

OFFICER DELEGATED REPORT



County Matter

Case Officer:
Mike Deaton

Reference Number: DCC/3870/2016

Site: Trow Farm, Road past Turnpike Cottage, Trow, Salcombe Regis, EX10 0PB

Proposal: Installation and use of modular aerobic digestion (bio-digester) plant on existing equine waste composting pad.

SUMMARY

The application is for a small scale bio-digester housed in shipping container.

THE PROPOSAL/BACKGROUND

The site is located within the area occupied by the Donkey Sanctuary located at Trow Farm, Sidmouth. The area is agricultural land, put over to grazing for donkeys. The farm is also a visitor attraction with associated car parks and visitor centre. The site is located within the AONB.

Proposal involves the provision of an aerobic digester plant housed in small shipping container. The digester would process around 20000 litres of dung per week. The digester is housed in a '30ft' shipping container. Material is shredded in a separate shredder unit and fed into the digester via a conveyor. The equine manure comes from the two donkey sanctuary sites at Trow Farm and Slade Farm

The main material considerations are the visual impact on the AONB; noise impact on residential properties; impacts on nature conservation interests; pollution control measures; and examination of the proposal against planning policy.

PLANNING HISTORY

There is a previous planning permission for composting pad and dirty water storage tank for to be used for the composting equine manure (07/2866/94) issued on 7 March 2005. Application was subject of a report to Development Control Committee in January 2005 and the permission is subject to conditions relating to, inter alia, development in accordance with approved plans; archaeological recording; hours of operation; provision and maintenance of landscaping (shown on approved drawing).

The development was not carried out in accordance with the approved plans. In particular the dirty water system built was significantly different from the planning consent. Rather than constructing the circular above ground store three underground storage tanks were provided. Also, the planting that was proposed to screen the above ground dirty water storage tank was not planted.

CONSTRAINTS PRESENT

East Devon CPA
East Devon AONB
Dorset and East Devon Coast World Heritage Site

CONSULTATION

Date of Site Notice: 6 June 2016	Date of Press Notice: 9 June 2016
Date Consultees Notified: 6 June 2016	Neighbours Consulted: Y
	Date Neighbours notified: 07/06/2016

5 neighbours consulted – properties to the south of site (Dunscombe Manor)

Site notices were displayed in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
Notices placed at site entrance and near closest residential properties.

Responses received

Sidmouth Town Council – no objection subject to landscaping

East Devon District Planning - no views received

East Devon District Council EHO – No objection. Says that has discussed the possible noise issues with the applicant and these have been resolved.

Local Member Response – nothing received

DCC Highways – no objection

Environment Agency – no objection. Advise that permit will be required.

East Devon AONB – No objection in principle provided the scheme respects the landscape character of the AONB (Policy EQC2 of AONB Management Strategy refers). The structure is such that with appropriate screening on the southern side and eastern side in the form of a native hedge the views from the associated footpath network will be reduced but not entirely removed. This will take some time to establish and views will vary depending on the coppicing programme on the willow beds. It is appreciated that this area is probably already seen as a 'active' agricultural environment by walkers using this footpath network with agricultural machinery movements already taking place.

Nonetheless, the noise considerations should also consider plant used to supply and service the machine. We note there is no intention to have any lighting and endorse this approach. It is expected that there would be strict controls on the operational times for using the digester; avoiding weekends and evenings/early mornings. A permission period should be considered should approval be given to confirm all is going to plan.

DCC Landscape – conversation with Mel Hinde indicated no objection subject to additional planting

PROW – no objections. Observes that if any of the footpath routes are to be used by construction traffic than a banksman should be used to manage any vehicle / ped conflict (or temp closure of footpath) during the construction period.

Representations

As a result of the neighbour notification / site notice procedure, one letter of representation from owner of nearby property has been received. Concerns raised that vehicles delivering to the plant will use beeper type reversing alarms and given the nature of the operations, these would be disturbing to them.

POLICIES

National Planning Policy Framework

Devon Waste Plan – W5; W2; W12; W14 and W17

East Devon Local Plan (2016) Strategy 5 (Environment); Strategy 7 (Development in the Countryside); Strategy 39 (Renewable and Low Carbon Energy Projects); Policy D2 (Landscape Requirements); D7 (Agricultural Buildings and Development); EN5 (Wildlife Habitats and Features); EN14 Control of Pollution);

COMMENTS/ISSUES

It is considered that the main material considerations in the determination of this application are the visual impact on the AONB; noise impact on residential properties and quiet enjoyment of the AONB; impacts on nature conservation interests; pollution control measures; and examination of the proposal against planning policy.

Visual Impact on the AONB

The composting unit is on an existing concrete pad which was provided as part of the previous permission for composting of equine manure. It is relatively well screened by new landscaping which was a requirement of the previous permission. However, areas of planting were not provided. Additional hedgerow planting will be required by planning condition which will help screen views of the plant from sensitive locations.

The plant is housed in a small container coloured grey which helps assimilate it into the landscape. Some close views especially from users of the footpath and visitors to the donkey sanctuary but these are not considered to be significantly damaging.

No external lighting would be provided.

Recommend conditions for provision and maintenance of landscaping; no external lighting and development in accordance with application documents.

Noise Impact on residential properties

The single letter of representation raises concerns about the bleeper type alarms that are used around the farm. It is understood that the EHO met with the farm and has approved the noise

report. This is on the basis that the shredder and conveyor would be operated during normal working hours 0830 to 1630 and the hopper fed 3 times a day for around 5 minutes. Applicant is content that the vehicles used in the delivery of dung and removal of compost need to be fitted with white noise reversing alarms.

Recommended conditions for limit on hours of operations and use of white noise alarms.

Nature Conservation/Habitats

No immediate nature conservation issues – site is an existing concrete composting pad.

Pollution Control Measures

The new plant would use the existing dirty water system (storage tank and spraying dirty water onto the willow short rotation coppice) which is considered to be appropriate and adequate.

Highways/Car Parking/Traffic Issues

The equine manure already comes from the donkey sanctuary farms at Trow and Slade and there would be no change in the situation.

Recommended condition limiting site to composting only equine manure from Trow and Slade farms.

Waste Policy considerations

Whilst the site is within the AONB and there is a presumption against waste development in these areas it is considered that, in this case, the impacts can be adequately mitigated; the method of treatment is sustainable and in any event the site is already used as an equine waste composting facility.

RECOMMENDATION

Approval

CONDITIONS

1. The development shall commence within three years of the date of this permission.
REASON: In accordance with Section 91 of the Town and Country Planning Act 1990.
2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered TR15/01/1; TR15/01/2; TR15/01/4; TR15/01/7; Noise Impact Assessment dated 13 April 2016; Landscape and Visual Impact Assessment; and, Planning Statement dated 25 May 2016, unless as varied by the conditions below.
REASON: To ensure that the development is carried out in accordance with the approved details.
3. Within three months of the date of this decision notice a tree planting scheme shall be submitted to and approved in writing by the Waste Planning Authority. The approved scheme shall be implemented in the first planting (1 November to 31 March) after the

commencement of the development. The approved scheme shall be maintained for a period of five years. Any tree or any replacement of it, that is removed, uprooted, destroyed or dies within five years of the date of planting shall be replaced with the same or similar species in the same location.

REASON: To protect the character and appearance of the Area of Outstanding Natural Beauty in accordance with policy W12 of the Devon Waste Plan.

4. The conveyor, shredder and deliveries to the composting plant shall only take place between Monday to Friday during the hours of 0830 to 1630.

REASON: To minimise the impact of the development on the local residents in accordance with policy W18 of the Devon Waste Plan.

5. The composting facility shall only be used for the processing of equine manures arising from Trow Farm and Slade Farm.

REASON: To minimise the potential impact on the Area of Outstanding Natural Beauty in accordance with policy W12 of the Devon Waste Plan.

6. All vehicles used in the delivery and loading of equine manure and collection of composted manure shall be fitted with white noise type reversing alarms.

REASON: In order to minimise the impact on the Area of Outstanding Natural Beauty in accordance with policy W12 of the Devon Waste Plan.

Case Officer Signature: *Mike Deaton*

Date: 13 July 2016

Signed Off By:

Date:
