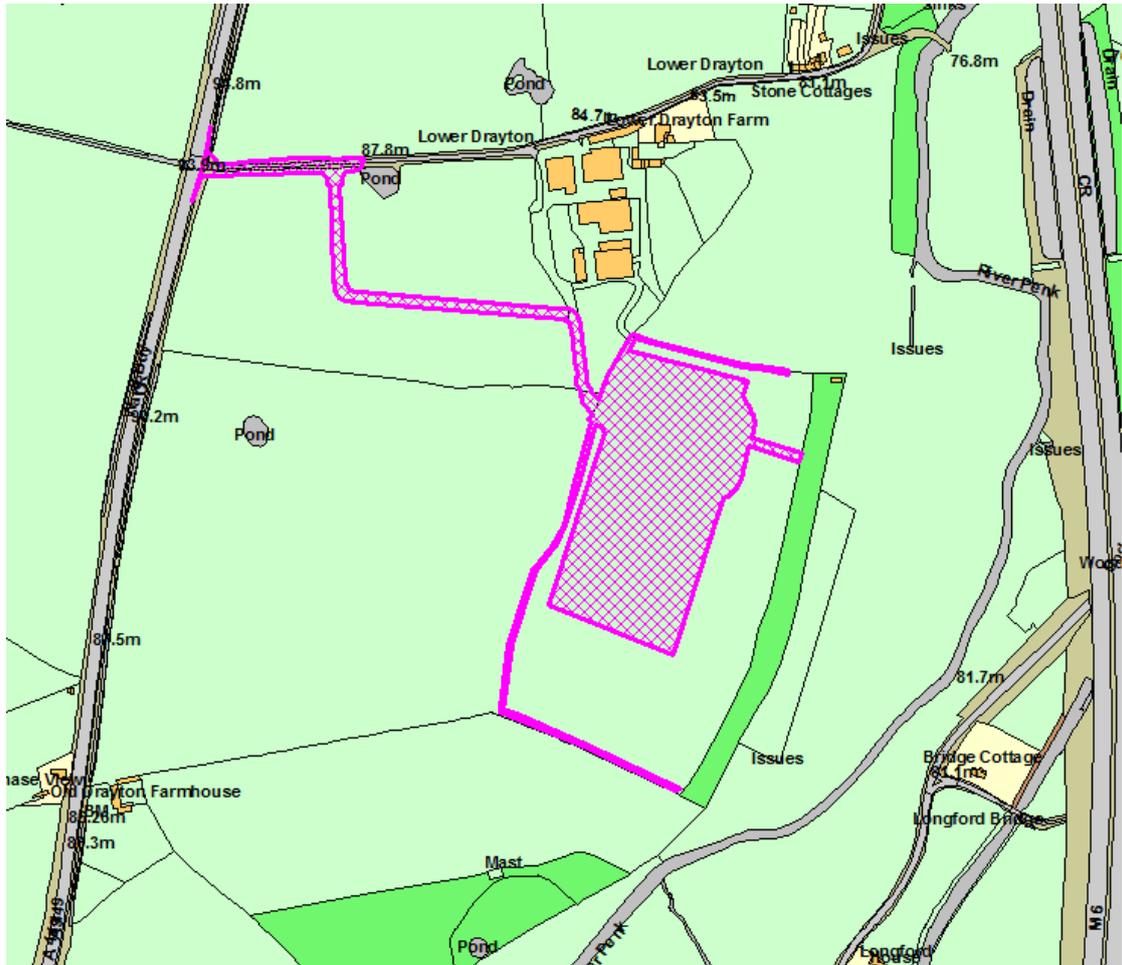
i) Severn Trent Water

We advise that there may be a public sewer located within the application site and encourage the applicant to investigate this. Please note that public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. If there are sewers which will come into close proximity of the works, the applicant is advised to contact Severn Trent Water to discuss the proposals and we will seek to assist with obtaining a solution which protects both the public sewer and the building.

Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

ii) County Highways

The condition requiring off-site highway works shall require a Major Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Major Works Information Pack and an application Form for the Major Works Agreement. Please complete and send to the address indicated on the application Form which is Staffordshire County Council, Network Management Unit, Staffordshire Place 2, Tipping Street, Stafford. ST16 2DH. (or email to nmu@staffordshire.gov.uk)
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>



Lower Drayton Farm, Lower Drayton Lane, Penkridge ST19 5RE