SECTION 73 [S73] AMENDMENT TO PLANNING PERMISSION 15/00090/WASFUL

PLANNING STATEMENT

WORMSLADE FARM, CLIPSTON ROAD, KELMARSH, LE16 9RX

ON BEHALF OF WORMSLADE BIOGAS LTD

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004
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1. **INTRODUCTION**

1.1 This Planning Statement supports an application for a Section 73 ["S73"] amendment to planning permission 15/00090/WASFUL which allows for the construction and operation of an on-farm anaerobic digestion plant on land at Wormslade Farm, Clipston Road, Clipston, Market Harborough, LE16 9RP

1.2 The application is submitted by Pegasus Group on behalf of Wormslade Biogas Ltd ["the applicant"] who is the lessee of the site.

**Background**

1.3 Planning Permission 15/00090/WASFUL was granted by Northamptonshire County Council on 30 June 2016 and allowed for an anaerobic digester fed with a mixture of agricultural waste and energy crop. The permission has not yet been implemented. A copy of the Decision Notice is provided at Appendix 1 and the approved plans are provided at Appendix 2.

**APPENDIX 1 - COPY OF PLANNING PERMISSION 15/00090/WASFUL**

**APPENDIX 2 – APPROVED PLANS**

1.4 As cited in the approved planning application documentation, Wormslade Biogas Ltd will deliver the financial package that will secure a step change to the sustainable farming practices of contributing local farms by removing the need for them to landspread untreated agricultural manure. The project’s financial model incorporated the Government’s Renewable Heat Incentive Scheme and Domestic Renewable Heat Incentive Scheme (Amendment) Regulations 2015. The Renewables heat Incentive ["RHI"] is the Government toolkit which supports the development of anaerobic digestions projects. However, the Government are introducing changes to the eligibility criteria for bio-methane injection schemes. The Department of Business Energy and Industrial Strategy (previously DECC) are implementing changes to the RHI that will take the direction of anaerobic digestion away from facilities which are predominantly fed on purpose grown crops (known as energy crops). This is to steer away from the potential situation where energy crops, and the competition for land, could inadvertently compromise food production and food security. As an alternative, the use of waste material as a feedstock is being actively encouraged by the Government with the latest legislation due to be ratified in March 2018.
1.5 The applicant is now proposing modifications to the approved scheme in light of the wider changes being made to the Government’s RHI scheme.

1.6 Accordingly, this application submission seeks to vary three elements of planning permission 15/00090/WASFUL, these are: -

- Variation of approved plans [listed under condition 2];
- Variation to the approved feedstock [listed under condition 5]; and
- Variation to approved feedstock catchment area [listed under condition 14].

1.7 The suggested variations are identified below and discussed within Sections 3 and 5 of this statement.

1.8 **Condition 2** of planning permission 15/00090/WASFUL states: -

November 2012 • Planning Statement - Nov 2015 REV_1 • Design and Access Statement dated November 2015

Reason: For the avoidance of doubt and in the interests of amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014)

1.9 This planning application seeks to vary the wording of the condition to read as follows, or other wording to be agreed by the County Council [with proposed variation shown in bold]: -

Reason: For the avoidance of doubt and in the interests of amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

1.10 **Condition 5** of the planning permission states: -

The feedstock imports shall be restricted to farm slurry waste and biomass crops and the annual throughput of imported waste shall not exceed 46,000 tonnes per annum.

Reason: To specify the scope of the permission, in the interests of clarity, to ensure compliance with Policy 11 of the Northamptonshire Minerals and Waste Local Plan (2014) and to control the amenity impacts of the development having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

1.11 This planning application seeks to vary the wording of the condition to read as follows, or other wording to be as agreed by the County Council [with proposed variation shown in bold]: -

The feedstock imports shall be restricted to farm slurry waste, *agricultural waste* and crops and the annual throughput of imported waste shall not exceed 46,000 tonnes per annum.

Reason: To specify the scope of the permission, in the interests of clarity, to ensure compliance with Policy 11 of the Northamptonshire Minerals and Waste Local Plan (2014) and to control the amenity impacts of the development having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

1.12 **Condition 14** of planning permission 15/00090/WASFUL states: -

Prior to commercial operation of the development hereby permitted the operator shall submit to the Waste Planning Authority for approval in writing an indicative plan showing the intended catchment area for feedstock sources for treatment
at the facility. The plan shall be in accordance with a local catchment and the 10 mile maximum distance in the submitted application. The annual report required by condition 15 shall incorporate such records that demonstrate compliance with the indicative catchment area plan.

Reason: To ensure that waste materials are dealt with as close to their source as possible in the interest of self sufficiency and sustainability having regard to Policies 13 and 23 of the Northamptonshire Minerals and Waste Local Plan (2014).

1.13 This planning application seeks to vary the wording of the condition to read as follows, or other wording to be agreed with the County Council [with proposed variation shown in bold]: -

Prior to commercial operation of the development hereby permitted the operator shall submit to the Waste Planning Authority for approval in writing an indicative plan showing the intended catchment area for the agricultural feedstock sources for treatment at the facility. The plan shall be in accordance with a local catchment and the 1,250 sq km submitted in the application. The annual report required by condition 15 shall incorporate such records that demonstrate compliance with the indicative catchment area plan.

Reason: To ensure that waste materials are dealt with as close to their source as possible in the interest of self sufficiency and sustainability having regard to Policies 13 and 23 of the Northamptonshire Minerals and Waste Local Plan (2014) whilst ensuring that the site can viably operate without invoking an artificially high agricultural waste price in the catchment area.

Planning Application Documentation

1.14 To recap, the application submission for the permitted scheme included a suite of planning and technical documentation comprising: Completed Planning Application Form; Planning Application Drawings; Design and Access Statement; Ecological Assessment; Soft Landscaping Scheme; Arboricultural Impact Assessment; Landscape plan; Construction Transport Management Plan; Dust Management Plan; Odour Management Plan; Pest Management Plan; Flood Risk Assessment & Surface Water Management Plan; Archaeology Interim Report; Friends of the Earth Technical Briefing Paper on Anaerobic Digestion Plants; Planning Statement;
1.15 In light of the nature of the variation proposed against the context of the recent planning permission, the County Council agreed that the technical documentation that supported the permitted scheme remain pertinent to this application and do not need to be updated. As part of its pre-application advice it was agreed that only the following documents would be required to support the minor material amendment: -

- Planning Application Form and Certificates;
- Planning Application Drawings;
- Feedstock Catchment Plan; and
- Planning Statement [this statement].

1.16 The issues relevant to the application for Planning Permission are set out in this Statement. The subsequent sections of this Statement are divided into: -

**Section 2: Application Site**

1.17 This section contains a description of the application site.

**Section 3: Application Proposal**

1.18 This section contains a description of the proposal and the development parameters that forms part of the formal planning appraisal.

**Section 4: Planning Policy and Material Considerations**

1.19 Section 4 outlines the planning policy context for the site, including both national policy guidance and the statutory development plan which comprises the Northamptonshire Minerals and Waste Local Plan and the West Northamptonshire Joint Core Strategy Local Plan.

1.20 Brief explanations of the key policies pertaining to the development proposal are contained within this section.
Section 5: Planning Appraisal

1.21 This section outlines some of the planning matters that are considered to be important to the consideration of the proposed modification. Considerations are addressed in turn and explained in the context of the relevant planning policy outlined in Section 4.

Section 6: Conclusions

1.22 This section provides the concluding comments in relation to the planning application proposal.
2. APPLICATION SITE AND ITS SURROUNDS

2.1 The application site is located on agricultural land forming part of Wormslade Farm, Clipston, Market Harborough. The site is bounded by the A508 [Harborough Road] to the east and Clipston Road to the north, from which the main site access will be located. The land falls gently across the site from south to north, between the 115-120m contours, as illustrated on the location plan. There is a group of existing agricultural buildings in the south-western corner of the site and some overhead cables running along the western site boundary. All the surrounding land is in agricultural use.

2.2 Wormslade Farm is located approximately one mile to the east of Clipston village with the nearest property being the farmhouse at Kelmarsh Field Farm approximately 400 metres to the north west of the site.

2.3 There is a disused railway line which runs partially on embankment and partially in cutting to the east of the A508. This has been transformed into a linear walk called the Brampton Valley Way. It is also used as part of other promoted routes including the MacMillan Way and the Midshires Way.

2.4 There are no public rights directly affecting the application site. The site occupies the lower part of a minor valley through which flows Sidom’s Ford, a tributary to the River Ise. The valley sides rise immediately to the south of the site and to the north of Sidom’s Ford towards Great Oxendon. The valley supports a mix of arable and livestock farming. There is a mix of small, medium and large scale fields, regular to sub-regular in shape, bounded by hedgerows. There is good tree cover along the watercourse; in the hedgerows along the valley bottom; and along the dis-used railway.
3. APPLICATION PROPOSAL

3.1 Planning Permission 15/00090/WASFUL was granted by Northamptonshire County Council on 30 June 2016 and allowed for an anaerobic digester fed with a mixture of waste and non-waste materials. The permission has not yet been implemented.

3.2 The approved development involves the annual processing of no more than 46,000 tonnes per annum. The applicant is proposing to modify the feedstock to incorporate additional agricultural waste materials in liquid and solid forms. The proposed amendment will not increase the approved tonnage of feedstock and this will remain at 46,000 tonnes per annum.

3.3 The proposed changes to the permitted scheme directly respond to the Department of Business Energy and Industrial Strategy’s intention to implement changes to the rules and regulations that govern biomethane production. These changes are taking the direction of Anaerobic Digestion (AD) away from facilities which are predominantly fed on agricultural crops to schemes where at least 50% of the biogas is derived from feedstock that are waste.

3.4 Only 11% of the permitted feedstock at Wormslade is derived from agricultural slurry and as such in order to secure the plant’s sustainability credentials for the longer term, the applicant is now looking to offset a proportion of the harvested feedstock with additional agricultural waste. The objective here is to increase the ‘agricultural waste’ element of the feedstock from 11% to a minimum of 50%. The appropriate additional waste arisings will be locally sourced, within a defined catchment area, in line with the sustainable sourcing strategy of the RHI.

3.5 The sustainable waste will replace the need to transport up to 18,000 tonnes per annum of silage, biomass and maize to site.
3.6 The table below provides a comparison of the approved and proposed composition of feedstock:

<table>
<thead>
<tr>
<th>Feedstock</th>
<th>Permitted (Planning permission 15/11887 /FUL) tonnes per annum</th>
<th>Proposed Amendment</th>
<th>Reception Method</th>
<th>Proposed vehicle movement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type</strong></td>
<td><strong>Description</strong></td>
<td><strong>Total waste</strong></td>
<td><strong>Up to 30,000</strong></td>
<td></td>
</tr>
<tr>
<td>Agricultural Waste</td>
<td>Slurry</td>
<td>5,000 tpa</td>
<td>Up to 5,000 tpa</td>
<td>Liquid Tank 250 x 20m³ tanker</td>
</tr>
<tr>
<td>Black grass compromised crop</td>
<td>Nil</td>
<td>Up to 10,000 tpa</td>
<td>Clamp 715 x 14 T trailers</td>
<td></td>
</tr>
<tr>
<td>Grass verge cuttings</td>
<td>Nil</td>
<td>Up to 10,000 tpa</td>
<td>Clamp 715 x 14 T trailers</td>
<td></td>
</tr>
<tr>
<td>Liquid chicken muck</td>
<td>Nil</td>
<td>Up to 10,000 tpa</td>
<td>Liquid Tank 500 x 20m³ tanker</td>
<td></td>
</tr>
<tr>
<td>Sugar Beet waste</td>
<td>Nil</td>
<td>Up to 7,500 tpa</td>
<td>Clamp 468 x 16 T trailer loads</td>
<td></td>
</tr>
<tr>
<td>Farm yard manure</td>
<td>Nil</td>
<td>Up to 7,500 tpa</td>
<td>Clamp 535 x 14 T trailer loads</td>
<td></td>
</tr>
<tr>
<td>Vegetable crop waste</td>
<td>Nil</td>
<td>Up to 7,500 tpa</td>
<td>Clamp 535 x 14 T trailer loads</td>
<td></td>
</tr>
<tr>
<td>Rejected crops</td>
<td>Nil</td>
<td>Up to 10,000 tpa</td>
<td>Clamp 715 x 14 T trailers</td>
<td></td>
</tr>
<tr>
<td>Fruit farm waste</td>
<td>Nil</td>
<td>Up to 7,500 tpa</td>
<td>Clamp 535 x 14 T trailer loads</td>
<td></td>
</tr>
<tr>
<td>Grain screenings</td>
<td>Nil</td>
<td>Up to 7,500 tpa</td>
<td>Clamp 468 x 16 T trailer loads</td>
<td></td>
</tr>
<tr>
<td>Straw</td>
<td>Nil</td>
<td>Up to 18,500 tpa</td>
<td>Stacked in clamp 840 x 22 T trailers</td>
<td></td>
</tr>
<tr>
<td><strong>Total Energy Crop</strong></td>
<td><strong>41,000 tpa</strong></td>
<td><strong>Up to 30,000 tpa</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agricultural crop</td>
<td>Maize silage</td>
<td>18,000 tpa</td>
<td>Up to 18,000 tpa</td>
<td>Clamp 1,286 x 14 T trailers</td>
</tr>
<tr>
<td></td>
<td>Grass silage</td>
<td>5,000 tpa</td>
<td>Up to 5,000 tpa</td>
<td>Clamp 358 x 14 T trailer loads</td>
</tr>
</tbody>
</table>
### Modifications to the Approved Layout

#### 3.7
The introduction of the additional waste feedstock will result in minor changes to the physical development of the permitted scheme. These include the reduction in the quantum of silage clamps (from four clamps to three) and increase in the number of liquid intake tanks (from one to three) into which the agricultural liquid waste is pumped before it is added in the AD process. A number of existing approved structures are subsequently modestly refined and/or shifted within the existing site boundary and these predominately allow for components that were originally located along the periphery of the development site to move closer into its nucleus. This has been achieved through the removal of one of the clamps. That said the approved digester tanks and remaining approved silage clamps will remain the largest and most dominant features of the development.

#### 3.8
Full details of the modifications to the approved layout are shown in the planning application drawings provided at **Appendix 3**.

**APPENDIX 3 – PLANNING APPLICATION DRAWINGS**

#### 3.9
The liquid waste would be transported to site by tanker and would be pumped directly into the system, ensuring minimal opportunity for odorous emissions. Energy crop and other agricultural waste will be stored and covered in the silage clamps.
4. **PLANNING POLICY CONTEXT**

4.1 This section of the Planning Statement identifies the national and local planning policy and guidance pertinent to the application site and development proposal. The plan-led approach to development as enshrined by Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to accord with the adopted development plan unless material considerations indicate otherwise.

4.2 Government's Planning Practice Guidance on Determining Planning applications (last updated 1 September 2015) sets out what may be a material consideration. Paragraph 8 of the guidance states "**A material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission). The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations**."

4.3 The Development Plan pertinent to the application site comprises: -

- Northamptonshire Minerals and Waste Local Plan (adopted July 2017)
- West Northamptonshire Joint Core Strategy Local Plan (December 2014)
- Saved polices of the Daventry District Local Plan (adopted June 1997)

4.4 The main martial consideration includes: -

- National Planning Policy Framework (NPPF) (published March 2012);
- Planning Practice Guidance (launched on 6 March 2014).
I) DEVELOPMENT PLAN

Minerals and Waste Local Plan (MWLP)

4.5 The Minerals and Waste Local Plan (MWLP) was formally adopted by the County Council on 1 July 2017 and sets out the very latest policy expression at the local level with regards to waste management.

4.6 The key policies pertinent to the application proposal and application site are: -

- Policy 11- Spatial strategy for waste management
- Policy 12 – Development criteria for waste management facilities (non-inert and hazardous)
- Policy 18 Addressing the impact of the Proposed Minerals and Waste Development
- Policy 19 – Encouraging Sustainable Transport
- Policy 20 – Natural Assets and Resources
- Policy 21 – Landscape
- Policy 23 – Layout and design quality

4.7 Each policy is identified in turn below.

4.8 Policy 11 sets out the spatial strategy for waste management and states: -

Northamptonshire’s waste management network, particularly advanced treatment facilities with a sub-regional or wider catchment, will be focused within the central spine and the sub-regional centre of Daventry. Development should be concentrated in Northampton, Wellingborough, Kettering, Corby and Daventry. Development in the smaller towns should be consistent with their local service role.

Facilities in urban areas should be co-located together and with complementary activities.
At the rural service centres, facilities with a local or neighbourhood catchment will provide for preliminary treatment in order to deal with waste generated from these areas.

In the rural hinterlands only facilities with a local or neighbourhood catchment providing for preliminary treatment, or that are incompatible with urban development, should be provided. Where it is the latter they should deal with waste generated from identified urban areas and be appropriately located to serve those areas. Facilities in rural areas should, where possible, be associated with existing rural employment uses.

4.9 The pre-amble to the Policy states, at paragraph 5.45 of the Local Plan, states (inter alia) "Facilities provided for within the rural hinterlands should have a local or neighbourhood catchment and should mainly be for preliminary treatment. Facilities located within the rural hinterlands may also include those whose siting is incompatible with, or not complementary to, urban development; for example due to facility operational requirements (such as in the case of anaerobic digestion). In such circumstance, the facility should deal with waste generated from identified urban centres and be appropriately located to serve those centres”.

4.10 The amplification duly recognises that not all waste treatment facilities are compatible with the urban areas. There is policy acceptance that anaerobic digesters should be located in the open countryside due to their specific operational requirements.

4.11 **Policy 12** sets out the development criteria for waste management facilities and states: -

Proposals for waste management facilities (including at existing facilities and extensions to existing facilities) must demonstrate that the development: does not conflict with the spatial strategy for waste management*, promotes the development of a sustainable waste network and facilitates delivery of Northamptonshire’s waste management capacity requirements*, clearly establishes a need for the facility identifying the intended functional role, intended catchment area for the waste to be managed, market base for any outputs, and where applicable the requirement for a specialist facility, is in general conformity with the principles of sustainability (particularly regarding the
intended catchment area), facilitates the efficient collection and recovery of waste materials, and where intended for use by the local community, is readily and safely accessible to those it is intended to serve.

Proposals within the Central Spine should also demonstrate how the development affects the overall distribution of Northamptonshire’s waste management network and that it would not result in unacceptable cumulative impacts (resulting from in-combination effects of existing and proposed development) adversely affecting the local area*

Development should also, where appropriate, and particularly in the case of advanced treatment facilities: ensure waste has undergone preliminary treatment prior to advanced treatment, integrate and co-locate waste management facilities together and with complementary activities, maximise the re-use of energy, heat and residues, and maximise the use of previously developed land (particularly existing and designated industrial land, and derelict, despoiled, or brownfield urban land) or redundant agriculture and forestry buildings (and their curtilages).

4.12 The amplification to the policy states, at paragraph 5.61 of the local plan, (inter alia) "The Local Plan includes policies that (i) identify the criteria against which proposals for waste management that come forward on non-allocated sites will be determined; and (ii) cover key areas for consideration in determining proposals regardless of whether a proposal is for an allocated site or not. The criteria relating to (ii) above will also be used to determine proposals for waste-related development at allocated sites (including the addition or expansion of uses at an existing waste management site) and locations identified in this Local Plan. Proposals are also required to be in line with other components of the Local Plan”. Paragraph 5.62 goes on to discuss catchment areas for feedstock and states “All proposals should identify both the catchment area and functional role of facilities included in the proposed development. Catchment areas identified within Northamptonshire include national, regional, sub-regional, local and neighbourhood. Different facilities and / or types of wastes managed on one site
may have different catchment areas. Further guidance on catchments areas is given in the Development and Implementation Principles SPD”. Moving forward to paragraph 5.103, the Development Plan states “It has been recognised that a variety of different types and sizes of facilities distributed throughout the county will be required to deal appropriately with the different types of waste produced, and to establish a sustainable waste management network. Facilities which perform a similar role have been categorised into a hierarchy for the purpose of this Local Plan”.

4.13 Anaerobic digestion is defined by the Development Plan as a preliminary treatment facility\(^1\). The development Plan goes on to identify how facilities provided within the rural hinterland should have a local or neighbourhood catchment area and should be mainly for preliminary treatment\(^2\). The Development Plan’s catchment areas for preliminary treatment schemes is identified as waste to be managed on site originating from within up to two adjacent local planning authority areas or an equivalent geographical area\(^3\) It also goes on to identify how facilities located in the rural areas should be for the purpose of dealing with agricultural and/or similar wastes produced locally.

4.14 **Policy 18** provides a ‘catch all’ development management matters that relate to amenity and states: -

> Proposals for minerals and waste development must demonstrate that the following matters have been considered and addressed: protecting Northamptonshire’s natural resources and key environmental designations (including heritage assets), avoiding and/or minimising potentially adverse impacts to an acceptable level, specifically addressing air emissions (including dust), odour, bioaerosols, noise and vibration, slope stability, vermin and pests, birdstrike, litter, land use conflict and cumulative impact, impacts on flood risk

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\(^1\) Local Plan paragraph 5.95  
\(^2\) Ibid, paragraph 5.45  
\(^3\) Ibid, paragraph 5.102
as well as the flow and quantity of surface and groundwater, ensuring built development is of a design and layout that has regard to its visual appearance in the context of the defining characteristics of the local area, ensuring access is sustainable, safe and environmentally acceptable, and ensuring that local amenity is protected.

Where applicable a site-specific management plan should be developed to ensure the implementation and maintenance of mitigation measures throughout construction, operation, decommissioning and restoration works.

4.15 Through **Policy 19** the County Council will encourage the sustainable transportation of waste: -

Minerals and waste related development should seek to minimise transport movements and maximise the use of sustainable or alternative transport modes. Where possible minerals and waste related development should be located, designed and operated to enable transport by rail, water, pipeline or conveyor.

Minerals and waste related development should be well placed to serve their intended markets or catchment area(s) in order to minimise transport distances and movements in order to support the development of sustainable communities that take responsibility for the waste that they produce and work towards self-sufficiency.

Proposals for new development or development that would result in a significant increase in transport movements should include a sustainable transport statement to demonstrate how the above has been taken into consideration.

4.16 Requirements regarding natural assets and resources to be addressed by proposals for minerals and waste development are detailed in **Policy 20**: -

Minerals and waste development should seek to achieve a net gain in natural assets and resources, through: protecting and enhancing international and national designated sites, delivery of wider environmental benefits in the vicinity where development would adversely affect locally designated sites or other features of local interest, protecting and enhancing green infrastructure and strategic biodiversity networks, in particular the River Nene and other sub-
regional corridors, and contributing towards Northamptonshire Biodiversity Action Plan targets for habitats and species.

Proposals for minerals and waste development will be required to undertake an assessment (where appropriate) in order to: identify and determine the nature, extent and level of importance of the natural assets and resources, as well as any potential impacts, and identify mitigation measures and / or requirement for compensation (where necessary) to avoid, reduce and manage potentially adverse impacts.

4.17 The development Plan states how proposals for minerals and waste development with the potential to significantly affect landscape values will be subject to a landscape impact assessment addressing both the potential impact and any mitigation measures considered necessary. The requirements are presented through **Policy 21**: -

Minerals and waste development should seek to reflect Northamptonshire’s landscape character. Development should mitigate potentially adverse impacts on the local character and distinctiveness of Northamptonshire’s landscape where necessary during the development, operational life, restoration, aftercare and after-use. Opportunities for enhancement should be maximised through restoration, aftercare and after-use.

Proposals for minerals and waste development will be required to undertake a landscape impact assessment (where appropriate) based on the landscape character assessment in order to identify: the presence of landscape values (including their nature, extent and level of importance) and determine any potential impacts, any necessary measures to mitigate potentially adverse impacts, and opportunities to protect and enhance particular features that create a specific aspect of local distinctiveness or character.

4.18 Layout and design considerations are set out through **Policy 23** and states: -

The layout and overall appearance of waste management facilities, and where appropriate minerals development, will be required to demonstrate that the development: supports local identity and relates well to neighbouring sites and
buildings, is set in the context of the area in which it is to be sited in a manner that enhances the overall townscape, landscape or streetscape (as appropriate), utilises local building materials as appropriate, incorporates specific elements of visual interest, builds-in safety and security, and reduces fire risk on waste management and disposal sites, having regard to relevant guidance.

West Northamptonshire Joint Core Strategy Local Plan

4.19 The Core Strategy was adopted in December 2014 and sets out the long-term vision and objectives for the whole of the area covered by Daventry District, Northampton Borough and South Northamptonshire Councils for the plan period up to 2029, including strategic policies for steering and shaping development. It identifies specific locations for strategic new housing and employment and changes to transport infrastructure and other supporting community facilities, as well as defining areas where development will be limited. It also helps to ensure the co-ordination and delivery of other services and related strategies. The core strategy’s vision for the countryside, amongst other things, is to support a diverse rural economy. To ensure the joint Core Strategy’s vision is achieved, the development Plan sets out 16 Spatial Objectives which then provide specific direction to the policies of the JCS.

4.20 Four of the objectives are pertinent to the application proposal these are: -

| Objective 1 - Climate Change To minimise demand for resources and mitigate and adapt to climate change, by: • Promoting sustainable design and construction in all new development; • Ensuring strategic development allocations are located and designed so as to be resilient to future climate change and risk of flooding; • Encouraging renewable energy production in appropriate locations; and • Ensuring new development promotes the use of sustainable travel modes |
| Objective 8 - Economic Advantage To strengthen and diversify West Northamptonshire’s economy by taking advantage of our internationally well-placed location, strategic transport network and proximity to London and Birmingham. |
Objective 9 - Specialist Business Development To support and develop opportunities for specialist employment clusters and business development focused on a low carbon economy.

Objective 13 - Rural Diversification and Employment To support rural diversification and rural employment opportunities, in particular those related to agriculture, horticulture and forestry.

4.21 Reflecting on the above it is clear that the application proposal will make a positive contribution towards the overall vision of the JCS.

4.22 The key policies pertinent to the application proposal and application site are: -

- Policy S10 – Sustainable Development Principles
- Policy S11 – Low Carbon and Renewable Energy
- Policy C2 – New Developments
- Policy BN2 – Biodiversity
- Policy BN5 – The Historic Environment and Landscape
- Policy BN9 – Planning for Pollution Control
- Policy R2 – Rural Economy

4.23 Each policy is identified in turn below.

4.24 The overall aim of the JCS is to deliver sustainable development. Sustainable development ensures that the economic, social and environmental needs of the area are delivered in a balanced way. **Policy S10** underpins this requirements: -

| DEVELOPMENT WILL: a) ACHIEVE THE HIGHEST STANDARDS OF SUSTAINABLE DESIGN INCORPORATING SAFETY AND SECURITY CONSIDERATIONS AND A STRONG SENSE OF PLACE; b) BE DESIGNED TO IMPROVE ENVIRONMENTAL PERFORMANCE, ENERGY EFFICIENCY AND ADAPT TO CHANGES OF USE AND A CHANGING CLIMATE OVER ITS LIFETIME; c) MAKE USE OF SUSTAINABLY SOURCED MATERIALS; d) MINIMISE RESOURCE DEMAND AND THE |
GENERATION OF WASTE AND MAXIMISE OPPORTUNITIES FOR REUSE AND RECYCLING; e) BE LOCATED WHERE SERVICES AND FACILITIES CAN BE EASILY ACCESSED BY WALKING, CYCLING OR PUBLIC TRANSPORT; f) MAXIMISE USE OF SOLAR GAIN, PASSIVE HEATING AND COOLING, NATURAL LIGHT AND VENTILATION USING SITE LAYOUT AND BUILDING DESIGN; g) MAXIMISE THE GENERATION OF ITS ENERGY NEEDS FROM DECENTRALISED AND RENEWABLE OR LOW CARBON SOURCES; h) MAXIMISE WATER EFFICIENCY AND PROMOTE SUSTAINABLE DRAINAGE; i) PROTECT, CONSERVE AND ENHANCE THE NATURAL AND BUILT ENVIRONMENT AND HERITAGE ASSETS AND THEIR SETTINGS; j) PROMOTE THE CREATION OF GREEN INFRASTRUCTURE NETWORKS, ENHANCE BIODIVERSITY AND REDUCE THE FRAGMENTATION OF HABITATS; AND k) MINIMISE POLLUTION FROM NOISE, AIR AND RUN OFF.

4.25 **Policy S11** deals with low carbon and renewable energy and states: -

MAJOR DEVELOPMENT AND SUSTAINABLE URBAN EXTENSIONS SHOULD CONTRIBUTE TO REDUCTIONS IN CARBON EMISSIONS AND ADAPT TO THE EFFECTS OF CLIMATE CHANGE THROUGH THE SUSTAINABLE DEVELOPMENT PRINCIPLES (POLICY S10), SO AS TO MINIMISE ENERGY USING SUSTAINABLE DESIGN AND CONSTRUCTION, MAXIMISE ENERGY EFFICIENCY AND THE PROVISION OF LOW CARBON AND RENEWABLE ENERGY, INCLUDING WHERE FEASIBLE AND APPROPRIATE, THROUGH PROVISION OF DECENTRALISED ENERGY. PROPOSALS SHOULD BE SENSITIVELY LOCATED AND DESIGNED TO MINIMISE POTENTIAL ADVERSE IMPACTS ON PEOPLE, THE NATURAL ENVIRONMENT, BIODIVERSITY, HISTORIC ASSETS AND SHOULD MITIGATE POLLUTION. IN ADDITION, THE LOCATION OF WIND ENERGY PROPOSALS SHOULD HAVE NO SIGNIFICANT ADVERSE IMPACT ON AMENITY, LANDSCAPE CHARACTER AND ACCESS AND PROVIDE FOR THE REMOVAL OF THE FACILITIES AND REINSTATEMENT AT THE END OF OPERATIONS. ALL NEW RESIDENTIAL DEVELOPMENTS (INCLUDING MIXED USE) ARE REQUIRED TO ACHIEVE A MINIMUM OF LEVEL 4 STANDARD IN THE CODE FOR SUSTAINABLE HOMES AND TO ACHIEVE THE ZERO CARBON STANDARD FROM 2016 OR NATIONAL EQUIVALENT STANDARD, INCLUDING WHERE APPROPRIATE A CONTRIBUTION TO COMMUNITY OR PRIVATE ENERGY FUNDS. ALL NEW NON-RESIDENTIAL DEVELOPMENTS OVER 500M2 GROSS INTERNAL FLOORSPACE ARE REQUIRED TO ACHIEVE A MINIMUM RATING OF AT LEAST BREEAM (BRE ENVIRONMENTAL
ASSESSMENT METHOD) VERY GOOD STANDARD (OR EQUIVALENT) OR ANY FUTURE NATIONAL EQUIVALENT ZERO CARBON STANDARD FROM 2019.

4.26 The preamble to the policy, at paragraph 5.105 pf the JCS, goes on to discuss renewable and low carbon energy and states “The deployment of larger scale low carbon and renewable energy schemes can have a range of positive or negative effects on nearby communities. They could provide landowners with the opportunity for rural diversification, deliver local jobs and opportunities for community based schemes and benefits. However, proposals can have a range of impacts that will vary depending on the scale of development, type of area where the development is proposed and type of low carbon and renewable energy technology deployed”.

4.27 Sustainable transport considerations are set out through Policy C2 and states:

NEW HOUSING, EMPLOYMENT, COMMERCIAL AND RETAIL DEVELOPMENT IN THE FOUR TOWNS OF NORTHAMPTON, DAVENTRY, TOWCESTER AND BRACKLEY AND PRIMARY SERVICE VILLAGES WILL BE EXPECTED TO ACHIEVE THE MODAL SHIFT TARGETS (IN PARAGRAPH 6.13) BY MAXIMISING TRAVEL CHOICE FROM NON-CAR MODES. DEVELOPMENT WILL BE REQUIRED TO MITIGATE ITS EFFECTS ON THE HIGHWAY NETWORK AND BE SUPPORTED BY A TRANSPORT ASSESSMENT AND TRAVEL PLAN PREPARED IN ACCORDANCE WITH CURRENT BEST PRACTICE GUIDELINES AS ISSUED BY THE DEPARTMENT FOR TRANSPORT OR THE RELEVANT LOCAL AUTHORITY. SUSTAINABLE URBAN EXTENSIONS, AS ALLOCATED WITHIN THIS PLAN, WILL ADDITIONALLY BE REQUIRED TO: a) PROVIDE ACCESS VIA WALKING, CYCLING AND PUBLIC TRANSPORT ROUTES TO A MIX OF USES INCLUDING LOCAL EMPLOYMENT, HOUSING AND RETAIL FACILITIES; b) ENSURE THAT NEW OR ENHANCED PUBLIC TRANSPORT SERVICES ARE SECURED ON OCCUPATION OF THE FIRST DWELLING WHEN THIS IS APPROPRIATE; c) SECURE THE MOST EFFICIENT NETWORKS FOR WALKING, CYCLING AND PUBLIC TRANSPORT WITHIN THE DEVELOPMENT; d) ENSURE SUFFICIENT DENSITY ACROSS THE SITE IN ORDER TO SUSTAIN PUBLIC TRANSPORT AND OTHER LOCAL SERVICES.

4.28 Through Policy BN2 the JCS will seek that new development must take into account existing biodiversity resources on individual sites and contribute to the links between them.
4.29 **Policy BN5** deals with the historic environment and landscapes and states:

DESIGNATED AND NON-DESIGNATED HERITAGE ASSETS AND THEIR SETTINGS AND LANDSCAPES WILL BE CONSERVED AND ENHANCED IN RECOGNITION OF THEIR INDIVIDUAL AND CUMULATIVE SIGNIFICANCE AND CONTRIBUTION TO WEST NORTHAMPTONSHIRE’S LOCAL DISTINCTIVENESS AND SENSE OF PLACE. IN ENVIRONMENTS WHERE VALUED HERITAGE ASSETS ARE AT RISK, THE ASSET AND ITS SETTING WILL BE APPROPRIATELY CONSERVED AND MANAGED. IN ORDER TO SECURE AND ENHANCE THE SIGNIFICANCE OF THE AREA’S HERITAGE ASSETS AND THEIR SETTINGS AND LANDSCAPES, DEVELOPMENT IN AREAS OF LANDSCAPE SENSITIVITY AND/ OR KNOWN HISTORIC OR HERITAGE SIGNIFICANCE WILL BE REQUIRED TO: 1. SUSTAIN AND ENHANCE THE HERITAGE AND LANDSCAPE FEATURES WHICH CONTRIBUTE TO THE CHARACTER OF THE AREA INCLUDING: a) CONSERVATION AREAS; b) SIGNIFICANT HISTORIC LANDSCAPES INCLUDING HISTORIC PARKLAND, BATTLEFIELDS AND RIDGE AND FURROW; c) THE SKYLINE AND LANDSCAPE SETTINGS OF TOWNS AND VILLAGES; d) SITES OF KNOWN OR POTENTIAL HERITAGE OR HISTORIC SIGNIFICANCE; e) LOCALLY AND NATIONALLY IMPORTANT BUILDINGS, STRUCTURES AND MONUMENTS 2. DEMONSTRATE AN APPRECIATION AND UNDERSTANDING OF THE IMPACT OF DEVELOPMENT ON SURROUNDING HERITAGE ASSETS AND THEIR SETTING IN ORDER TO MINIMISE HARM TO THESE ASSETS; WHERE LOSS OF HISTORIC FEATURES OR ARCHAEOLOGICAL REMAINS IS UNAVOIDABLE AND JUSTIFIED, PROVISION SHOULD BE MADE FOR RECORDING AND THE PRODUCTION OF A SUITABLE ARCHIVE AND REPORT 3. BE SYMPATHETIC TO LOCALLY DISTINCTIVE LANDSCAPE FEATURES, DESIGN STYLES AND MATERIALS IN ORDER TO CONTRIBUTE TO A SENSE OF PLACE THE RETENTION AND SENSITIVE RE-USE OF DISUSED OR UNDERUSED HERITAGE ASSETS AND STRUCTURES IS ENCOURAGED IN ORDER TO RETAIN AND REFLECT THE DISTINCTIVENESS OF THE ENVIRONMENT, CONTRIBUTE TO THE SENSE OF PLACE AND PROMOTE THE SUSTAINABLE AND PRUDENT USE OF NATURAL RESOURCES. PROPOSALS TO SUSTAIN AND ENHANCE THE AREA’S UNDERSTANDING OF HERITAGE ASSETS, FOR TOURISM AND HISTORIC INTEREST AS PART OF CULTURAL, LEISURE AND GREEN NETWORKS WILL BE SUPPORTED.

4.30 Environmental quality is considered through **Policy BN9** and states:
PROPOSALS FOR NEW DEVELOPMENT WHICH ARE LIKELY TO CAUSE POLLUTION OR LIKELY TO RESULT IN EXPOSURE TO SOURCES OF POLLUTION OR RISKS TO SAFETY WILL NEED TO DEMONSTRATE THAT THEY PROVIDE OPPORTUNITIES TO MINIMISE AND WHERE POSSIBLE REDUCE POLLUTION ISSUES THAT ARE A BARRIER TO ACHIEVING SUSTAINABLE DEVELOPMENT AND HEALTHY COMMUNITIES INCLUDING: a) MAINTAINING AND IMPROVING AIR QUALITY, PARTICULARLY IN POOR AIR QUALITY AREAS, IN ACCORDANCE WITH NATIONAL AIR QUALITY STANDARDS AND BEST PRACTICE; b) PROTECTING AND IMPROVING SURFACE AND GROUNDWATER WATER QUALITY; c) MINIMISING LIGHT POLLUTION; d) ENSURING REMEDIATION OF CONTAMINATED LAND SO AS NOT TO POSE A RISK TO HEALTH AND THE ENVIRONMENT; AND e) REDUCING THE ADVERSE IMPACTS OF NOISE. DEVELOPMENT THAT IS LIKELY TO CAUSE POLLUTION, EITHER INDIVIDUALLY OR CUMULATIVELY, WILL ONLY BE PERMITTED IF MEASURES CAN BE IMPLEMENTED TO MINIMISE POLLUTION TO A LEVEL WHICH PROVIDES A HIGH STANDARD OF PROTECTION FOR HEALTH AND ENVIRONMENTAL QUALITY.

4.31 Paragraph 16.21 of the JCS identifies how agriculture and an important and varied role in supporting the rural community. It goes on to state how “The agricultural sector is an essential part of the local economy and it is important that farming and farmers are encouraged to be more competitive and more sustainable in order to adapt to changing markets and to comply with new legislation and guidance. It is also important to encourage diversification into new agricultural and commercial ventures in order to ensure a farm’s viability and to maximise opportunities to strengthen the rural economy, while maintaining the character of the rural landscape”. The ushering Policy R2 states: -

PROPOSALS WHICH SUSTAIN AND ENHANCE THE RURAL ECONOMY BY CREATING OR SAFEGUARDING JOBS AND BUSINESSES WILL BE SUPPORTED WHERE THEY ARE OF AN APPROPRIATE SCALE FOR THEIR LOCATION, RESPECT THE ENVIRONMENTAL QUALITY AND CHARACTER OF THE RURAL AREA AND PROTECT THE BEST AND MOST VERSATILE AGRICULTURAL LAND. THE FOLLOWING TYPES OF DEVELOPMENT ARE CONSIDERED TO BE ACCEPTABLE: a) THE RE-USE OF RURAL BUILDINGS; b) SCHEMES FOR FARM DIVERSIFICATION INVOLVING SMALL-SCALE BUSINESS AND COMMERCIAL
DEVELOPMENT THAT CONTRIBUTE TO THE OPERATION AND VIABILITY OF THE FARM HOLDING; c) SMALL-SCALE TOURISM PROPOSALS, INCLUDING VISITOR ACCOMMODATION; d) PROPOSALS THAT RECOGNISE THE ECONOMIC BENEFITS OF THE NATURAL AND HISTORIC ENVIRONMENT AS AN ASSET TO BE VALUED, CONSERVED AND ENHANCED; e) THE EXPANSION OF BUSINESSES IN THEIR EXISTING LOCATIONS, DEPENDENT UPON THE NATURE OF THE ACTIVITIES INVOLVED, THE CHARACTER OF THE SITE AND ITS ACCESSIBILITY; f) SMALL SCALE EMPLOYMENT DEVELOPMENT TO MEET LOCAL NEEDS; AND g) THE USE OF LAND FOR AGRICULTURE, FORESTRY AND EQUESTRIAN ACTIVITY.

Daventry District Local Plan

4.32 The Daventry District Local Plan dates from 1997 and some of its policies were saved by direction from the Secretary of State in 2007. The saved polices pertinent to the development proposal, and not supersede by the Joint Core Strategy, are:

- Saved Policy GN2 – General
- Saved Policy EM16 – Open Countryside

4.33 **Saved Policy GN2** sets out criteria which seek to ensure that new development is compatible with the District Council's aim of conserving and enhancing the environment of the District. In particular, it seeks that new development (a) conform to accepted safety standards, particularly in relation to the use of motor vehicles (b) respect the existing character of the locality, especially where this has been formally recognised by the designation of conservation areas, listed buildings or sites for nature conservation, or special landscape areas. (c) minimise the loss of the best and most versatile agricultural land, and (d) avoid imposing an undue strain on local infrastructure and public services. However, when applying this policy the Council will also seek to protect sites of local nature conservation importance, which are not officially designated.

4.34 Upon its adoption the District Council’s Local Plan contained a permissive policy guiding agricultural developments however that policy was not saved by direction and as such we can turn to National Planning Policy. **Saved Policy EM16** provides a restrictive position with regards to industrial uses within the open countryside, however the policy does not relate to development with agricultural ties and as such can be afforded with very limited weight.
II) MATERIAL CONSIDERATIONS

National Planning Policy Framework

4.35 The National Planning Policy Framework was adopted by Central Government on 27th March 2012. Within the “Ministerial Foreword” it states that “the purpose of planning is to help achieve sustainable development”. Further, the Ministerial Foreword notes that “sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations”.

4.36 The document stipulates that “sustainable development is about positive growth - making economic environmental and social progress for this and future generations”. Following on from this the Ministerial Foreword notes that “development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development is the basis for every plan, and every decision”.

4.37 The NPPF is clear that planning decisions must be made in accordance with Planning Law. Paragraph 2 states that planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Paragraph 2 continues that: “Planning policies and decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements”. The requirement to promote EU obligations and statutory requirements is particularly relevant in relation to the UK’s binding EU obligations as set out in legislation whereby the UK’s target is to generate 15% of energy from renewable sources by 2020.

4.38 Paragraph 2 of the Guidance notes that the National Planning Policy Framework “is a material consideration in planning decisions”.

Achieving Sustainable Development

4.39 Paragraph 7 confirms that there are three dimensions to sustainable development: Economic, Social and Environmental. These dimensions give rise to the need for the planning system to perform a number of roles (inter alia):-

- An Economic Role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is
available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

- A Social Role – supporting strong, vibrant and healthy communities... with accessible local services that reflect the communities needs and support its health, social and cultural well-being ..........;

- An Environmental role – contributing to protecting and enhancing our natural, built and historic environment; and... mitigate and adapt to climate change including moving to a low carbon economy.

4.40 **Paragraph 8** advises that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. This is specifically relevant to the application proposal.

4.41 **Paragraph 93** of the NPPF which specifically identifies how the delivery of renewable energy is central to the economic, social and environmental dimensions of sustainable development.

4.42 Further to this advice, **Paragraph 10** notes that plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

4.43 In applying the NPPF’s presumption in favour of sustainable development, and the test at **Paragraph 14** in particular with regards to decision taking; **it is duly noted that the proposed development accords with the development plan and as such the application should be approved without delay.**

4.44 **Paragraph 17** of the NPPF sets out 12 planning principles which should underlie both plan-making and decision-taking. One planning principle is pertinent to this application proposal and states (inter alia):-

> “Planning should support the transition to a low carbon future in a changing climate and encourage the use of renewable resources, for example by the development of renewable energy.”
4.45 **Paragraph 19** confirms the Government’s commitment to supporting sustainable economic growth and that “planning should operate to encourage and not act as an impediment to sustainable growth and therefore significant weight should be placed on the move to support economic growth through the planning system”.

4.46 **Paragraph 28** confirms Government commitment towards supporting a prosperous rural economy. It identifies how planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking positive approach to sustainable new developments. To promote a strong rural economy the Government recognized the need to promote the development and diversification of agriculture and other land-based rural businesses.

4.47 As previously discussed, **Paragraph 93** of the NPPF states (inter alia):- “Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development”. Importantly, **Paragraph 93** emphasises the holistic importance renewable energy has on delivering the economic, social and environmental dimensions of sustainable development.

4.48 **Paragraph 97** of the NPPF sets out the planning policy perspective with regards to increasing the use and supply of renewable and low carbon energy. Through this paragraph Government requires the Local Planning Authority to (own emphasis):-

- **Recognise the responsibility on all communities** to contribute to energy generation from renewable or low carbon sources;

- **Have a positive strategy to promote energy from renewable** and low carbon sources;

- **Design their policies to maximise renewable and low carbon energy development** while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts; and
• Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources.

4.49 Paragraph 98 relates to decision-taking and states that local authorities should not require applicants for renewable energy development to demonstrate the overall need for renewable or low carbon energy. It further states that local planning authorities should approve such applications if impacts are, or can be made, acceptable.

4.50 Paragraph 122 states that local planning authorities should focus on whether the development itself is an acceptable use of land, and the impacts of the use rather than the control of process emissions themselves where these are subject to approval under pollution control schemes.

4.51 Paragraph 197 of the NPPF repeats how local planning authorities should apply a presumption in favour of sustainable development.

4.52 Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Authorities should approach development management decisions positively – looking for solutions rather than problems so that applications can be approved wherever it is practical to do so.

4.53 Under the NPPF, one of the core principles is the need to support the transition to a low carbon future in a changing climate; and to encourage the use of renewable resources. The application proposal would achieve both of those things.

4.54 The Government’s overarching vision throughout the NPPF is that the planning system does everything it can do to support sustainable economic growth whereby there is a presumption in favour of sustainable development.

National Planning Practice Guidance Suite

4.55 On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The guidance documents cancelled by its launch included the July 2013 edition of the ‘Planning Practice Guidance for Renewable Energy’. The suite provides planning guidance on
various planning policy and development management topics. The key topics relevant to this application are:

- Climate Change; and
- Renewable and low carbon energy.

**Practical Guidance on Climate Change (last updated 27 March 2015)**

4.56 Government’s Practical Guidance on Climate Change identifies how addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin in both plan-making and decision-taking. Paragraph 3 sets out examples of mitigating climate change by reducing emissions, these include (i) Providing renewable and low carbon energy technologies and (ii) providing opportunities for decentralised energy. The application proposal achieves both.

4.57 Paragraph 5 of the guidance identifies how impacts of climate change needs to be taken into account in a realistic way. It goes on to state that local planning authorities should consider identifying no or low cost responses to climate change that also deliver other benefits. In this instance the proposal is applicant led; and as such there is no financial costs associated with the delivery of this response to climate change for the local planning authority. Furthermore, as stated elsewhere in this statement, Paragraph 7 recognises that all land uses have their own challenges for reducing carbon emissions and different sectors have different options for mitigation. It states “measures for reducing emissions in agricultural related development include anaerobic digestion, improved slurry and manure storage and improvements to buildings”

**Renewable and Low Carbon Energy (last updated 18 June 2015)**

4.58 This guidance reaffirms Government’s commitment towards increasing the amount of renewable energy and low carbon technologies within the UK.

4.59 Paragraph 1 states: "Increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy"
Paragraph 7 of the guidance considers the role of criteria based polices in planning for renewable energy and states:

Policies based on clear criteria can be useful when they are expressed positively (i.e. that proposals will be accepted where the impact is or can be made acceptable). In thinking about criteria the National Policy Statements published by the Department of Energy and Climate Change provide a useful starting point. These set out the impacts particular technologies can give rise to and how these should be addressed. In shaping local criteria for inclusion in Local Plans and considering planning applications in the meantime, it is important to be clear that:

- the need for renewable or low carbon energy does not automatically override environmental protections;
- cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;
- local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;
- proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need
careful consideration; protecting local amenity is an important consideration which should be given proper weight in planning decisions.

Written Ministerial Statement Planning for Growth

4.61 On 23 March 2011 the Chancellor of the Exchequer issued a call to action on growth, and published the Written Ministerial Statement on ‘Planning for Growth’ which presented an ambitious set of proposals to help rebuild Britain’s economy. The Ministerial Statement emphasised how the planning system has a key role to play in this, by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. Government’s clear expectation is that the answer to sustainable development and growth should wherever possible be ‘yes’. The Written Statement states “The planning system has a key role to play in this, by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. We will work quickly to reform the planning system to achieve this, but the Government recognises that many of these actions will take some months to deliver, and that there is a pressing need to ensure that the planning system does everything it can to help secure a swift return to economic growth.”

4.62 The Statement also confirms that: “When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development”.

UK Renewable Energy Strategy

4.63 The ‘UK Renewable Energy Strategy’ was published in July 2009 by DECC, identifying how to radically increase renewable energy use in the UK as part of an overall strategy for tackling climate change. This strategy would also meet the UK’s European obligations and legally binding targets to ensure that 15% of our energy comes from renewable sources by 2020.

4 The Written Ministerial Statement dated 23 March 2011 was presented within a Letter to Chief Planning Officer ‘Planning for Growth’ dated 31 March 2011 (document has not been replaced by the NPPF).
UK Bioenergy Strategy

4.64 The UK Bioenergy Strategy was published by the Department of Energy & Climate Change in April 2012 and provides a holistic view of biomass uses in setting bioenergy policy and will inform policy decisions on electricity, heat and transport.

4.65 The ministerial foreword states (inter alia) "A secure and cost-effective supply of low carbon energy is one of the goals of our Carbon Plan. Used wisely, energy from biomass can make an important contribution to decarbonisation...... In summary, bioenergy can be an important part of the energy mix which will allow the UK to meet its energy and climate change objectives, including the 2020 renewables targets and 2050 carbon reductions targets. We are clear that only bioenergy from sustainable sources should be used to do this. We are confident that this strategy will provide stakeholders with clarity on Government’s vision for bioenergy and encourage the sustainable development of the sector. We will continue to engage with businesses in the bioenergy sector and non-energy users of biomass to ensure that the same clarity applies to specific policies in this area."

4.66 Paragraph 1.6 of the report identifies how (inter alia) "Bioenergy can be an important part of the energy mix, contributing to the long term emissions reductions needed in a carbon constrained world and wider energy objectives such as the 2020 renewables target". Paragraph 1.7 goes on to state how Bioenergy can also offer wider opportunities. The diversity of types of biomass that can be used for energy purposes contributes to a diversified energy mix that improves energy security. Through the collection or growth of biomass feedstocks, bioenergy can boost agriculture, forestry and waste management sectors while the transportation and storage of these feedstocks can create new commercial opportunities across the economy5.

4.67 It is widely recognised that bioenergy and anaerobic digestion has an important role to play if the UK is to meet its low carbon objectives by 2050. Excluding biomass from the energy mix would significantly increase the cost of decarbonising our energy system – an increase estimated by recent analysis at £44 billion.

5 NNFCC, UK jobs in the bioenergy sectors by 2020, 2011
As set out in the 2011 UK Renewable Energy Roadmap, bioenergy is also an important part of the Government’s plans to meet the Renewable Energy Directive objectives in 2020.

**Anaerobic Digestion Strategy and Action Plan Annual Report 2014**

This is the third and final annual report on the anaerobic digestion strategy and action plan 2011. It details the significant progress made by Government and industry to increase energy through Anaerobic Digestion. The report also indicates where work should continue over the next few years. The ministerial foreword states (inter alia) "*It is the best environmental option currently available to deal with unavoidable farm and inedible food waste. The Anaerobic Digestion Strategy represented a commitment to increasing energy from waste through anaerobic digestion. The industry has grown rapidly since 2011, with markets building in the heat and power sectors. The number of anaerobic digestion plants has more than doubled. In the electricity sector alone, installed capacity from anaerobic digestion was nearly four times as much by late 2014 as when the Strategy was published in 2011... In the long term, we look to the industry to continue to develop long term sustainable growth. To maintain competitiveness, we want to see industry take opportunities to increase the value from anaerobic digestion and expand into new markets. We want industry to realise anaerobic digestion potential on farms and maximise use for feedstock of unavoidable wastes. Not least, we welcome industry’s continued work on training and competence to address operational and environmental performance. I am confident that the anaerobic digestion sector will continue to build on the substantial progress to-date and rise to the challenges ahead*”.

**Energy Security Strategy**

This document was published in November 2012 and provides a detailed and open assessment of the UK’s current energy security, outlines work already underway to safeguard our energy security, and sets out the policy which the Government is putting in place to ensure that our energy supplies remain secure.

Paragraph 5.5 of the document states "*Having been a net gas exporter from 1997 to 2003, the UK has been a net importer of gas on an annual basis since 2004. UK production currently supplies around half of UK gas*
demand, and this proportion will reduce as UK production declines. It is important that the UK maximises economic recovery of our indigenous hydrocarbon reserves, both from an energy security and an economic perspective.” Paragraph 5.11 goes on to identify how biomass can be converted to gas and upgraded to biomethane, a gas that can directly replace or blend with natural gas in the grid and is compatible with existing boilers. It also states how the Government supports biomethane injection to the gas grid at all scales.

4.72 One of the key goals of the Energy Security Strategy is to decarbonise electricity supply which will help reduce UK reliance on international fossil fuel.

Towards Sustainable Agricultural Waste Management

4.73 This technical report was published by the Environment Agency on 1 January 2013 and discusses the need for significant change to achieve sustainable waste management on farming enterprises. Importantly, the report’s executive summary identifies how slurry and manure should not fall within the definition of controlled waste when used for agricultural benefits. As such the application proposal should not be considered a waste matter.

4.74 The main focus of the report is on the non-natural waste streams that are generated by farmsteads and are likely to be included in the definition of controlled waste. However, the report identifies that the effective management of organic material (slurry and manure) is too important to ignore and as such provides a brief overview of key issues and recommendations concerning the management of organic materials as a separate annex of the report. It states (inert alia):

Large quantities of organic materials are produced on farms; roughly 80 million tonnes per year of manure and slurry in the UK in total (excluding horse manure), but also a range of other materials such as silage effluent and crop residues. Typical practice is to apply these materials to arable land and grassland. This practice is considered to be a recovery operation if properly controlled since it can provide valuable nutrients for crops (allowing reduction in the amount of inorganic fertilisers used) and can also improve the soil structure. The potential environmental and financial benefits of utilising organic materials on land are therefore significant.
For landspreading of non-agricultural organic wastes, the controls are more prescriptive (particularly for sewage sludge) and are tightening. All of these wastes are controlled under the Waste Management Licensing Regulations 1994. Landspreading for agricultural benefit is considered to be a waste recovery operation and is exempt from the requirement for a licence, but this exemption must be registered with the Environment Agency. In addition, sewage sludge applications are controlled by the Sludge (Use in Agriculture) Regulations that implement the EC Directive on Sewage Sludge in Agriculture; relating to their heavy metal and pathogen contents as well as setting limits for nitrogen and phosphorus application. Furthermore, due to concern about the risk of pathogens entering the food chain, more stringent controls were developed by the British Retail Consortium in collaboration with Water UK and ADAS in 1998 (the ‘Safe Sludge Matrix’) and are now stipulated by food retailers. This has led many farmers to stop using sewage sludge altogether.

Despite improved controls and guidance, and greater uptake of best practices by farmers in recent years, stakeholder concerns associated with the landspreading of various organic materials are increasing. For example:

- retailers and their customers are becoming more concerned about the risk of microbiological contamination of food;

- water companies are concerned about increasing water treatment costs, and the risk of disruption to water supplies;

- local communities and the general public are increasingly concerned about the quality of drinking water and recreational waters, and high water charges;

- regulators are concerned about non-compliance with legislation and targets for environmental improvement.

In view of these concerns, several stakeholder partnerships have formed to evaluate the risks and develop best practice guidance to facilitate safe recovery. Other management options for organic materials exist (as an alternative to direct application to land), such as composting and anaerobic digestion. Interest in these options is increasing, and they could play an important role in an integrated system for sustainable management of organic materials (particularly in areas of
the country where there are large quantities of materials and/or the risks to the
environment are high due to the local topography/hydrogeology, and the like).

4.75 Through the technical report the Environment Agency acknowledges how AD plant
provide an important part towards the delivery of sustainable farming practices,
particularly when there are potential high risks to the environment. The
introduction of an AD pant at Wormslade Farm would remove the landspreading of
up to 5000 tonnes per annum of untreated manure/slurry and as such would
provide a positive benefit for the local environment.

Renewable Energy Roadmap Update (November 2013)

4.76 The Government first published the Renewable Energy Roadmap in July 2011 which
sets out the path to achieve the UK’s headline renewable energy target.

4.77 The Roadmap has been updated on two occasions since July 2011, once in 2012
and most recently in November 2013. In these updates sustainable biomass
electricity has been included as one of the key technologies to help create a
balanced UK energy mix.

4.78 Paragraph 103 of the roadmap recognises how DECC continues to support
innovation in bioenergy technologies.

Energy Act (November 2012)

4.79 By way of background, the Energy Bill was introduced by the Coalition Government
in November 2012 and aimed to “power low-carbon economic growth for the UK”. The Secretary of State for Energy and Climate Change confirmed the introduction of the Energy Bill to the House of Commons alongside the Annual Energy Statement. The Bill sought to establish a legislative framework for delivering secure, affordable and low carbon energy throughout Great Britain. At its core is the need to ensure that, as old power plants are taken off line, the UK remains able to generate enough energy to meet its needs even if demand increases. Doing this while also decarbonising requires significant investment in new infrastructure to be brought forward. The Bill was duly progressed through Parliament and received the Royal Assent on 18 December 2013.

4.80 With regard to setting a decarbonisation target, the Act allows the Secretary of State to set or amend a decarbonisation target range, being a target range for the
level of carbon intensity of the electricity generation sector. The earliest that a
decarbonisation target range could be set for is 2030, and the decision of whether
to exercise that power would be taken in 2016, after the Committee on Climate
Change has provided advice on the Fifth Carbon Budget.

4.81 In the meantime, the objectives of the Electricity Market Reform (EMR) to which
the Secretary of State will have regard when carrying out the key EMR functions
are:

- the carbon reduction targets as set out in the climate change act 2008,
  which include a 34% reduction by 2020 and 80% reduction by 2050;

- to ensure a security of energy supply (including through diversification of
  energy mix);

- the cost to consumers; and

- the legally binding EU targets for 15% of UK energy to be supplied from
  renewable sources by 2020.
5. PLANNING APPRAISAL

5.1 This section of the Statement contains a detailed analysis of the proposed modifications against the relevant material planning considerations. Firstly, the principle of accepting waste is assessed; this is followed by the consideration of the detailed matters pertinent to the modifications, these are:

- Traffic and Transport;
- The impact on the character and appearance of the area; and
- Environmental considerations.

5.2 Given the context of the recently secured planning permission and the limited nature of the proposed variation, the technical documentation submitted in support of the original planning permission remain relevant and are duly reattached to this submission:

APPENDIX 4 - DESIGN AND ACCESS STATEMENT
APPENDIX 5 - ECOLOGICAL ASSESSMENT
APPENDIX 6 - SOFT LANDSCAPING SCHEME
APPENDIX 7 - ARBORICULTURAL IMPACT ASSESSMENT
APPENDIX 8 - LANDSCAPE PLAN
APPENDIX 9 - NOISE MANAGEMENT PLAN
APPENDIX 10 - DUST MANAGEMENT PLAN
APPENDIX 11 - ODOUR MANAGEMENT PLAN
APPENDIX 12 - PEST MANAGEMENT PLAN
APPENDIX 13 - FLOOD RISK ASSESSMENT & SURFACE WATER MANAGEMENT PLAN
APPENDIX 14 - ARCHAEOLOGY INTERIM REPORT
APPENDIX 15 - FRIENDS OF THE EARTH TECHNICAL BRIEFING PAPER ON ANAEROBIC DIGESTION PLANTS
APPENDIX 16 - PLANNING STATEMENT
APPENDIX 17 - ARCHAEOLOGY FINAL REPORT
APPENDIX 18 - TRANSPORT STATEMENT
APPENDIX 19 - LANDSCAPE AND VISUAL IMPACT ASSESSMENT

Principle of Development

5.3 The principle of constructing an AD plant with a throughput of 46,000 tonnes per annum at Wormslade Farm has been firmly established through Planning
Permission 15/00090/WASFUL granted on 30 June 2016. The amendments to the layout and site components related to the amended plans have been brought about by the amended feedstock from an emphasis of crop and crop residues to include agricultural waste. For ease of reference a copy of the Officer’s Report for the approved scheme is attached at Appendix 20. The salient points made by the Case Officer with regards to the principle of development remain very much pertinent to the proposed modification, relevant extract is repeated below:

8.2 The development proposal involves the utilisation of a combination of waste and nonwaste materials as feedstock for the anaerobic digestion plant. Assessing the acceptability of the principle of the development therefore requires consideration of the national and local planning policies.

National Planning Policy

8.3 The National Planning Policy Framework (NPPF) supports the move to a low carbon future and seeks to increase the supply of renewable and low carbon energy (NPPF paragraphs 97 and 98). Local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources, and have positive strategy to promote this and design policies to maximise renewable and low carbon development, whilst ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts. NPPF paragraph 98 states that local planning authorities should not require applicants to demonstrate the overall need for renewable and low carbon energy and approve the application if its impacts are (or can be made) acceptable, unless material considerations indicate otherwise. The NPPF therefore has strong support for the principle of the development and this carries significant weight in support of the application. The National Planning Policy for Waste states that waste planning authorities should only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up to date Local Plan. The main local plan documents relevant to the assessment are the Minerals and Waste Local Plan (adopted October 2014), and the West Northamptonshire Joint Core Strategy Local Plan (adopted December 2014) and these are both up to date. The other Local Plan considered in the assessment is the Daventry Local Plan (adopted 1997) which is not up to date but has some saved policies which have to be taken into account. Minerals and Waste Local Plan (October 2014)

8.4 Policy 11 of the Minerals and Waste Local Plan (MWLP) establishes Northamptonshire’s waste management capacity and identifies indicative waste management capacity gaps. The waste feedstock element for the proposed facility would contribute up to 5,000 tonnes (0.05 Mt) per annum toward the recovery of energy and fertiliser from farm animal waste. The MWLP estimated that composting and anaerobic digestion required a capacity provision of 0.17Mt per annum and that currently the permissions issued for such facilities would, if all implemented and operated to full capacity, result in this capacity requirement being exceeded. Table 7 in the MWLP indicates that there is a current 0.4Mt of permitted capacity giving a surplus of permitted facilities of 0.23Mt. However, a number of the permitted facilities are not operational or working to full capacity. The figures are also based on estimates for self-sufficiency for Northamptonshire when it is known that most of the facilities have catchment areas which allow imports from both inside and outside of the county and that there are facilities outside the county which take waste from Northamptonshire. The amount of
8.5 Policy 12 of the MWLP establishes the spatial strategy for waste management. It is recognised that the majority of waste facilities should be sited within the central spine, with most development concentrated in Northampton, Wellingborough, Kettering, Corby and Daventry. The proposed facility is located outside of the central spine in the rural hinterlands to the south of Market Harborough, and Policy 12 statement states that ‘in the rural hinterlands only facilities with a local or neighbourhood catchment providing for preliminary treatment, or that are incompatible with urban development, should be provided’. In this case the use of an anaerobic digestion operation seeking to process crops and farm waste is more compatible with a rural hinterland location, and would be less suited to an urban location. Paragraph 5.46 of the MWLP refers to anaerobic digestion as having operational requirements which are not complementary to urban development. This is particularly through the link to agriculture through the use of digestate as a fertiliser and the use of agricultural feedstocks strengthens the operational links with the rural hinterland. Overall it is considered that the development would satisfy the spatial strategy and Policy 12 of the MWLP.

8.6 Policy 13 of the MWLP establishes the criteria under which proposals for waste management facilities on non-allocated sites will be assessed. The application demonstrates compliance with Policy 13 through: being acceptable in relation to the spatial strategy; contributing to a sustainable waste network; and contributing to Northamptonshire’s waste management capacity requirements. The Policy 13 criteria also require the need for the facility and its functional role to be clearly identified. Only a small percentage of the feedstock is waste material but nevertheless the development would provide an anaerobic digestion facility dealing with some farm wastes and whilst farm wastes are not specifically identified in the MWLP the Local Assessment of Waste Management Needs (November 2013) identifies that the vast majority of agricultural wastes are bulk materials such as animal slurries. It is considered that the functional role of the development has been identified. In relation to need for the facility, the fact that bulk agricultural wastes exist and have to be dealt with somehow is considered adequate justification to satisfy this requirement of the policy.

8.7 The Policy 13 criteria include a requirement that the development be in general conformity with the principles of sustainability (particularly regarding the catchment area). In relation to sustainability the NPPF policies constitute the Government’s view on what sustainable development means to the planning system. Similarly, Local Plan policies are tested to ensure these are in conformity with sustainability principles. The NPPF identifies that there are three dimensions to sustainable development: economic, social and environmental. The most relevant dimension in this case relates to the environmental role. The advantages include in particular that the development would generate renewable energy and contribute to a low carbon economy.

8.8 There have been objections to the application on the basis that the development would not be sustainable in terms of transport movements as (it is alleged) maize does not grow well in clay soils as found around Great Oxendon, and hence vehicles would have to travel further and would not be local. The ‘UK Sustainability Standards for Electricity Generation from Biomass’ issued by the Department of Energy and Climate Change (DECC) requires the bio-gas energy producers to
demonstrate that fuel sources are sustainable in order to receive financial support under the Renewable Obligations (RO) scheme. This is a separate test to the catchment area requirements of the MWLP but is a significant material consideration supporting the sustainability of the proposed development.

8.9 The principle of catchment areas is established in the MWLP (paragraphs 2.35 to 2.38). The MWLP gives clear guidance regarding the extent to which self-sufficiency is required and recognises that Northamptonshire could become a national hub for waste development should sufficient controls such as the application of specific catchment areas not be implemented. Policy 13 of the MWLP is the policy basis for catchment areas and it is referred to in two of the bullet points in the list of criteria to take into account when assessing waste applications on non-allocated sites. Policy 13 does not, however, stipulate what size of catchment area should be for particular types of facilities but the MWLP (paragraphs 5.104-5.112) sets out more details on the principles and broad categories for catchment areas (national, regional, sub-regional, local and neighbourhood).

8.10 The applicant sets out the intention to utilise land adjacent to the facility to both grow the necessary crops and spread the resulting fertiliser. The applicant has indicated that further land would be required to provide the necessary amount of crops to operate the facility but has yet to secure contracts. The nature and scale of the proposals are considered consistent with a local catchment, equivalent to 1,000km². The MWLP defines a local catchment in paragraph 5.110 as follows:

- Waste to be managed on site originates from within up to two adjacent local planning authority areas or an equivalent geographical area.
- The facility is intended to serve either an urban area and its immediate rural hinterland, or be located in a rural area for the purpose of dealing with agricultural and/or similar wastes produced locally.
- The facility should be for preliminary treatment, however in certain circumstances may be for advanced treatment. The facility supports the waste hierarchy and is not for the disposal of waste.

8.11 The applicant’s proposed development and identified catchment area would adequately comply with the above requirements and a recommended condition is included to ensure that a suitable local catchment for the import of crops and animal waste and the export of digestate is imposed.

8.12 Overall it is considered that the principle of the development is acceptable having regard to Policies 11, 12, and 13 of the Northamptonshire Minerals and Waste Local Plan (October 2014). MWLP also has policies which are relevant to the assessment of the environmental, amenity and highway safety impacts of the proposed development and these will be considered later in the report. However, the development also needs to be assessed against policies in the West Northamptonshire Joint Core Strategy Local Plan (Adopted December 2011) (WNJCS) and the saved policies in the Daventry Local Plan (June 1997) (DLP). West Northamptonshire Joint Core Strategy Local Plan (December 2011) (WNJCS)

8.13 Policy S10 ‘Sustainable Development’ of the WNJCS deals with sustainable development principles and has a strong emphasis on tackling the issue of climate change and supports the provision of low carbon and renewable energy. Other aspects of this policy relate particularly to the environmental and amenity impacts of the development which will be assessed later in the report.
8.14 Objective 1 of the WNJCS encourages renewable energy production in appropriate locations and Policy S11 ‘Low Carbon and Renewable Energy’ supports the principle of renewable energy although requires that proposals should be sensitively located and designed to minimise potential adverse impacts on people, the natural environment, biodiversity, historic assets and should mitigate pollution.

8.15 Supporting text to Policy S11 states that: ‘The deployment of larger scale low carbon and renewable energy schemes can have a range of positive or negative effects on nearby communities. They can provide a landowner with the opportunity for rural diversification, deliver local jobs and opportunities for community based schemes and benefits. However, proposals can have a range of impacts that will vary depending on the scale of the development, type of area where the development is proposed and type of low carbon and renewable energy technology deployed.’

8.16 Policy R2 ‘Rural Economy’ supports proposals which sustain and enhance the rural economy. It specifically states that proposals will be supported where they are an appropriate scale for their location, respect the environmental quality and character of the local area and protect the best and most versatile land. It lists the types of development which will be acceptable which include the re-use of rural buildings and schemes for farm diversification involving small scale business and commercial development that contribute to the operation and viability of the farm holding. This scheme is not small scale. Nevertheless, the development is compatible with a rural area given its links to agriculture and farm based anaerobic digestion and is also recognised by Government as contributing to renewable energy targets. This site also has the advantage of the presence of a nearby high pressure gas main. Together these can be considered to make the site location suited to the proposal. The fact that the development is not small scale has to be balanced against the other material considerations which support the application including the development plan and national policy support for renewable energy in the NPPF and Policy S11 of the WNJCS. Daventry District Local Plan (June 1997) (DLP)

8.17 Saved Policy EM 16 ‘Hamlets and Open Countryside’ states that business and general industrial developments in the open countryside will not normally be granted unless these are small scale. The proposed development is not in line with this policy. However, WNJCS Policy R2 covers a similar remit and this is an up to date policy which carries more weight in the final decision.

Summary of Principle of the Development

8.18 There is significant support for the principle of a renewable energy facility in the NPPF and Policy S11 of the WNJCS. In terms of the waste element of the proposal the application is also considered to be acceptable under the requirements of Policy 11, 12 and 13 of the MWLP. The development is however not in conformity with Policy R2 of the WNJCS and Policy EM16 of the DLP as it is not a small scale business and industrial development in the open countryside. The development proposed is closely linked with agriculture and rural areas and it is more compatible to locate it within such areas and is considered to contribute towards sustaining and enhancing the rural economy in line with this aim of WNJCS Policy R2. The location of the nearby gas main with capacity to take the gas makes the site viable for this development. It is considered that having regard to Paragraph 98 of the NPPF the weight of policy in support of the development is greater than those against and this on balance supports it being acceptable in principle providing the development impacts are, or can be made,
APPENDIX 20 - RELEVANT EXTRACT OF COMMITTEE REPORT JUNE 2016

5.4 The overarching aim of the development proposal continues to be the sustainable diversification of an agricultural enterprise within the countryside whereby the permitted scheme is required to improve sustainable farming operations by removing the need to landspread untreated cattle manure. Accordingly the development is a farming / rural based activity. Second, the permitted scheme represents diversification of the existing farming enterprise, via the generation of renewable energy. The development is essential to a rural based activity and as such a rural location is unavoidable. Furthermore the Development Plan duly acknowledges how a rural location is a prerequisite requirement for anaerobic digestion scheme6.

5.5 As stated elsewhere in this statement, the applicant will secure a financial package necessary to deliver the plant and introduce the step change to the sustainable farming practice at of the reciprocating farmsteads. The project’s financial model incorporated the Government’s Renewable Heat Incentive Scheme and Domestic Renewable Heat Incentive Scheme (Amendment) Regulations 2015. The Renewables Heat Incentive (RHI) is the Government mechanism which supports the development of Anaerobic Digestion projects however, the Government are now introducing changes to the eligibility criteria for bio-methane injection schemes.

5.6 The Department of Business Energy and Industrial Strategy (formally DECC) are implementing changes to the RHI, taking the direction of Anaerobic Digestion (AD) away from facilities which are purely fed on purpose grown crops (known as energy crops). This is to avoid the situation where energy crops and competition for the land compromises food security. As an alternative, the use of waste as a feedstock is being actively encouraged. Government is therefore seeking to encourage agricultural based AD projects to sustainably accept and treat waste. For this proposal the waste input will be entirely derived from unprocessed agricultural sources.

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6 Minerals and Waste Local Plan, Paragraph 5.45
5.7 JCS Policy R2 allows for the continued development and diversification of agricultural businesses. The proposed variation contributes to these requirements. MWLP Policy 12 sets out a permissive stance for preliminary treatment schemes which have a local or neighbourhood catchment area, anaerobic digestion is firmly included within the MWLP definition of preliminary treatment facilities.

5.8 For this application proposal, the primary function driving the development is to allow the local farming enterprise to sustainable treat its manure in line with the advice set out in Planning Practice Guidance on climate change. The farm-led AD proposal is therefore suitably sited within Wormslade Farm and this fallback position is already established thorough the extant planning permission. The acceptance of a proportion of the feedstock for agricultural waste aligns with the government’s latest strategy whereby AD proposals must diversify their feedstock to include waste. The waste management policies of the development plan does not place an embargo on waste development in the countryside, indeed the WMLP positively supports such schemes, subject to appropriate catchment areas.

Catchment Area

5.9 The catchment areas for facilities is discussed in detail through paragraphs 5.96 to 5.104 of the WMLP. It sets out, amongst other things, how the waste catchment areas for preliminary treatment schemes should originate from within up to two adjacent local planning authorities or an equivalent area. The application site is located within the local administrative boundary of Daventry District Council, several LPA’s adjoin Daventry, these include Rugby, South Northamptonshire, Stratford-on-Avon, Harborough and Kettering. The neighbouring authorities vary in geographic areas and population and this in turn varies the geographic sum when adding Daventry to one of its neighbours. The maximum geographic area for two adjoining administrative areas extends to around 1,250 km². Since the application site is positioned within close proximity to three local authority areas it is appropriate in this instance to base the catchment area on an equivalent geographical area as opposed to two straddling administrative areas. The proposed indicative catchment area is set out below. As required by condition 14 and indicative plan showing the intended catchment area for the agricultural feedstock will be submitted to the Waste Planning Authority for approval prior to the start of any commercial operations.

7 PPG Climate Change, Paragraph 7.
5.10 The applicant accepts the imposition of a planning condition which requires the preparation and submission of an Annual Monitoring Report which addresses compliance with the prescribed catchment area.

**Transportation and Highways**

5.11 As stated elsewhere in this statement, the original planning application was supported by a detailed Transport Statement and the assessment and mitigation measures remain pertinent for this application proposal, this includes the road improvements up to the A508. The proposed modification to the feedstock would result in a proposal that potentially generates fewer trips than the consented scheme at the farmstead.

5.12 The AD plant will have an operational capacity of 46,000 tonnes per annum and this will be derived from a specific agricultural feedstock list, as set out in the table below. The feedstock list totals 112,000 tonnes but importantly only 46,000 tonnes per annum is required to feed the AD plant. This feedstock flexibility is critical to
allow the AD plant to respond to yearly variations in crop yield, crop residue, crop waste management [i.e. annual variations in crop failure], sustainable field rotations, blackgrass control and farming practices.

<table>
<thead>
<tr>
<th>Feedstock Description</th>
<th>Permitted TPA</th>
<th>Permitted Vehicle Movements</th>
<th>Aspirational operational target</th>
<th>Proposed Vehicle Movements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slurry</td>
<td>5,000</td>
<td>250 x 20m³ tanker</td>
<td>Up to 5,000</td>
<td>250 x 20m³ tanker</td>
</tr>
<tr>
<td>Other agricultural waste</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black grass compromised crop</td>
<td>Nil</td>
<td>Nil</td>
<td>Up to 10,000 tpa</td>
<td>Up to 715 x 14 T trailers</td>
</tr>
<tr>
<td>Grass verge cuttings</td>
<td>Nil</td>
<td>Nil</td>
<td>Up to 10,000 tpa</td>
<td>Up to 715 x 14 T trailers</td>
</tr>
<tr>
<td>Liquid chicken muck</td>
<td>Nil</td>
<td>Nil</td>
<td>Up to 10,000 tpa</td>
<td>Up to 500 x 20m³ tanker</td>
</tr>
<tr>
<td>Sugar Beet waste</td>
<td>Nil</td>
<td>Nil</td>
<td>Up to 7,500 tpa</td>
<td>Up to 468 x 16 T trailer loads</td>
</tr>
<tr>
<td>Farm yard manure</td>
<td>Nil</td>
<td>Nil</td>
<td>Up to 7,500 tpa</td>
<td>Up to 535 x 14 T trailer loads</td>
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<tr>
<td>Vegetable crop waste</td>
<td>Nil</td>
<td>Nil</td>
<td>Up to 7,500 tpa</td>
<td>Up to 535 x 14 T trailer loads</td>
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<tr>
<td>Rejected crops</td>
<td>Nil</td>
<td>Nil</td>
<td>Up to 10,000 tpa</td>
<td>Up to 715 x 14 T trailers</td>
</tr>
<tr>
<td>Fruit farm waste</td>
<td>Nil</td>
<td>Nil</td>
<td>Up to 7,500 tpa</td>
<td>Up to 535 x 14 T trailer loads</td>
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<tr>
<td>Grain screenings</td>
<td>Nil</td>
<td>Nil</td>
<td>Up to 7,500 tpa</td>
<td>Up to 468 x 16 T trailer loads</td>
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<tr>
<td>Straw</td>
<td>Nil</td>
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<tr>
<td>Energy Crop</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maize silage</td>
<td>18,000</td>
<td>1,286 X 14 tonne farm trailers</td>
<td>Up to 8,000 tpa</td>
<td>667 x 14 tonne farm trailers</td>
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<tr>
<td>Grass silage</td>
<td>5,000</td>
<td>351 x 14 tonne farm trailers</td>
<td>Up to 3,000 tpa</td>
<td>315 x 14 tonne farm trailers</td>
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<td>Wholecrop Rye</td>
<td>18,000</td>
<td>1,256 x 16 tanker loads</td>
<td>Up to 10,000 tpa</td>
<td>625 x 16 tanker loads</td>
</tr>
<tr>
<td><strong>Total Feedstock</strong></td>
<td><strong>46,000 tpa</strong></td>
<td><strong>3,143 vehicle trips</strong></td>
<td><strong>46,000 tpa</strong></td>
<td><strong>Circa. 3143 vehicle trips</strong></td>
</tr>
<tr>
<td>Output - Digestate</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liquid</td>
<td>24,000</td>
<td>1,500 x 16m³ tanker loads</td>
<td>24,000</td>
<td>1,500 x 16m³ tanker loads</td>
</tr>
<tr>
<td>Solid</td>
<td>12,000</td>
<td>857 x 14 tonne farm trailer</td>
<td>12,000</td>
<td>857 x 14 tonne farm trailer</td>
</tr>
<tr>
<td><strong>Total Digestate</strong></td>
<td><strong>36,000</strong></td>
<td><strong>2,357 vehicle trips</strong></td>
<td><strong>36,000</strong></td>
<td><strong>2,357 vehicle trips</strong></td>
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</tbody>
</table>
### Total Vehicle Trips

<table>
<thead>
<tr>
<th></th>
<th>5,500</th>
<th>5,406</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Overall Total Vehicle</strong></td>
<td>11,000</td>
<td>10,812</td>
</tr>
<tr>
<td><strong>Movements Per Annum (worst case scenario)</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5.13 As the total feedstock to be accepted at the site will be identical to the permitted scheme, the traffic implications for the development proposal will be negligible in comparison to the established permitted baseline.

5.14 Overall, suitable measures will be introduced to mitigate the impact of the development on the local highway network, including improvements at the site access and link road onto the A508, as previously agreed with highway officers. It is therefore concluded that there are no valid highway or transportation reasons, which should prevent the proposed modification to this permitted scheme.

### The Impact on the Character and Appearance of the Area

5.15 The introduction of the additional waste feedstock will result in minor changes to the physical development of the permitted scheme. These include the reduction in the quantum of silage clamps (from four clamps to three) and increase in the number of liquid intake tanks (from one to three) into which the liquid waste is pumped before it is added in the AD process. A number of existing approved structures are subsequently modestly refined and/or shifted within the existing site boundary. The approved digester tanks and remaining approved silage clamps will remain the largest and most dominant features of the development.

5.16 As part of the pre-application discussions it was mutually agreed that, in light of the minor changes introduced, along with the reduction in vehicle movements, the original LVIA remains pertinent. The additional liquid intake tanks (as the greatest scaled amendment) would not result in any significant changes to the magnitude of effect or significance of effect to any of the views experienced from the variety of visual receptors assessed in the original assessment. Accordingly, the impacts of associated development would remain unchanged by the addition of the additional tanks. The landscape mitigation measures approved as part of the original consent are duly retained for this modification.

### Environmental Considerations

5.17 The Noise Management Plan submitted in support of the consented scheme remains pertinent to this modification and is resubmitted as appendix 9 to this Statement.
The anaerobic digester is a sealed process which creates very little noise and maintenance of motors and pumps is proposed with insulation or baffles if necessary. Machinery for all on site activities will be similarly maintained.

5.18 On site noise from machinery handling feedstock and noise from vehicle deliveries and collections will be managed by being scheduled as far as possible for normal working hours. However, there may be a seasonal exception to this if weather conditions force longer working at harvest time; and there may also be a need for the loading of feedstock into the digester on public holidays. The need to maintain the feedstock to supply the digester is also an operational requirement of an anaerobic digester otherwise the efficiency and effectiveness of the process can be seriously affected.

5.19 Given the proposed noise output, management and mitigation measures are identical to that already consented, there is no justified reason to refuse the application in relation to potential noise nuisance.

5.20 The consented Dust Management Plan identifies that the main potential sources of dust on the site are from traffic movements and material handling is also attached to this statement and remains relevant of the modification. Dust management will monitor and control the cleanliness of hard road surfaces, including by road sweeping if necessary. The feedstock stored in the silage clamps will be relatively moist, thus minimising the risk of wind blow and feedstock stockpiles will be covered to protect it from the weather.

5.21 The provision of hard surfaces and the covering of stockpiled feedstock will assist in minimising dust and the applicant proposes to operate management practices to monitor dust daily on site and by a monthly check of planting to the north and east as, given the prevailing winds, it would be visible on vegetation on the upwind side.

5.22 The approved Odour Management Plan (OMP) confirms how anaerobic digestion is a sealed biological process and there are no discharges of odour from the process itself. Odour risks have been identified from the delivery, storage and loading of feedstock, from cleaning the biogas produced, or from the handling, storage, export and use of the resulting digestate. The OMP sets out the control measures to reduce risk of odour nuisance from these potential sources. As stated elsewhere in this statement, the liquid waste would be transported to site by tanker and would be pumped directly into the system, ensuring minimal opportunity for odorous
emissions. Slurry would be brought to the site in sealed agricultural tankers and will only be brought in when needed and pumped direct into the input tank for the digester through a sealed system. Other solid wastes would be transported to site and loaded directly into the system’s covered reception intake, or into the clamps where the material will be covered to protect it from the weather.

5.23 The material will be stored in the clamps in a carefully orchestrated manner so that the required blend of materials can be fed as required from each clamp at the appropriate time. These will all be covered at all times except during loading of the feeders, in order that no weather can affect the materials.

5.24 Loading the digester from the clamps would involve opening only a small part of clamp at a time removing only a minimum amount of the cover sheeting to stop the feedstock and particularly silage from getting wet. Silage effluent would be captured in a sealed reception pit and used in the digester. All operational surfaces would be kept clean and washed down if any odour material is present.

5.25 Any spillages would be cleaned up promptly. All areas washed down would go by way of drains to a covered ‘Black Water’ tank. This ‘black water’ will either be injected through a sealed system into the digester process or removed from site in a sealed tanker when required.

5.26 The digestate would be pumped into a separator, then the liquid portion would be pumped into storage in a sealed bag, held within a secondary containment system. The consented scheme dealt with this by way of a three bags design. The modification introduces a twin sealed lagoon design. Removal of the liquid digestate would be via pumping through a sealed system into sealed agricultural tankers and then it would be transported for use on farms off site.

5.27 As with the permitted scheme, the solid digestate would be loaded straight on to a farm trailer and either removed from site for immediate use on farms elsewhere or for storage by the end-users at times of the year when it can’t be spread on the fields. Any solid digestate which can’t immediately be removed from site would be stored on site in sheeted heap within the clamp area and removed as soon as possible. Where digestate is taken to other farms for spreading the operator will encourage the use of low emission technology which reduces the loss of valuable nitrogen and ammonia and minimises odour. This spreading is normally undertaken by specialist contractors who utilise low emissions technology. The development
process remains as previously consented and on this basis, the operation of the site is not predicted to lead to any odour issues and is acceptable in planning (and permitting) terms.
6. CONCLUSIONS

6.1 This planning application seeks a minor material amendment to the approved anaerobic digestion facility at Wormslade Farm involving a refinement to the approved plant layout and diversification of the agricultural feedstock. In line with the UK Government’s increased commitment to capturing the maximum value of agricultural waste produced.

6.2 The proposed development remains a scheme that represents a combined renewable energy, farm diversification and farm waste management scheme. The broadening of the agricultural feedstock list strengthens the sustainability credentials of the development. As the feedstock capacity to be accepted at the site remains at 46,000 tonnes per annum, which is the same as that already approved, there would be no tangible changes to the traffic movement between the approved and proposed.

6.3 This remains a facility to deal with the on-site farm waste, as a form of farm diversification that is in line with the direction of Government funding for Anaerobic Digester facilities, and through the additional components required and amended layout does not derive visual landscape concern related to the rural setting of the site. Controls to ensure appropriate drainage, arboricultural, ecological, environmental health and highways mitigation can remain in place as conditioned from the original consent.

6.4 For the reasons set out in this statement, we consider the proposed development is entirely appropriate for the site and accords with the relevant local planning policies together with national guidance which seeks to further improve the sustainability of anaerobic digestion plants by broadening the agricultural waste types to be accepted at the site.
APPENDIX 1

COPY OF PLANNING PERMISSION 15/00090/WASFUL
Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant  Name and address of agent (if any)
Raw Biogas Ltd  Mid West Planning Ltd
Taylers Farmhouse  Offley House
Aldsworth  18 Church Street
Cheltenham  Shifnal
GL54 3QX  Shropshire
TF11 9AA

Part I - Particulars of application

Date of Application  Application No.
8 January 2016  NCC Ref: 15/00090/WASFUL

Particulars and location of development
Installation and operation of an anaerobic digestion facility including the erection of silage clamps, digester tanks, technical building, gas flare and site office/welfare building, weighbridge and the installation ancillary plant and equipment, alterations to the highway access and internal road, installation of lagoons and attenuation pond, highway improvements and landscaping and environmental enhancement measures at Wormslade Farm, Clipston Road, Kelmarsh, Northamptonshire, LE16 9RX.

Part II - Particulars of decision:

The Northamptonshire County Council

Hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:-

Commencement

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within seven days of such commencement.

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
Scope of Permission

2. Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the following approved documents:

Drawings
- P15-WORMSLADE-AD-001 - Location Plan
- P15-WORMSLADE-AD-002 - Existing Site Layout Plan
- P15-WORMSLADE-AD-003D - Proposed Site Layout Plan
- P15-WORMSLADE-AD-004 - Technical Building Plan and Elevations
- P15-WORMSLADE-AD-005 - Digester Plan and Elevations
- P15-WORMSLADE-AD-006 - Silage Clamp Plan and Elevations
- P15-WORMSLADE-AD-007 - Flare Stack
- P15-WORMSLADE-AD-008 - Site Scene Elevations
- P15-WORMSLADE-AD-009 - Office Plan and Elevations
- PL05 R0 Wormslade A0 - Visual Landscape Plan

Reports
- Ecological Appraisal dated 25 May 2016 ref: 1PS2.Homewood.CSA
- Soft Landscaping Scheme dated May 2016
- Arboricultural Assessment dated 16 May 16 ref: 1AIA.Hom.CSA
- Allan Moss Associated Ltd - Landscape and Visual Impact Appraisal dated November 2015
- EnviTec Biogas Construction Traffic Management Plan received 31 May 2016
- Digestate Management Plan dated May 2016
- Dust Management Plan dated May 2016
- Noise Management Plan dated May 2016
- Odour Management Plan dated May 2016
- Pest Management Plan dated May 2016
- Flood Risk Assessment & Surface Water Management Plan ref: K0672_Wormslade_AD_Plant_Rep1Rev0
- Border Archaeology ref: BA1612(1556)WFC – Archaeology Field Evaluation
- Transport Statement - AD Facility at Wormslade Farm dated November 2015
- Friends of the Earth technical briefing for local group campaigners dated November 2012
- Planning Statement - Nov 2015 REV_1
- Design and Access Statement dated November 2015

Reason: For the avoidance of doubt and in the interests of amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
3. The development hereby permitted is restricted to an anaerobic digestion facility as detailed in the submitted planning application and no other General Industrial B2 use class development shall be undertaken on the application site.

Reason: To define the scope of the planning permission in the interests of amenity and the environment and to maintain the specific link of this development with agriculture and to ensure that control is retained over any potential future change of use of the land having regard to Policies 12 and 13 of the Minerals and Waste Local Plan (October 2014), Policy R2 of the West Northamptonshire Core Strategy Local Plan (December 2014) and saved Policy EMP16 of the Daventry District Local Plan (June 1997).

Removal of Permitted Development Rights

4. Notwithstanding the provisions of Part 7 Class H, I, J and L of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, replacing or re-enacting that Order), except for those detailed in the application, no fixed plant or machinery, buildings, structures and erections or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site without prior planning permission from the Waste Planning Authority.

Reason: To ensure that control is retained over any additional, or extended, buildings plant and structures in the interests of amenity and the environment having regard to Policies 22 of the Minerals and Waste Local Plan (October 2014), and Policy S10 of the West Northamptonshire Core Strategy Local Plan (December 2014).

Operation Limits and Feedstock

5. The feedstock imports shall be restricted to farm slurry waste and biomass crops and the annual throughput of imported waste and other feedstock shall not exceed 46,000 tonnes per annum.

Reason: To specify the scope of the permission, in the interests of clarity, to ensure compliance with Policy 11 of the Northamptonshire Minerals and Waste Local Plan (2014) and to control the amenity impacts of the development having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Buildings, Plant Machinery and Structures

6. Prior to the erection of buildings, plant, machinery and structures details of the colours shall be submitted to the Waste Planning Authority for agreement in writing. The details as agreed in writing shall thereafter be implemented in full and maintained.

Reasons for condition: To ensure that control is retained over the colours of plant buildings and structures in the interests of visual amenity having regard to Policies 22 of the Minerals and Waste Local Plan (October 2014), and

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Policy S10 of the West Northamptonshire Core Strategy Local Plan (December 2014).

Hours of Construction

7. All construction activities shall be restricted to between the hours of 07.00 and 19.00 Mondays to Fridays and 07.00 to 16.00 Saturdays with no construction activities on Sundays or Public and Bank Holidays.

Reason: In the interests of amenity protection having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Hours of Working

8. No HGVs or farm trailers shall enter or leave the site and no working with plant or machinery shall take place except between the hours of 7.00am and 6.00pm Mondays to Fridays and 8.00am to 13.00pm on Saturdays, with no working on Sundays or Public and Bank Holidays, with the following exceptions:

- During crop harvesting
- If the digester has to be loaded during a Sunday or bank holiday

Reason: In the interests of amenity protection having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Highway Safety

9. The sole vehicular access for the development hereby permitted shall be via the existing access off Clipston Road and prior to the commencement of the development the access and improvements to Clipston Road between the site access and the junction with the A508 shall be completed in accordance with the specifications as indicated on Drawing: P15-WORMSLADE-AD-003/D – Proposed Site Layout Plan.

10. All HGV and farm trailers associated with the development hereby permitted shall be prohibited from travelling along the restricted routes in accordance with the submitted Traffic Routeing Plan Drawing Number WORMSLADE PL-04 Rev 1 and this shall be managed in accordance with the scheme required in condition 11.

11. Prior to the commercial importation of feedstock a transport management scheme to ensure that HGV’s and farm trailers are routed in accordance with the submitted Traffic Routeing Plan Drawing Number WORMSLADE PL-04 Rev 1 shall be submitted for approval in writing. The scheme shall include:

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Management measures to be incorporated in contractual arrangements with feedstock suppliers, digestate receivers and associated hauliers;

(ii) Monitoring of the approved traffic routing arrangements;

(iii) Ensuring that all drivers of vehicles involved with the feedstock delivery and digestate transfer operations are made aware and provided with written instructions of the approved traffic routing arrangements;

(iv) The disciplinary and/or management control steps that will be exercised in the event of default;

(v) Details of signage to be erected on site to instruct drivers in relation to the routing of HGVs and farm trailers to and from the site.

The scheme as approved in writing shall thereafter be implemented in full.

12. Operational and construction vehicles leaving the site shall be free of mud and other debris to ensure that none is deposited on the public highway.

Reason for conditions 9 to 12: In the interests of highway safety and local amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Construction Traffic Management Plan

13. The development hereby permitted shall be carried out in accordance with the approved EnviTec Biogas Construction Traffic Management Plan, received on 31 May 2016. The plan shall be adhered to throughout the construction period and approved measures shall be retained for the duration of the construction works unless otherwise approved in writing by the Waste Planning Authority.

Reason: In the interests of amenity protection and highway safety having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Catchment Area

14. Prior to commercial operation of the development hereby permitted the operator shall submit to the Waste Planning Authority for approval in writing an indicative plan showing the intended catchment area for feedstock sources for treatment at the facility. The plan shall be in accordance with a local catchment and the 10 mile maximum distance in the submitted application. The annual report required by condition 15 shall incorporate such records that demonstrate compliance with the indicative catchment area plan.

Reason: To ensure that waste materials are dealt with as close to their source as possible in the interest of self sufficiency and sustainability having regard to the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.

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Monitoring

15. The operating company shall submit an annual report in writing to the Waste Planning Authority within one month of the first anniversary of operations commencing and at 12 monthly intervals thereafter. The report shall include detailed information on the types, quantities and sources of all waste materials and biomass crops brought on to the site and taken off the site. The information required by the condition shall also be supplied at any other time on written request by the Waste Planning Authority.

Reason: To enable the Waste Planning Authority to monitor progress towards achieving the principles of Policy 11 of the Northamptonshire Minerals and Waste Local Plan (2014) and to ensure that waste materials are dealt with close to their source in accordance with Policies 22 and 23 of the Northamptonshire Minerals and Waste Local Plan (2014).

Amenity Impacts

16. No vehicles or mobile plant used for operations on site shall not be operated unless they have been fitted with white noise alarms or other non-tonal alarm as may be submitted to and approved in writing by the Waste Planning Authority.

17. Odour, noise, dust and pests shall be controlled in accordance with the scheme of control measures identified in the approved mitigation plans (Dust Management Plan, Odour Management Plan, Noise Management Plan and Pest Management Plan, all dated May 2016 unless otherwise agreed in writing by the Waste Planning Authority.

Reason for conditions 16 and 17: To protect residential and rural amenity in particular nearby residential occupiers, having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

External Lighting

18. No external lighting shall be erected or installed until a scheme has been submitted in writing and approved by the Waste Planning Authority. The scheme shall include a layout plan that covers all new proposed external lighting and details the proposed beam orientation and schedule of equipment in the design, including luminaire type, mounting height, aiming angle and luminaire profiles. In addition a lighting contour map shall be submitted along with detail of the proposed operating hours for the lighting and how these would be controlled. The approved scheme shall be installed, maintained and operated in accordance with the approved details for the lifetime of the development.

Reason: In the interests of amenity, ecology, site security and sustainability in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
Complaints

19. In the event that complaints regarding odour, dust, noise or lighting are received by the Waste Planning Authority from any sensitive receptor, and thereafter notified to the operator, an immediate assessment of the complaint shall be undertaken. A report on the findings, with proposals for rectifying and a programme for the implementation of remedial measures to be undertaken shall be submitted to the Waste Planning Authority no later than 5 working days from the receipt of the complaint. Where noise complaints are not resolved a noise monitoring scheme shall be submitted to and agreed with the Waste Planning Authority and thereafter implemented.

Reason: To protect the interests of local amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Landscaping Scheme

20. Prior to commercial operation of the development hereby permitted, a Landscaping Scheme shall be submitted to and approved in writing by the Waste Planning Authority. The scheme shall include types, number and size of species proposed with a focus on native species and include a proportion of semi mature trees and non-deciduous species.

The landscaping scheme as agreed in writing by the Waste Planning Authority shall be implemented in full within the first available planting season following the completion of the soil engineering operations for the landscaping area for the development hereby permitted.

Reason: To ensure that retained trees are protected from damage in the interests of amenity and biodiversity having regard to Policies 22, 24 and 25 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Landscaping Maintenance

21. Trees, shrubs and hedges planted in accordance with the approved scheme shall be maintained and any plants which within ten years of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing with the Waste Planning Authority. All landscaping shall be carried out in accordance with the landscaping scheme approved under condition 20 and to a standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice.

Reason: In the interests of amenity protection, landscape character and

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biodiversity having regard to Policies 22, 24 and 25 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Biodiversity

22. Prior to commercial operation of the development a scheme for biodiversity mitigation measures shall be submitted and approved in writing by the Waste Planning Authority. The scheme shall incorporate the recommendations outlined in the submitted Ecological Appraisal report ref: 1PS3.Homewood.CSA dated 25/05/2016. The scheme as approved in writing shall thereafter be implemented in full.

Reason: In the interests of biodiversity having regard to Policy 24 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy BN2 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Surface Water Drainage

23. Prior to the commencement of drainage works a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development should be submitted to and approved in writing by the Waste Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details.

24. Prior to the commencement of drainage works a detailed scheme for the ownership and maintenance of every element of the surface water drainage system proposed on the site shall be submitted to and approved in writing by the Waste Planning Authority. The maintenance plan as approved shall be carried out in full thereafter.

Reason for conditions 23 and 24: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Site Engineering

25. Prior to the commencement of the development a site engineering scheme shall be submitted for approval in writing by the Waste Planning Authority. The scheme shall include plans of levels and cross sections of the construction engineering operations incorporating the volumes and all and the existing and proposed engineered levels at the site. The scheme shall also include provision for the landscaping bund to be 2 metres high. The scheme as approved in writing shall be implemented in full.

26. All materials excavated in the engineering operations shall be utilised on the application site.

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Reason for conditions 25 and 26: To control the final land levels at the site in the interests of the landscape and visual amenity and to ensure that the soil materials are retained on site in the interests of highway safety and agricultural reinstatement, having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Fire Risk Management

27. Prior to the importation of waste at the site, a fire risk management plan identifying the measures to mitigate and manage the risk of fire at the site shall be submitted to and approved in writing by the Waste Planning Authority. The plan shall be based on the guidance by the Environment Agency 'Fire Prevention Plans Version 1, March 2015' and the Waste Industry Safety and Health Forum (WISH) 'Reducing the Fire Risk at Waste Management Sites'. The plan as agreed in writing shall be implemented and maintained thereafter.

Reason: In the interests of safety and amenity protection having regard to Policy 22 and 27 of the Northamptonshire Minerals and Waste Local Plan (2014) and Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014).

Reinstatement

28. In the event of the anaerobic digestion operations at the site ceasing for a period in excess of 18 months or being otherwise discontinued, the area of the site developed with hard surfaces, structures and buildings shall be reinstated to an agricultural or woodland standard, including the removal of all hard surfaces, structures and buildings, in accordance with a scheme to be submitted to the Waste Planning Authority for agreement in writing. The scheme as approved shall thereafter be implemented in full.

Reason: To enable the reinstatement of the site to a beneficial agricultural or woodland use in the event that the operations at the site cease in the interests of the open countryside, having regard to Policy 28 of the Northamptonshire Minerals and Waste Local Plan (2014), Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (December 2014) and Policy EM 16 of the Daventry District Local Plan (1997).

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this planning application the Waste Planning Authority has worked with the applicant in a positive and proactive manner. Concerns and issues raised during consultation on the submitted application have been considered by the Minerals Planning Authority, discussed with consultees and the applicant/agent and are addressed by conditions where appropriate.

The approach to this application has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

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INFORMATIVES

1. The applicant should considering forming a Local Liaison Group with local interested parties. Further information can be obtained from the Waste Planning Authority.

2. The applicant’s attention is drawn to the informative below, as provided by the Lead Local Flood Authority:

Volumetric discharge criteria – we note that the applicant has undertaken a robust assessment of the likely volumetric requirements of the proposed attenuation pond using a variable discharge rate method. It is ordinarily good practice under such circumstances to assess the ‘long-term storage’ requirements in order to ensure compliance with volumetric discharge criteria. We would anticipate seeing appropriate consideration of this factor in support of any subsequent discharge of condition applications.

Date 30th June 2016 Signed

For Assistant Director of Environment, Planning and Transport

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1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or the grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/08a Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements (a), to the provisions of the development order, and to any direction given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

   (a) The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.


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APPENDIX 2

APPROVED PLANS