

## REPORT SUMMARY

<b>REFERENCE NO - 16/501631/FULL</b>			
<b>APPLICATION PROPOSAL</b> Extension of Lested Farm farmyard into an adjacent agricultural field (Revised Scheme to 15/506233/FULL). Development of an on-farm agricultural Anaerobic Digestion project that will generate clean renewable energy from animal manures and slurries, agricultural by-products from the growing and processing of fruit and vegetables, with the addition of some energy crops.			
<b>ADDRESS</b> Lested Farm Plough Wents Road Chart Sutton Kent ME17 3SA			
<b>RECOMMENDATION:</b> GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> Planning permission has been granted for a similar facility: this application represents an amendment to the extent and layout of the facility; and provides additional detail. The revisions and additional detail are considered acceptable and therefore the recommendation is that permission be granted.			
<b>REASON FOR REFERRAL TO COMMITTEE</b>  AT THE REQUEST OF CHART SUTTON PARISH COUNCIL			
<b>WARD</b> Boughton Monchelsea And Chart Sutton		<b>PARISH/TOWN COUNCIL</b> Chart Sutton	<b>APPLICANT</b> Environment First Ltd <b>AGENT</b>
<b>DECISION DUE DATE</b> 24/05/16	<b>PUBLICITY EXPIRY DATE</b> 29/09/16	<b>OFFICER SITE VISIT DATE</b> 7/4/16 (and previously)	
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b> The relevant planning history is considered to be:			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
15/506233/FULL	Extension of Lested Farm farmyard into an adjacent agricultural field. Development of an on-farm agricultural Anaerobic Digestion project that will generate clean renewable energy from animal manures and slurries; and agricultural by-products from the growing and processing of fruit and vegetables produced on-site (with the addition of some maize).	Permitted	30/9/15
15/504352/FULL	Demolition of an existing office and construction of an extension to an existing office.	Permitted	13/10/15
14/503961/PNBC M	Prior Notification for the change of use of part of agricultural building to use falling within Class C3 (dwellinghouses) to provide 3no. residential units and design and external appearance of building operations reasonably necessary to convert part of the building.	Permitted	20/11/14
MA/11/1185	Variation of condition 4 of permission	Permitted	13/12/12

	MA/10/1591 to allow floorspace to be used for the storage of crops not produced within the administrative boundary of Kent.		
MA/11/1651	Erection of an empty bin store and ambient store for pumpkins and squashes (Unit B).	Permitted	16/1/12
MA/11/1650	Erection of an empty bin store and ambient store for pumpkins and squashes (Unit A).	Permitted	16/1/12
MA/10/1591	Retrospective application for amendments to building approved under reference MA/09/0227 (cold store and fruit packing building) including increased ridge height, elevational amendments, plant room and open shelter.	Permitted	18/2/11
MA/09/0227	Extension to cold store building approved under MA/07/0456 to provide fruit packaging and distribution building.	Permitted	16/9/09

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

- 1.01 Lested Farm is located in the rural area north of Chart Sutton village. This is land within open countryside and within the Southern Anti-Coalescence Belt as defined in the adopted Local Plan.
- 1.02 Access from Plough Wents Road (B2163) leads north into the farm which is a large scale agricultural enterprise with a range of large, utilitarian farm buildings stretching out in linear form away from the road. The farm is engaged in a range of agricultural activities including the production of fruit and vegetables and arable crops, livestock and game, and the storage and packing of fruit (some originating off-site). Animal feed is produced from 'waste' fruit and vegetables.
- 1.03 The application site is located on the northern margins of the current 'yard' and involves a roughly rectangular area of poor quality grassland that forms part of a much larger field. The site is bordered to the south by the farm buildings and to the west by a rough trackway and a line of hedging. Beyond that to the west is a neighbouring dairy farm. To the north and east of the application site is the grassland of the remainder of the field. The terrain here is largely flat and open in character. PROW KH366 runs east/west across the northern part of the site but inexplicably ends at a point to the east of the application site without apparently leading anywhere. There is a line of dwellings along the eastern side of Lested Lane to the south east of the site, the nearest of which is approx. 110-120m from the facility boundary.

### 2.0 PROPOSAL

- 2.01 The application proposes the northward extension of the farm 'yard' to accommodate a renewable energy plant that would use anaerobic digestion to produce gas that, in turn, would fuel a gas turbine to produce electricity. This would be a 0.4MW combined heat and power unit that would provide electricity for the equivalent of 751

homes in the first year; with heat to be used on the farm and possibly also for local housing.

- 2.02 The anaerobic digestion element of the process would be facilitated by three large circular tanks at the southern end of the site to be constructed of a concrete ringed base (clad in green coloured profiled sheeting) 6m high, on top of which would be a flexible plastic membrane (again green in colour) to give a total height of 11m. To the south of that would be the electricity generation equipment in the form of a series of cabinets and containers: these are of varying height but generally low level and significantly lower than the rigid bases of the tanks. To the north of the tanks are the feeding system, a pre-storage tank and the filling station beyond which is a narrow corridor to cater for PROW KH366. Containers, etc. are generally green in colour.
- 2.03 To the north of that would be a concrete silo clamp approx. 4m high and a gas flare approx. 4m high that would only be used in time of emergency. The facility would need to be hardsurfaced: principally in concrete but with asphalt and crushed concrete elements. LED lighting is proposed to be mounted on 2-3m high galvanised poles mainly in the central and eastern parts of the site.
- 2.04 A landscaping scheme is proposed that preserves the tree/hedgeline down the western boundary. A hedgerow of indigenous species would be planted around the northern and north eastern edges of the facility; whilst a new 'shaw' of indigenous species woodland is proposed at the eastern and south eastern margins of the site with a max. width of around 24m. This to involve a combination of oak, field maple, hornbeam, and indigenous hedge species.
- 2.05 The gas would be produced by feeding the facility with a combination of surplus fruit, cattle manure, maize and barley grains, and poultry manure amounting to a total of approx. 17,000 tons of material pa; a substantial proportion of which would be sourced from other farm units and transported in to the site. When asked to clarify the 'breakdown' of material and its origin the applicant states:

"Surplus fruit - 6000 tons – existing import into site already being used for animals feeds – source combination of our own packing and processing and other packers produce.

Cattle manure – 1500 tons – combination of our own farm and neighbouring farms  
Crimped and silage maize, barley grains - 2000 tons (exact makeup depending on cropping year) - combination of our own farm and neighbouring farms - ratio depending on cropping yields

Poultry manure – 7000 tons (as per original submission) – import from local chicken farms – a product we already use on farm as a natural fertiliser."

The remains from the digestion process (i.e. the 'digestate') would, after appropriate processing and storage, be used as a natural organic fertiliser.

### **3.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG): Particularly 'Renewable and low carbon energy'.

Maidstone Borough-Wide Local Plan 2000 Policies: ENV6, ENV28, ENV32, ENV43, ENV49

Maidstone Borough Local Plan (Regulation 19) Submission 2000 Policies: SP17, DM1, DM2, DM3, DM5, DM7, DM28, DM34, DM40

#### **4.0 LOCAL REPRESENTATIONS**

- 4.01 Chart Sutton Parish Council, when originally consulted on the application, had no objection.

Having being consulted on additional details, The Parish Council now states:

“Chart Sutton Parish Council recommends refusal of the revision of this application, and wishes it to be reported to Planning Committee for the following reasons:-

The Parish Council is concerned regarding the nuisance and loss of amenities to local residents through storage, handling and movement of waste material (especially manures), and would request that this is referred to the Environment Agency.

The Parish Council is extremely concerned regarding the smell which will emanate from the manures (especially chicken manure), and is not satisfied that the Odour Management Plan allows for the movement of chicken manure twice a day into the digester (figures state between 4,000 and 7,000 tons p.a.). Each time the manure is moved it will create an unsatisfactory odour which will affect local residents. This will be a continual problem. The evidence of low risk smells in the Odour Management Plan seems to be based on the digester itself, however the Parish Council is concerned regarding the actual storage/movement/handling of the chicken manure before it gets to the digester. This needs to be looked at in more detail, and as stated above, we would request that this is referred to the Environment Agency.

Also, what is in place in the event of a breakdown of the digester (regarding the storage of materials)? This may also need referring to the Environment Agency?

The delivery of waste materials from other farms will see a huge increase in the number of vehicle movements each day for all products. Also, these large vehicles will be exiting near bends on a busy road, which may be hazardous to other road users. The Parish Council therefore requests that this is referred to the Highways Agency.”

- 4.02 Letters of objection have been received from a local resident (who also writes on behalf of a local development company). In the original response, the objector indicated no objections to the recycling of surplus agricultural produce for the production of renewable energy using the agricultural anaerobic digestion method provided that the material to feed the plant was produced on site. This should be conditioned, as should a limitation on HGV movements. However, imported material would represent a move from agricultural to an industrial use of the site that would not be acceptable.

Having being consulted on additional details, the objector makes the following (summarised) objections:

- (a) The applicant has now built out the facility without complying with planning permission. The applicant should have been told to stop works. Permission 15/506233 should be set aside in the light of the new information.
- (b) The newly submitted information makes it clear that much of the material to feed the facility will actually be imported from off-site. The level of importation is such that this is not an operation associated with agriculture; more it is a commercial operation that uses up good quality agricultural land for commercial use.
- (c) Volumes of waste to be delivered have been underestimated, as have HGV movements.

- (d) The development would cause noise and smells that would adversely affect neighbours. Smells would be caused by the storage of imported feedstuffs and the location of the digester is too close to properties in Lested Lane.
- (e) Planning permission should be refused as the development is contrary to policy. There would be an increase in traffic movements on local roads that are not suitable to accommodate them. There would be an unacceptable level of nuisance to local residents from noise and smells.

4.03 One local resident states that he is not opposed to an AD plant per se but objects on the following (summarised) points:

- (a) The adverse visual impact on the countryside and on views from housing.
- (b) The inadequacy of landscaping and screening: trees would take many years to come to maturity and form an effective screen.
- (c) The adverse impact of the facility on local residents in terms of smells and the potential harm to human health from animal waste.
- (d) Increased HGV traffic on the B2163 would make this road increasingly hazardous.

4.04 A resident of Aylesford (whom, it is thought used to live in Lested Lane) objects to the development raising similar concerns to the other objector. Additional comments are made as to the adverse visual impact on the countryside of the development and inadequate screening.

## **5.0 CONSULTATIONS**

5.01 Natural England has no comment.

5.02 The KCC Public Rights of Way Officer comments that the public rights of way network would not be affected.

5.03 KCC Highways and Transportation comments:

“The existing access to the farm has good visibility and a wide radius which allows for HGVs and large vehicles to access and egress the site with ease. There is space within the site for HGVs to turn and therefore exit the farm in a forward gear.

The existing trip generation associated with the farm is 701 movements per annum. The proposed trip generation at the farm as a result of this application is scheduled to increase by 350 to 1,051 vehicle movements per annum. This therefore equates to an increase of just under 1.5 vehicle movements per working weekday. It is felt that an increase in vehicle movements of this scale is expected to fall within the daily variations of traffic flows and the associated impact cannot therefore be regarded as severe in the context of the NPPF.

For the reasons outlined above and having considered the development proposals and the effect on the highway network, I raise no objection on behalf of the local highway authority subject to the following conditions regarding the construction:

- ☐ Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction as outlined in the submitted construction management plan.
- ☐ Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.

INFORMATIVE: [on the need for highways authority consents]”

On additional details, the Highways Officer continues to have no objection but recommends a condition to control the number of lorry movements.

- 5.04 The MBC Landscape Officer has no objection but recommends amendment so that proposed landscaping details better reflect the adopted landscape guidelines.
- 5.05 MIDKENT EHSS has no objection subject to conditions to protect the residential amenities of local residents. In terms of odours, the Odour Management Plan is deemed to be acceptable: it would operate on the basis that vegetable matter would be properly stored on site; with the manure element delivered 'just in time' which should enable deliveries to be cancelled in the event of equipment breakdown and prevent the need for long term storage. The noise from plant and machinery is unlikely to cause significant amenity problems. Conditions should be imposed to ensure adherence to the Odour Management Plan and plant and machinery should not be operated until it has been demonstrated that the facility would not generate unacceptable noise nuisance to local residents.

## **6.0 APPRAISAL**

### **Principle of Development**

- 6.01 An important factor in the determination of this application is that a very similar development has already been granted planning permission under reference 15/506233/FULL (albeit that the conditions attached to that earlier permission have not been discharged). In my view it would be unreasonable to refuse the principle of this application in this location given the recent history. The applicant has unfortunately commenced on the construction of the project, presumably on the basis of the granting of that earlier permission.
- 6.02 The main difference here is that the development has pushed out further north into the field with a rearrangement of the facility so that both the silo clamp and the gas flare are now proposed to be sited to the north of the PROW. There has been a clarification on the type and origin of material to form the 'feed' for the plant; and the applicant has put forward, so far as is possible, the detail of the scheme to avoid pre-commencement conditions.
- 6.03 In common with advice within the NPPF, 'saved' policies of the Local Plan seek to protect the character, amenity and functioning of the countryside. Developments that are not sustainable and harmful to character should be rejected.
- 6.04 The Local Plan is of an age such that it does not offer significant advice on the issue of renewable energy projects, although agricultural development is governed by Policy ENV43. The emerging Local Plan (Regulation 19) Submission Policy DM40 allows for the construction of agricultural buildings and Policy DM28 is aimed at larger scale (which the Lested Farm scheme is not) renewable energy and low carbon schemes but its accompanying text recognises the benefits of such projects thus:

"These schemes help to reduce regional and national carbon emissions and the council considers that, in the correct locations, such proposals are a benefit to the borough as a whole."
- 6.05 The NPPF and the NPPG guidance in 'Renewable and low carbon energy' clearly promote the benefits of projects such as the one proposed here.

- 6.06 Looking at general principles, small scale renewable energy schemes present significant benefits in terms of providing sustainable energy sources and reducing harmful emissions. There are also more localised benefits to the host farmer as regards the economic diversification of the agricultural business, the provision of power and heat to the farm and the conversion of waste material into beneficial fertilizer. In policy terms, a location on a farm would seem the optimum location (given that the source of the raw material for the facility would generally be the farm itself and local farms) and I see no conflict here with guidance and policies which promote renewable energy schemes and which allow for agricultural-related development that essentially demands a rural location.
- 6.07 This is a large scale and diversified farming enterprise, relatively well related to Maidstone itself and local villages and enjoying good access to the local road network via a 'B road' i.e. Plough Wents Road. Smaller farms, more remotely located, may not be suitable to accommodate the facility proposed here, particularly given the need to import additional material to supplement that produced on the holding itself. In general terms I consider Lested Farm to be of a type and location that would be suitable for such a project.

#### **The Source of Material for the Facility**

- 6.08 Whilst this facility would be farm-based and use material derived from the agriculture-based activities at Lested Farm, a substantial proportion of the material would be 'imported' from other farm units and transported in to the site: that is evident from the applicant's estimate of the breakdown of material given above. What is also evident is that there are difficulties in predicting the source of the material given the unpredictable nature of agricultural activity and productivity. The granting of planning permission 15/506233/FULL acknowledged this 'importation' issue: the report stated:

"The gas would be produced by rejected fruit and vegetables, cattle slurry, poultry muck and farmyard manure amounting to a total of 17,035 tonnes of material pa, a substantial proportion of which would be sourced from other farm units and transported in to the site."

Objectors correctly point out that this is not just an agricultural facility and that it is a plant processing a variety of agriculture-derived material, a substantial proportion of which would be imported. However, as with 15/506233/FULL, I continue to believe that this is an appropriate site for such a facility.

#### **Residential Amenity**

- 6.09 On residential amenity, there are no residential properties in close proximity to the site of the development. I note the presence of dwellings along the eastern side of Lested Lane to the south east of the site, the nearest house in that group being approx. 110-120m distant. The access road for deliveries, etc. is the 'spine road' through the middle of the Lested Farm buildings and that only directly affects the houses on the farm site itself (that already experience the comings and goings associated with the farm). I do not consider that general vehicle movements, loading/unloading, etc would be significantly more harmful to amenity than the existing situation.
- 6.10 A noise assessment has been submitted which concludes that, subject to noise mitigation measures, noise generated by the operation of the facility would be such as to be equal to or less than the background noise level. I have agreed with the

Environmental Health Officer that conditions should be imposed to secure the detail of the noise mitigation measures and that (other than testing) the plant and machinery should not be operated until such details have been approved. Another important factor in terms of amenity is air quality and odour management. The anaerobic digestion process itself takes place within an enclosed system and would not result in the release of significant odours. At the end of the process, the digestate is said to be virtually odourless. The risk of odour release to the atmosphere would be predominantly limited to feedstock delivery intake, storage and loading. An Odour Management Plan has been submitted to cover such issues as the method of inward transport of material, the containers used for transport, inspection of inward deliveries, on-site storage of material, and the loading of feedstock. In terms of odours, the Odour Management Plan is deemed to be acceptable: it would operate on the basis that vegetable matter would be properly stored on site; with the manure element delivered 'just in time' which should enable deliveries to be cancelled in the event of equipment breakdown and prevent the need for long term storage. Some release of odours would be inevitable but this is already a working farm, with a large dairy farm immediately to its west. Given this background, and the ability to impose conditions on potential noise, I do not consider that the development would have any significant impact on residential amenity.

### **Highways**

- 6.11 As regards impact on the highway, the site enjoys a long-established, wide access onto a 'B road' (Plough Wents Road) that, in turn, provides access to the main highway network (the A274 is approx. 1.4km to the east). The site already accommodates significant heavy traffic as a result of the existing agricultural and agriculture-related activities. The submitted Planning, Design and Access Statement predicts an additional 350 lorry movements pa (1.5 per weekday) and I consider that the access and local highway network could satisfactorily accommodate that level of increase. I have acknowledged that there are difficulties in predicting the source of the material given the unpredictable nature of agricultural activity and productivity and it follows that prediction of lorry movements must be a broad estimate. In any event, it seems to me that the site's position as regards its access and its relationship to the 'A' and 'B' network is such that a larger volume than predicted of lorry movements would still be acceptable. Lorry and car parking areas for the plant are shown to be available to the south in the main part of the farm and I consider that acceptable.
- 6.12 The Highways Officer has no objection: she recommends a condition to control the number of lorry movements. I consider that such a condition would not be appropriate as it would not be enforceable, not least as there would be a significant number of lorry movements to the site that would not be associated with the facility. A more appropriate restriction would be to limit the overall throughput of the facility and that forms the basis of a condition recommended below.

### **Visual Amenity, Landscaping and Ecology**

- 6.13 On these issues it must be pointed out that permission has been granted for a similar facility and the changes to that approved scheme embodied in this application do not, in my judgement, have any further adverse impact on the landscape. Landscaping details are now provided; principally relating to the provision of the shaw of woodland to help screen the development in views from the east and the boundary hedging that I consider acceptable. I do not consider that the Southern Anti-Coalescence Belt would be significantly eroded as a result of the complex of tanks, containers



proposed here, nor would the landscape qualities of the Landscape of Local Value promulgated in the emerging Local Plan.

- 6.14 The site was previously the subject of an ecological assessment that established that the grassland is of limited ecological value and that the proposed landscaping measures would provide ecological enhancement. A condition was imposed on that earlier permission requiring an assessment of the extent to which hedging to the west of the proposed development is utilised by bats and how the development may affect such bats. That further assessment is now submitted with this current application: the ecologist states that the western hedgerow is likely to be used by foraging and commuting bats but noise levels are likely to be low; and the position and likely usage of the gas flare and the external lighting are such that the ecologist judges that any bats utilising the hedge would be unlikely to be adversely affected. As previously therefore, there is no reason to object to this application on the grounds of impact on ecology.

#### **Other Matters**

- 6.15 Land in the Chart Sutton area is 'overwashed' by the general 'Grade 2' designation in terms of agricultural land quality. However, this is a relatively small area of land that has clearly not been used recently for any productive arable crop and there is evidence that its more recent uses have involved outdoor poultry or game pens sitting on the grassed surface. I conclude that the loss of this land to agriculture is not significant.

The land hereabouts is not within a recognised flood zone. On drainage and pollution issues I see that the Environment Agency raised no objection to the previous application. Against this background I see no reason to object on these issues.

### **7.0 CONCLUSION**

- 7.01 The principle of this scheme has been established by the granting of permission under reference 15/506233/FULL. I continue to conclude that the development proposed here has the potential to present significant benefits in terms of the general benefits to the environment associated with renewable energy.
- 7.02 As previously, on a procedural note, I see that the agents state that the site area is approx. 0.48ha. The area is irregular and somewhat difficult to calculate, however I consider it to be at least close to, or above, the 0.5ha threshold for "Industrial installations for the production of electricity, steam and hot water" set by Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Given the doubt over the site area, I have assessed whether the development requires an environmental impact assessment: I conclude that it does not given that this is not a sensitive area and given my conclusions above on the various planning impacts of the scheme that lead to my opinion that it would not have significant effects on the environment.

### **8.0 RECOMMENDATION – GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS:**

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

drawing no's:

layout-Kent-WS-160216.dwg received 24/2/16  
cross section-Kent-WS-150723.dwg received 24/2/16  
1534/1B (Site Survey) received 18/3/16  
1534/2 (Proposed Landform) received 18/3/16  
Ansichten-Kent-WS-160318.dwg received 22/3/16  
KB-LEST00-RevA received 22/3/16  
FR1003-A-06 received 29/3/16  
KB-LEST00-RevA (adapted to show surfacing and lighting proposals) received 28/6/16  
Proposed Parking Plan received 28/6/16

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

- (3) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development.

- (4) With the exception of the external lighting shown on KB-LEST00-RevA (adapted to show surfacing and lighting proposals) no further external lighting shall be installed at the site without the prior written consent of the Local Planning Authority;

Reason: In the interests of visual amenity.

- (5) Unless the Local Planning Authority gives consent to any variation, the development hereby permitted shall be operated in accordance with the Odour Management Plan dated 10/2/16 (with the exception of the Feedstock Delivery tonnage figures which have since been amended);

Reason: In the interests of residential amenity.

- (6) Apart from the testing of equipment and plant, no equipment and plant shall be operated on the site (including ventilation, refrigeration, air conditioning and ducting systems) until details of equipment and plant to be used in this project have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The details shall be such so as to ensure that the noise generated at any noise

sensitive premises (residential accommodation) shall be of a Rating Level (including relevant penalties) not exceeding the background noise level (LA90) when assessed using the method described in BS4142:2014. The equipment and plant shall be maintained in a condition so that it does not exceed this level, whenever it is operating. After installation of the approved equipment and plant, no new equipment or plant shall be used without the prior written consent of the Local Planning Authority;

Reason: In the interests of residential amenity.

- (7) Apart from the testing of equipment and plant, no equipment and plant shall be operated on the site (including ventilation, refrigeration, air conditioning and ducting systems) until details of equipment and plant to be used in this project have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The details shall be such as to ensure that the noise generated at the boundary of any noise sensitive property shall not exceed Noise Rating Curve NR35 (in areas of low background sound levels a target of NR30 shall be achieved) as defined by BS8233: 2014 Guidance on Sound Insulation and Noise Reduction for Buildings and the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide 2006. The equipment and plant shall be maintained in a condition so that it does not exceed NR35 as described above, whenever it is operating. After installation of the approved equipment and plant, no new equipment or plant shall be used without the prior written consent of the Local Planning Authority;

Reason: In the interests of residential amenity.

- (8) Apart from testing, the electricity substation shall not be operated until details of the electricity substation have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The details shall ensure that the noise generated at the boundary of any noise sensitive property shall not exceed Noise Rating Curve NR35 (*in areas of low background sound levels a target of NR30 shall be achieved*) as defined by BS8233: 2014 Guidance on sound insulation and noise reduction for buildings and the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide 2006. The electricity substation shall be maintained in a condition so that it does not exceed NR35 as described above, whenever it is operating. After installation of the approved electricity substation, no other electricity substation shall be used without the prior written consent of the Local Planning Authority;

Reason: In the interests of residential amenity.

- (9) Within three months of the date of commencement of power generation on the site a noise assessment shall be carried out by a suitably qualified acoustic consultant. The noise assessment report should establish compliance with the noise standards and requirements set out in conditions 6, 7 and 8 above. That noise assessment report shall be submitted for approval by the Local Planning Authority. If the noise assessment reveals that the noise level is above those noise standards and requirements, then that report shall contain the appropriate mitigation measures to ensure compliance. The approved mitigation measures shall be implemented to the satisfaction of the Local Planning Authority within 3 months from the date of the approval of the report and maintained as such so long as power generation continues at this site;

Reason: In the interests of residential amenity.

- (10) The facility shall not exceed a combined throughput capacity of 18,000 tonnes per annum. Monitoring records of the total throughput shall be made and retained at the site and made available for inspection at any reasonable time following a request from the Local Planning Authority;

Reason: The impact of the facility on highway safety and residential amenity has been assessed on the basis of the estimates of throughput provided and the Local Planning Authority would wish to maintain control over any future increase in the capacity of the site.

Case Officer: Geoff Brown

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.