

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 14th November 2017

Application	02
--------------------	-----------

Application Number:	17/00808/FUL	Application Expiry Date:	29th May 2017
----------------------------	--------------	---------------------------------	---------------

Application Type:	Full Application
--------------------------	------------------

Proposal Description:	Proposed excavation and installation of biofertiliser lagoon, access area and 1.8m stock proof fence - also Underground pipe conduit under SHEEP LANE.
------------------------------	--

At:	Land To The West Of Hangman Stone Lane High Melton Doncaster
------------	--

For:	Mr Stewart Woolhouse
-------------	----------------------

Third Party Reps:	626 and 100 name petition	Parish:	High Melton Parish Council
--------------------------	---------------------------	----------------	----------------------------

Ward:	Sprotbrough
--------------	-------------

Author of Report	Mark Ramsay
-------------------------	-------------

MAIN RECOMMENDATION:	GRANT
-----------------------------	-------



1.0 Reason for Report

1.1 This application is being presented to committee due to the high level of interest in the proposal.

1.2 A site visit and a technical briefing for members of Planning Committee are scheduled to take place prior to the application being presented to the meeting.

2.0 Proposal and Background

2.1 The application is in two parts. The first part seeks full planning permission for the formation and use of a lagoon for the storage of a liquid biofertiliser which will be used on adjacent agricultural fields that are owned and farmed by the applicant. The site is an isolated rural location on land close to the junction between Hangman Stone Road and Hangman Stone Lane approximately 1.5km to the North West of High Melton Village and south of the Marr wind farm. The land sits on a bluff known as Barnburgh Cliff and is over 1km from the nearest dwelling. Melton Wood lies to the east and there are various trees and vegetation along the edge of the bluff to the west.

2.2 The storage lagoon will have a maximum holding capacity of 6,074m³ allowing for a .75m freeboard cover, over an area of 4141m² with a holding depth of 3.8m. A 2m high earth bank will be constructed around the lagoon with a 1.5m safety fence erected no closer than 1.5m to the adjacent track. The lagoon will be installed with a fully fitted cover which includes a valve system for the filling of the lagoon and will rise and fall depending on how full the lagoon becomes.

2.3 The site will receive deliveries of the liquid fertiliser from a local Anaerobic Digestion (AD) facility known locally as ReFood (part of the Prosper De Mulder Group) via the existing road network. The applicant already takes this material from ReFood on a regular basis and in the 2016-17 season has had 168 tanker deliveries to the farmyard in High Melton that fills a 'bladder' in the yard and that is then decanted into a tanker which runs to various points on the farmstead.

2.4 The lagoon would be used to store the fertiliser, receiving deliveries 11 times a week during the closed season to fill the lagoon. The biofertiliser can then be spread on crops on the farm which comprises 190ha of land by connecting an umbilical hose to the lagoon and will extend to various parts of the holding as required.

2.5 The biofertiliser can be used at the most efficient opportunity, rather than having to wait for a delivery to come directly from the supplier and risk missing the best time because of changeable weather conditions.

2.6 The second part of the application is for a conduit under Sheep Lane so the umbilical can be linked from the lagoon to land belonging to the applicant to the east of the lane.

2.7 The development will involve making alterations to the access from Hangman Stone Road so vehicles can access the site to deposit the fertiliser into the lagoon. The application has changed since its original submission and because of poor site lines on the junction between Hangman Stone Road and Lane, the vehicles will continue along the farm track to the farmer's yard in High Melton where they will leave the site. Much of the track is also designated as a Public Bridleway up to a point just north of the village, where it turns east towards the northern extent of the farmyard.

3.0 Relevant Planning History

3.1 There are no relevant planning applications

4.0 Representations

4.1 The application has been advertised in accordance with the Development Management Procedure Order and advertised by site notices and press advertisements. In light of the amendments and updated information provided, this was repeated on 12th October and the original contributors were also re-notified.

4.2 At the time of preparing this report, there have been 623 individual representations received objecting to the proposal and 3 in support. There was also a petition against the application numbering 100 signatures. The amended proposal was still out for consultation and the final numbers and any additional planning matters will be reported in pre committee notes;

The matters raised in representations include

- Proximity of the proposal to residential areas;
- Odour that will be emitted as a result of the open storage;
- Potential for adverse health impacts;
- Concern over the potential for pollution of the ground water (aquifer);
- The nature of the material to be stored in the lagoon;
- Increased risk of vermin/flies;
- Flood risk/over-topping of the lagoon;
- That this is a commercial venture rather than agricultural one;
- Increase in the amount of HGVs;
- Unsuitable nature of the current access track;
- Impact on users of the Public Bridleway;
- Access from the Farmyard in High Melton unsuitable for HGVs;
- Decrease in the value of house prices (this is not a material planning consideration);
- Impact on the conservation area.

5.0 Parish Council

5.1 The following objections and concerns have been raised by Sprotbrough and Cusworth Parish Council;

- concerned that the development will attract vermin.
- use of barbed wire on the boundary fence.
- loss of amenity from conflicting uses on, and harm to the bridleway.
- odour from the site.
- problems with similar facilities elsewhere in the borough.

- impact on local highway network.
- bad odour during trials of spraying the fertiliser.
- this would be a commercial operation rather than for the benefit of the farm itself.
- requested that the hours of operation and delivery routes could be controlled.

6.0 Relevant Consultations

ECOLOGIST

6.1 No objections on ecological grounds, an ecological enhancement scheme to be approved by condition.

HIGHWAYS

6.2 Initial concerns were raised that the use of the track would lead to the deterioration of the bridleway and that sight lines were insufficient for vehicles leaving the site toward Hangman Stone Road and insufficient turning space. The application has been amended so there is sufficient turning space for vehicles depositing to the lagoon and a one way system proposed so vehicles are not crossing Hangman Stone Road.

PUBLIC RIGHTS OF WAY

6.3 Initial objections overcome as a one way system is to be introduced, a vehicle gate and horse gate will be introduced sufficiently far from the highway so delivery vehicles can park off the highway before opening the gate and proceeding onto the farm track.

INTERNAL DRAINAGE BOARD

6.4 Site is within an Internal Drainage Board area and any discharge to a ditch or drain needs the Board's consent

YORKSHIRE WATER

6.5 No objections

NATURAL ENGLAND

6.6 No objections and no conditions requested.

YORKSHIRE WILDLIFE TRUST

6.7 No objections and support recommendations from Council Ecologist for some enhancement measures.

ENVIRONMENT AGENCY

6.8 No objections in principle. The site is on an aquifer but noted that the Agency must be notified 14 days before construction work and that work must be agreed with the agency. An informative can be added to the decision of this application.

ENVIRONMENTAL HEALTH

6.9 The odour assessment identifies that there are no properties within 1km of the proposed lagoon and that the closest properties are all to the west/south-west. There are no properties within 1.5km to the north-west/west, which is downwind of the prevailing wind direction. The location is therefore isolated and a considerable distance from sensitive receptors. The assessment concludes that, with the stated mitigation measures in place, the Environment Agency's benchmark for exposure to offensive odours will not be exceeded.

6.10 There may be some short term exposure along Hangman Stone Lane but there are no sensitive receptors in this location. The main mitigation measure proposed is the permanent use of an impermeable lagoon cover constructed of PVC film. This cover will remain in place except for periods of significant maintenance. Furthermore, it must remain in place to demonstrate that best practicable means are being employed to control odour emissions.

6.11 A secondary measure is the implementation of an odour management plan, to be used as a working document through the life of the development. The plan submitted with the application, dated 2017, includes a requirement for routine of monitoring and regular maintenance check. It also includes a complaints response procedure. The odour management plan is agreed and should be implemented at the commencement of the development. If any changes are proposed to this document then they should be agreed in advance with the LPA.

TREE OFFICER

6.12 No objection on arboricultural grounds subject to landscaping, planting and management scheme

7.0 Relevant Policy and Strategic Context

National Planning Policy Framework

Principle 3 - Supporting a Prosperous Rural Economy

Principle 4 - Promoting Sustainable Transport

Principle 7 - Requiring Good Design

Principle 8 - Promoting Healthy Communities

Principle 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change

Principle 11 - Conserving and Enhancing the Natural Environment

National Planning Policy

Planning Policy Statement 10: Planning for Sustainable Waste Management

Doncaster Council's Core Strategy

CS3 - Countryside

CS4 - Flooding and Drainage

CS14 - Sustainable Construction

CS16 - Valuing our Natural Environment

CS18 - Air, Water and Agricultural Land

Barnsley, Doncaster and Rotherham Joint Waste Plan

Policy WCS6: General Considerations for all Waste Management Proposals

Saved Doncaster Unitary Development Plan

ENV3 - Green Belt

ENV 6 - Agricultural Buildings

Other Material Documents/Policies

Publicly Available Specification 110 (PAS110)

8.0 Planning Issues and Discussion

8.1 The proposal has been screened for an Environmental Impact Assessment (EIA) in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulation 2011. The proposal is not Schedule 1 development requiring mandatory EIA. The proposal is, however, potentially caught by Schedule 2 (Part 11) i.e. Installations for the disposal of waste (within 100 metres of controlled waters). The proposal is not strictly speaking 'disposal' as it is to be stored for the beneficial use as a fertiliser on adjacent land. Nevertheless, it is akin to such considerations and the assessment criteria laid out in Schedule 3 have been assessed. The cumulative impact of both storage and spreading of this material over the land holding has been considered and in summary it is considered that it is unlikely that the proposal will have a significant effect on the environment in terms of the characteristic of the development, the location of the development or the characteristics of the potential impact. Indeed, the material is already spread onto this agricultural land and subject to regulations laid down by the Department of Food and Rural Affairs.

8.2 The main issues to consider in the determination of this application therefore are:

- The principle of the development.
- The nature of the material.
- Residential amenity (odour, dust, noise, vermin).
- Groundwater protection (including flooding and drainage matters).
- Landscape and visual impact.
- Ecology and trees.
- Highways/Public Rights of Way.

PRINCIPLE OF DEVELOPMENT

8.3 The proposal is located within an area of the borough designated as Green Belt. As such, saved Unitary Development Plan (UDP) Policy ENV3 is relevant as too is the more recently adopted Core Strategy Policy CS3.

8.4 In terms of overall national policy, NPPF Principle 3 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Specifically, planning should help to promote a strong rural economy by amongst other things promoting the development and diversification of agricultural and other land-based rural businesses.

8.5 Saved UDP Policy ENV3 states that developments in the Green Belt will not normally be permitted for purposes, other than, agriculture and other such uses appropriate to a rural area. Policy ENV 6 expands on agricultural development stating that the storage of slurry 'would not give rise to an unacceptable loss of amenity for occupiers of protected buildings.'

8.7 Core Strategy Policy CS18 importantly states that proposals will be supported which facilitate the efficient use of Doncaster's significant agricultural land and soil resources, including proposals which support the primary purpose of food production whilst maximising opportunities for recreation and wildlife.

8.8 The proposal is for the construction and use of a storage lagoon for liquid fertiliser/irrigation purposes for agricultural purposes and to be utilised on adjacent agricultural land that is owned by the applicant. The Environment Agency have advised that it is good practice to apply fertiliser at times when the crops can utilise it and to therefore have the ability to store the material and use it when the field conditions are suitable is good for the environment/food production.

8.9 In terms of the principle therefore, the proposal being directly associated with improved agricultural practices is therefore in accordance with the main thrust of the NPPF, Core Strategy Policies CS3 and CS18 and saved Unitary Development Plan Policy ENV3.

NATURE OF THE MATERIAL TO BE STORED

8.10 The material to be imported and stored at this site derives from the local ReFood Anaerobic Digestion (AD) facility located just outside of Doncaster town centre. AD is an advanced waste treatment technology that diverts food and organic waste from landfill in order to produce renewable sources of electricity. The Quality Protocol for Anaerobic Digestion (QPAD) only allows source-segregated wastes to be used i.e. wastes that are from a single stream and not from mixed waste sources such as would be typical for black bin bag waste. Wastes that are permitted under the QPAD have been deemed not only suitable for processing through an AD system, but also for spreading on agricultural land.

8.11 Any AD plant that accepts wastes that include the processing of meat tissue are required to achieve approval by the AHVLA. The plant is subject to veterinary supervision by DEFRA, guaranteeing that every aspect of its operation meets the requirements of the European Animal By-Product Regulation (2002/1774/EC).

8.12 The operator is also working in line with the measures laid out in Publicly Accessible Specification 110 (PAS110). The purpose of PAS110 is primarily two-fold. Firstly to ensure that digested materials are made using suitable inputs and effectively processed by the AD process for a sufficient period of time and secondly to ensure that the process has been well managed and monitored so as to produce digested material that meets market needs whilst importantly protecting the environment. ReFood gained their BioFertiliser Certification as certified by the Organic Growers and Farmers in April 2013 (see Fig. 12). This means permits that from the Environment Agency to spread this material to land (or indeed to store it) are not required as the material is not technically deemed to be a waste.

8.13 In terms of content, the digestate is used as a fertiliser in land-spreading to release valuable nutrients (Nitrogen, Potassium etc.) needed by the land to produce crops. The proposed development of the lagoon will assist in boosting cropping rates from a source of nutrients.

8.14 In terms of planning policy, PPS10 has at its heart the key planning objective of delivering sustainable development by driving the management of waste up the waste hierarchy. In summary, waste should be treated as a resource through reuse and recycling with disposal being deemed to be a last option. Although the material is no longer technically deemed to be a waste (as a result of the PAS110 and QPAD certification), it is still nevertheless material derived from a waste processing facility and as such national waste policy is still considered relevant in determining potential issues. Annex 5 of PPS10 includes the following considerations:

- Protection of water resources;
- Visual intrusion;
- Nature conservation;
- Traffic and access;
- Odour;
- Dust;
- Vermin and birds;
- Noise.

8.15 All of these matters have been considered within the following report, but in general terms the proposal to store the digestate on this site for agricultural benefit fundamentally moves from disposal of a substance to its reuse and in so doing conforms to the waste hierarchy principle. This material is already inspected by the AHVLA at source (i.e. the ReFood facility) and is currently applied to land with the Environment Agency's approval. ReFood have achieved PAS110 and QPAD certification and the application has considered and addressed all the matters laid out in Annex 5 of PPS10. Accordingly, the proposal is deemed to comply with PPS10.

RESIDENTIAL AMENITY

8.16 Principle 11 of the NPPF requires that the planning system contributes to the natural and local environment by preventing both new and existing developments from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise.

8.17 PPS10 requires that in relation to odour, dust and vermin, consideration should be given to the proximity of sensitive receptors and the extent to which adverse emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles.

8.18 As part of the application, an Odour Mitigation Plans (OMPs) has been submitted. It deals with the storage of the material in the proposed lagoon. The aim is to lay out steps to reduce any potential for adverse odour impacts. The OMP is a key consideration - especially given the level of local objection received in relation to this concern in relation to odour. The plan sets out the possible eventualities during the operation or maintenance of the lagoon and will be used alongside an Environmental Management System (EMS) and Accident Management Plan (AMP) that will be developed for the proposed operation.

8.19 In terms of the additional odour survey work, a modelling exercise was carried out to assess the impact of the nearest receptors to the site. There are no receptors within 1km of the site and predicts that on occasions there may be a faint odour detectable from the lagoon along a short distance of Hangman Stone Road and moderate to strong odours might be encountered along a short distance of the lane directly to the east of the site.

8.20 The Environmental Health Officers have assessed the modelling data and do not raise any objections subject to conditions requiring compliance with the Odour Management Plan

8.21 With regard to vermin, this will be controlled primarily as part of the cover over the lagoon, which will prevent direct access. No digestate will therefore be open to the air except from the vents to allow for a small amount of biogas to be released due to the continuing biodigestate process and the connection that will allow the lagoon to be filled and for the umbilical to draw off the biofertiliser.

8.22 The remaining environmental matters such as noise and dust are most likely to be generated during the construction of the irrigation lagoon with the operational phase being effectively an agricultural process in an agricultural area. It is proposed to attach a planning condition requiring a Construction Impact Management Plan to be approved prior to development commencing so that the construction phase can be managed sympathetically.

8.23 The proposal, subject to proposed conditions, is deemed to be in accordance with the NPPF and PPS10.

8.24 Mention has been made in some representations about the experience of a similar development in another part of the borough near Barnby Dun. This lagoon is roughly half the size of the one constructed between Barnby Dun and Hatfield and was installed with a different type of cover that would form a crust over the liquid which required substantial modification before it worked correctly. This development is proposed to be covered with an impermeable membrane, although the digestate will continue to produce some biogas so a series of vents is required to be installed but the assessment indicates that this should not affect any nearby residential receptors.

LANDSCAPE AND VISUAL IMPACT

8.25 The NPPF attaches great weight to the design of the built environment and states that planning decisions should aim to ensure that developments are visually attractive as a result of appropriate landscaping.

8.26 Core Strategy Policy CS3 states that proposals will be supported where they are appropriate to a countryside location and protect and enhance the countryside for the sake of its intrinsic character and beauty.

8.27 In terms of the existing landscape, the area is dominated by both arable and pasture fields, clumps of trees and Melton Wood. The key part of the design in its final appearance is safe and secure storage area for digestate and one that isn't intrusive into the surrounding landscape.

8.28 The proposal will comprise the principle excavation of the lagoon, which will provide material necessary to create a low raised bund and a secure fence part way up the bund. This will reduce its visual impact in the landscape. This is then screened with existing planting to the west and north, screening this from Hangman Stone Road and the landscaping around the lagoon/fence will help soften further the proposed development's impact directly adjacent to the track/bridleway.

8.29 Given the relatively modest low level rise of the bund, which will become naturally colonised by native species, it is considered that the visual impact of the actual lagoon structure will be negligible.

8.30 Some representations highlight that part of the farmstead is within the High Melton Conservation Area. None of the operational development is within the Conservation Area and will not be visible, unaided, from within it. Vehicles will run through the conservation area in that part of the yard inside it, but as referenced elsewhere in the report this will only be during certain times of the year and will result in the reduction of movements during the planting season.

8.31 The proposal is therefore in accordance with the main aims of the NPPF, Core Strategy Policy CS3 and saved UDP Policy ENV4.

TREES AND ECOLOGY

8.32 Principle 11 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. As such opportunities to incorporate biodiversity in and around developments should be encouraged.

8.33 The proposed development is proposed on a currently farmed field and as such the biodiversity value of the site is low. In order to provide visual screening of the raised bunding surrounding the lagoon, a landscaping scheme is required to be agreed with the Local Planning Authority. This in itself will have a positive biodiversity result by creating a new habitat, for example for nesting birds etc. on this site. The applicants have already put forward some landscaping proposals to the west of the site and these are agreed in principle with the ecologist.

8.34 The proposal is therefore in accordance with the NPPF and Core Strategy Policy CS16.

DRAINAGE AND GROUND WATER PROTECTION

8.35 In terms of groundwater protection, the Environment Agency, Yorkshire Water and Internal Drainage Board have raised no objections in principle subject to a condition recommended by the Environment Agency. Detailed advice given by the Environment Agency emphasises the need for any facility such as this to be built in accordance with primary legislation i.e. The Silage, Slurry and Agricultural Fuel Oil (SSAFO) Regulations and The Nitrate Pollution Prevention Regulations. Should the fertiliser be allowed to enter surface water and result in a water pollution incident then this would be an offence under The Environmental Permitting Regulations.

8.36 The SSAFO also requires notification to be given to the Environment Agency prior to construction of a lagoon and a scheme agreed with the agency before they will issue the relevant certification. Water that falls onto the lagoon will be channelled away to the nearest drain. This will require approval of the Environment Agency as part of their regulatory approval of the construction and also any discharge to an adopted drain will need the consent of the Internal Drainage Board.

HIGHWAYS AND PUBLIC RIGHTS OF WAY

8.37 Principle 4 of the NPPF states that transport policies have an important role to play in facilitating sustainable development and in contributing to wider sustainability and health objectives. Specifically in relation to the current proposal, the NPPF requires that safe and suitable access to a site can be achieved for all people.

8.38 Principle 8 of the NPPF requires that proposals should protect and enhance public rights of way and access.

8.39 The current access to the site is along a hard surface track leading from the farmyard at High Melton through the farmer's fields, becoming a public bridleway at the edge of the village. The track leads to the junction with Hangman Stone Road which is currently blocked off by large concrete obstructions

8.40 In terms of deliveries, the access from Hangman Stone Road will be opened up, upgraded with separate horse and vehicle gates and HGV's will primarily approach the site from the north from Marr before arriving at the lagoon. A turning space will be included along the northern boundary of the lagoon so that vehicles are not parked on the track/bridleway when filling up the lagoon. They will then proceed south-easterly toward the farmyard along the farm track which is hard surfaced. The tankers will then leave the yard onto Doncaster Road which has already been happening during the last growing season and would need to continue if the application was not approved.

8.41 The proposal will be to fill the lagoon in the closed season ready for spreading during the spring and summer months. The deliveries will be 11 per week on weekdays (2/3 per day) from the beginning of October to the end of January using tankers with a capacity of 27m³. During 2016-17, the farmer has had 168 trips direct to the farmyard by tanker which would then leave the yard following delivery. Using the current bladder system, further trips are required using the farmers own vehicles up Hangman Stone Lane and out to the fields to the east of High Melton. These also take place during the growing season when demand for using the bridleway would likely be at its highest.

8.42 As the biofertiliser would already be on site, the requirement for internal movements and deliveries to be made during the growing season is removed and would see a significant fall in the use of the bridleway in the spring and summer. The umbilical will be required to cross over the bridleway when in use but the access management information supplied by the applicant indicates that warning signs can be temporarily displayed at the point the pipe would cross over the track. The applicant states that riders and other users can step off the track onto the adjacent field when vehicles are traversing the farm track as happens now when tractors and combine harvesters are using the track. The track is on the farmers land and it is the responsibility of the landowner to risk assesses the use by vehicles as is the case with the existing farm operation.

8.43 The movements would come relatively close to the end of a row of houses on Hangman Stone Lane that are at the northern edge of the village before turning directly east along a track that leads to the north end of the farmyard. A condition limiting deliveries to weekday daytimes could be put in place and a maximum number of deliveries per week would limit any harm to the amenity of occupiers located near to the part of the track leading towards the farm yard, as would be the operation of the one way system in terms of deliveries to the lagoon.

8.44 Highways (Development Control and Transportation) and Public Rights of Way have raised no objections subject to conditions primarily as a result of the access arrangement proposed in tandem with the relatively small number of HGV's visiting the site in any one day and for a limited period of the year. The proposal is therefore in accordance with the NPPF.

9.0 Summary

9.1 The proposal to construct a liquid fertiliser and irrigation lagoon for use on adjacent agricultural land complies with both national and local policies for such developments in terms of principle, residential amenity, groundwater, biodiversity, visual impact and highways/public rights of way considerations.

9.2 In terms of the principle, the proposal is both integrally associated and needed for the agricultural practices carried out by the applicant in this area and proposals for improving and diversifying agricultural practices are supported. The material to be used is derived from a facility that is monitored by both the AHVLA and Environment Agency and is deemed to be PAS110 and QPAD compliant.

9.3 Although there have been a large number of representations against this proposal, the concerns raised have been considered and, where possible, mitigated against. Conditions requiring various measures to be in place both prior to and following construction of the lagoon, in particular a permanently maintained cover system will safeguard the living conditions of residents. The Environment Agency has not raised any objection in relation to groundwater protection and subject to its own regulatory process.

9.4 The visual impact of the proposal in the Green Belt is limited by its location being partially screened from many view points by existing landscape features and will be further mitigated through the low-key design and screening by the bund which will be soft landscaped.

9.5 In terms of safety of users of the bridleway, the access track is already a substantial hard surface and the entrance from Hangman Stone Road will be upgraded to accommodate vehicles and other users entitled to use the track in its status as a bridleway. The use of the bridleway by vehicles connected with the farm will reduce in the growing season as the land can be fertilised directly from the lagoon using the umbilical pipe. HGV's visiting the site will be limited to four months in the 'off' season being October to the end of January, 11 times a week and only on weekdays. The one way system also reduces the movements of lorries and agricultural vehicles leaving the farmyard in High Melton onto Doncaster Road which is a concern raised in representations.

9.6 Accordingly, the proposal is recommended for planning approval subject to conditions and informatives.

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

RECOMMENDATION

Planning Permission GRANTED subject to the following conditions.

01. STAT1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. U56112 The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed bellow
GS Ref EC030c-11 Location Plan
GS Ref EC030c-12 Site Plan date 01/08/2017
GS Ref EC030c-14 Lagoon Cross section
GS Ref EC030c-17 Pipeline Site Plan
GS Ref EC030c-18 Pipeline Cross Section
GS Ref EC030c-19 Gate and Fence Front Elevation
GS Ref EC030c-20 Fence Side Elevation
Dwg No 1738.1.1 Planting Plan & Schedule
REASON
To ensure that the development is carried out in accordance with the application as approved.
03. U56139 Detailed engineering and surface water drainage details shall be submitted for inspection and approval by the Highway Authority before works commence on site.
REASON:
In the interests of road safety.
04. U56140 Gate to the vehicular access shall be no less than 20 metres from the edge of the carriageway of the public highway and hung as to be opened inwards.
REASON:
To provide adequate space to allow an arriving vehicle to be driven clear of the carriageway of the highway in the event that the gate is closed.

05. U56141 No works associated with the installation of a private pipe beneath Sheep Lane shall commence until a licence under Section 50 of the New Roads and Streetworks Act 1991 has been obtained from the Local Highway Authority.
REASON
In the interests of Highway safety
06. U56142 All delivery vehicles shall arrive at the lagoon from Hangman Stone Road and on departing proceed along Hangman Stone Lane to the farmyard of Red House Farm before leaving the site onto Doncaster Road and by no other route and only in the stated direction.
REASON
To create a one way route, in the interests of Highway safety at the junction of Hangman Stone Lane and Hangman Stone Road and to limit the number of trips along Hangman Stone Lane.
07. HIGH1 Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the local planning authority.
REASON
To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.
08. U56143 Unless otherwise approved in writing by the Local Planning Authority, the maximum number of HGVs leaving the site per day during the operational phase of the development (excluding construction and the initial filling of the lagoon) shall not exceed 4 with a maximum of no more than 16 HGVs in any weekly period.
REASON
In the interest of highway and pedestrian safety
09. U56144 The operator shall maintain records of all HGVs and collection vehicles entering the site and these records shall be made available for inspection by the Local Planning Authority within two working days of a verbal or written request.
REASON
To assist in the monitoring and compliance with the above condition
10. U56145 No development shall take place until a Traffic Management Plan for the construction and filling of the lagoon has been submitted to the Local Planning Authority for written approval. The approved plan shall be adhered to throughout the construction and filling phase.
REASON
In order to mitigate the impact of construction traffic in the interest of highway/pedestrian safety.

11. U56146 Unless otherwise approved in writing by the Local Planning Authority, site deliveries of the liquid digestate shall be restricted to the following hours:
0900 - 1700 hrs Mondays to Fridays;
and at no time on Saturdays, Sundays or Bank Holidays or Public Holidays.
REASON
To ensure that the amenity impact of operations remain within acceptable limits.
12. U56147 The Development shall not commence until a scheme for the proposed surface water run-off works has been submitted to and approved by the Local Planning Authority. The development shall be carried out in full accordance with the approved scheme.
REASON
To prevent surface water flooding.
13. U56148 No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials, height, and type of fencing to be erected on site, including gates and warning signs. Unless otherwise approved in writing by the local planning authority, the details as approved shall be completed before the development is brought into use.
REASON
To ensure the satisfactory appearance of the development.
14. U56149 No development shall take place until a Construction Impact Management Plan has been submitted to the Local Planning Authority for written approval. The approved plan shall be adhered to throughout the construction phase.
REASON
In order to mitigate the impact of construction impacts in the interest of residential amenity and highway/pedestrian safety.
15. U56150 Prior to the commencement of the development hereby granted a landscape planting and management scheme outlining proposed felling and planting operations within Hangman Stone Wood and planting operations on the earth bund shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include a plan indicating all felling work within Hangman Stone Wood and the planting location of all trees and shrubs; a schedule including the nursery stock specification for all shrubs and trees that complies with British Standard 3936: Part 1: 1992 Specification for Trees and Shrubs and are characteristic of the C2 Cadeby to Adwick Limestone Plateau Landscape Character Area; details of planting, staking and rabbit protection; and a maintenance specification. Thereafter the landscape scheme shall be implemented before the first use of the lagoon and maintained in full accordance with the approved scheme. Any tree or shrub planted as part of the scheme that is removed or is found to be dying, diseased or seriously damaged within five years of practical completion of the planting works shall be replaced during the next available planting season in full accordance with the approved

scheme, unless the local planning authority gives its written approval to any variation.

REASON:

In the interests of environmental quality and core strategy policy CS16: Valuing our Landscape

16. U56151 The submitted odour management plan shall be in place and adhered to at all times throughout the life of the development. Records of all monitoring required by the odour management plan shall be kept for a period of 2 years and made available to the local planning authority for inspection when requested. The odour management plan dated September 2017, submitted with the application, is agreed by the LPA and any proposed changes that materially impact on its requirements must be submitted to the LPA for agreement prior to the change being implemented.
REASON:
To ensure that the development does not prejudice the local amenity.
17. U56152 A permanent cover, as specified in the application supporting documentation, shall remain over the lagoon at all times, except for the purposes of allowing access for routine and emergency maintenance. All instances when the cover is to be removed shall be notified to the LPA at least seven days prior to its removal in the case of routine works. In the event that the cover must be removed for emergency access then the LPA shall be notified within 48 hours following the cover being removed.
REASON:
To ensure that the development does not prejudice the local amenity.
01. U11781 INFORMATIVE
The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013.
02. U11782 INFORMATIVE
The applicant must inform the Environment Agency, verbally (Tel: 03708 506 506) or in writing, of a new, reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before starting any construction work. The notification must include the type of structure, the proposed design and construction, and once an agreed proposal has been constructed we will ask them to send us a completed WQE3 notification form before you start using the facility.

03. U11783 INFORMATIVE
Works carried out on the public highway or tying in to the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980. The S278 agreement must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. The applicant should make contact with Malc Lucas - Tel 01302 735110 as soon as possible to arrange the setting up of the agreement.
04. U11784 INFORMATIVE
Doncaster Borough Council Permit Scheme (12th June 2012) - (Under section 34(2) of the Traffic Management Act 2004, the Secretary of State has approved the creation of the Doncaster Borough Council Permit Scheme for all works that take place or impact on streets specified as Traffic Sensitive or have a reinstatement category of 0, 1 or 2. Agreement under the Doncaster Borough Council Permit Scheme's provisions must be granted before works can take place. There is a fee involved for the coordination, noticing and agreement of the works. The applicant should make contact with Paul Evans - Email: p.evans@doncaster.gov.uk or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.
05. U11785 INFORMATIVE
The placement of private apparatus in the public highway requires a licence under section 50 of the New Roads and Streetworks Act 1991. A section 50 licence application form can be obtained via the following link <http://www.doncaster.gov.uk/services/transport-streets-parking/licence-for-street-works-aka-section-50-licence> . Alternatively, The applicant should make contact with Paul Evans - Email: p.evans@doncaster.gov.uk or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.
06. U11786 INFORMATIVE
The developer shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud on the highway is an offence under provisions of The Highways Act 1980.
07. IDRAIN INFORMATIVE
ANY surface water discharge into ANY watercourses in, on, under or near the site requires CONSENT from the Drainage Board.
- If the surface water were to be disposed of via a soakaway system, the IDB would have no objection in principle but would advise that the ground conditions in this area may not be suitable for soakaway drainage. It is therefore essential that percolation tests are undertaken to establish if the ground conditions are suitable for soakaway drainage throughout the year.

If surface water is to be directed to a mains sewer system the IDB would again have no objection in principle, providing that the Water Authority are satisfied that the existing system will accept this additional flow.

If the surface water is to be discharged to any watercourse within the Drainage District, Consent from the IDB would be required in addition to Planning Permission, and would be restricted to 1.4 litres per second per hectare or greenfield runoff.

No obstructions within 9 metres of the edge of a watercourse are permitted without Consent from the IDB.

For further application information, consent guidance & forms Visit: www.shiregroup-idbs.gov.uk, Select 'IDB', then select 'Doncaster East IDB', and select 'Planning, Consent & Byelaws'.

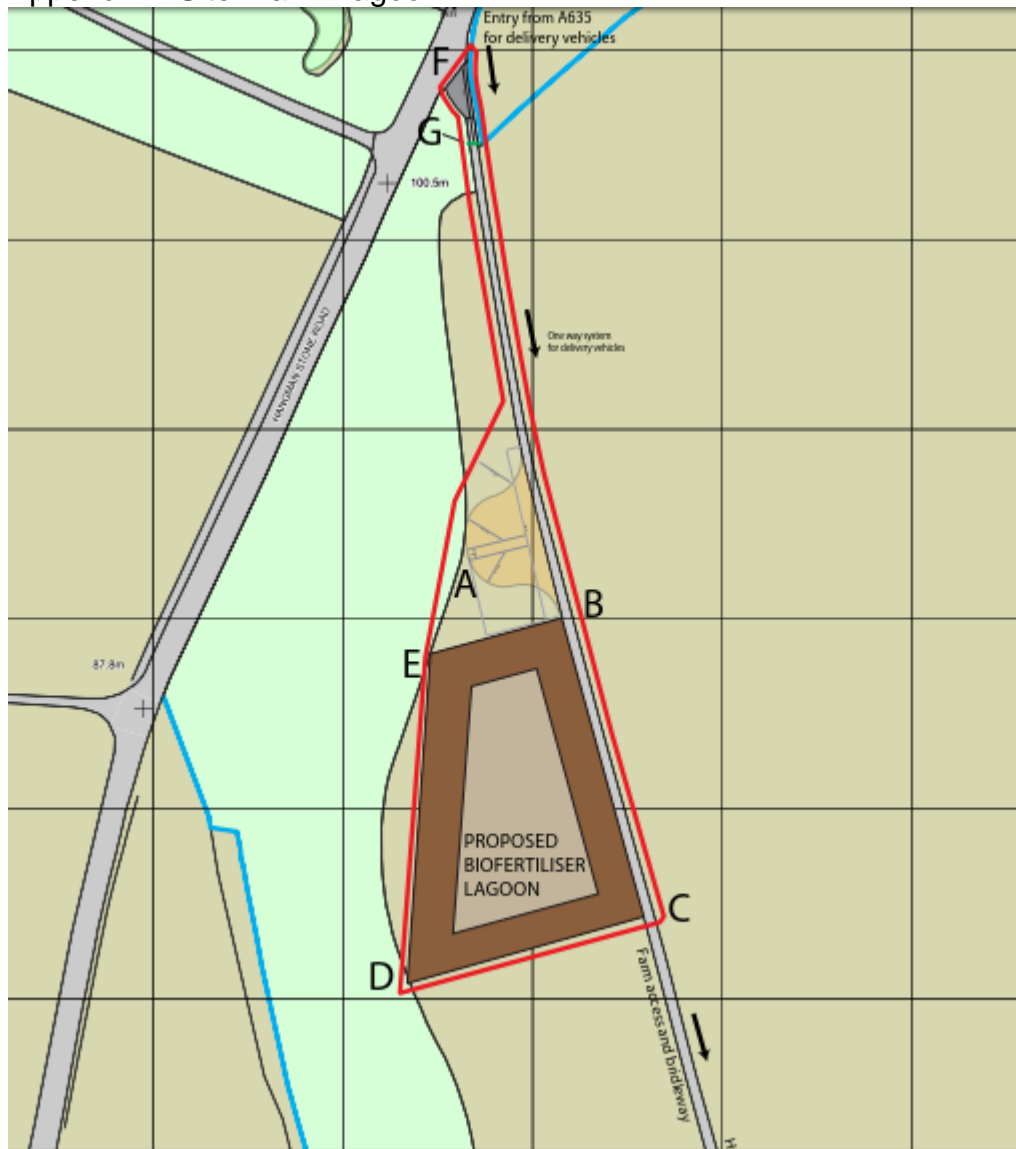
For direct enquiries e-mail: planning@shiregroup-idbs.gov.uk

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

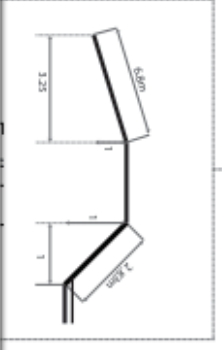
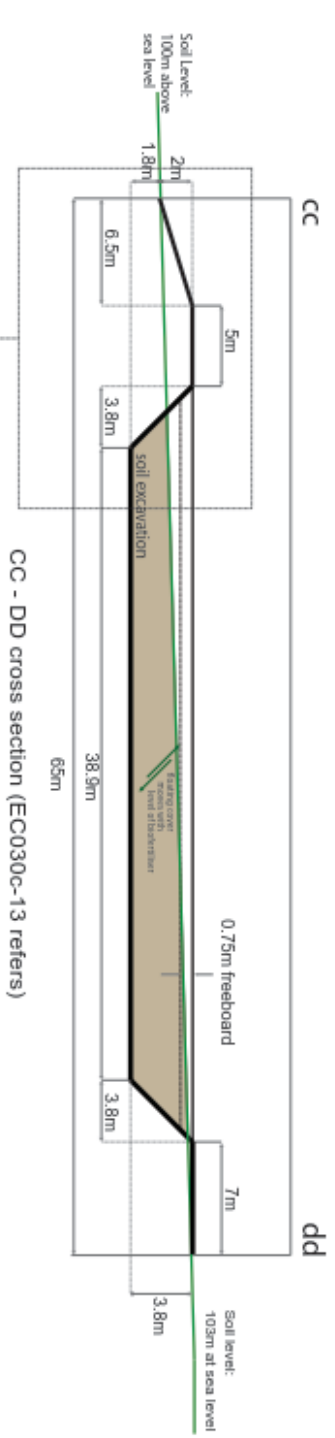
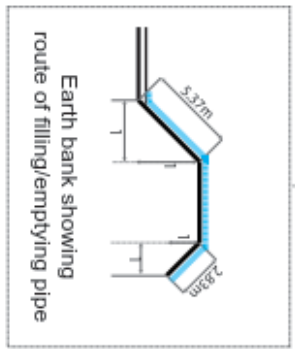
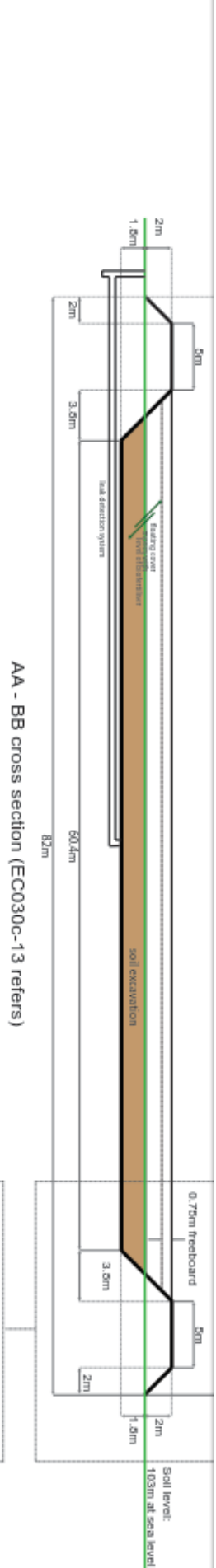
In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

Additional information required to establish the covering of the lagoon, odour management, changes to the access to and from the site.

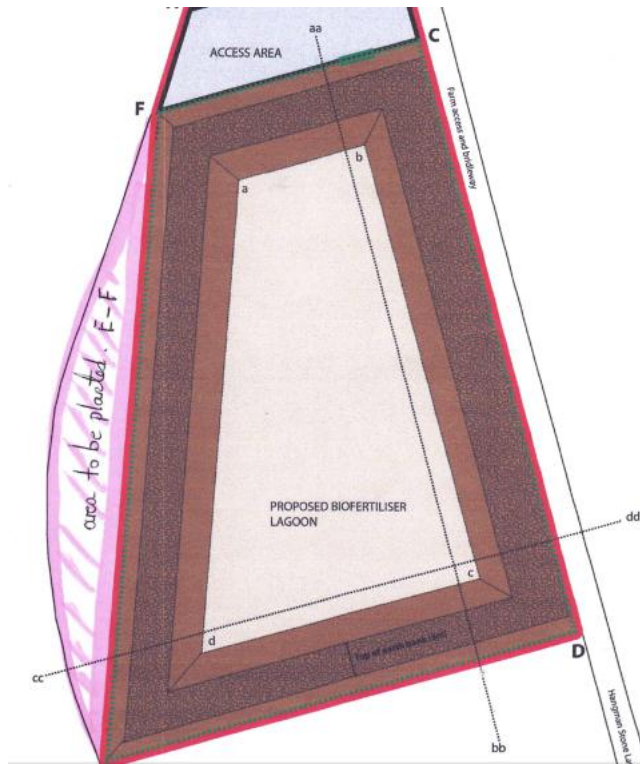
Appendix 1 Site Plan - Lagoon



Appendix 2 Cross Sections - Lagoon



Appendix 3 Landscaping Plan



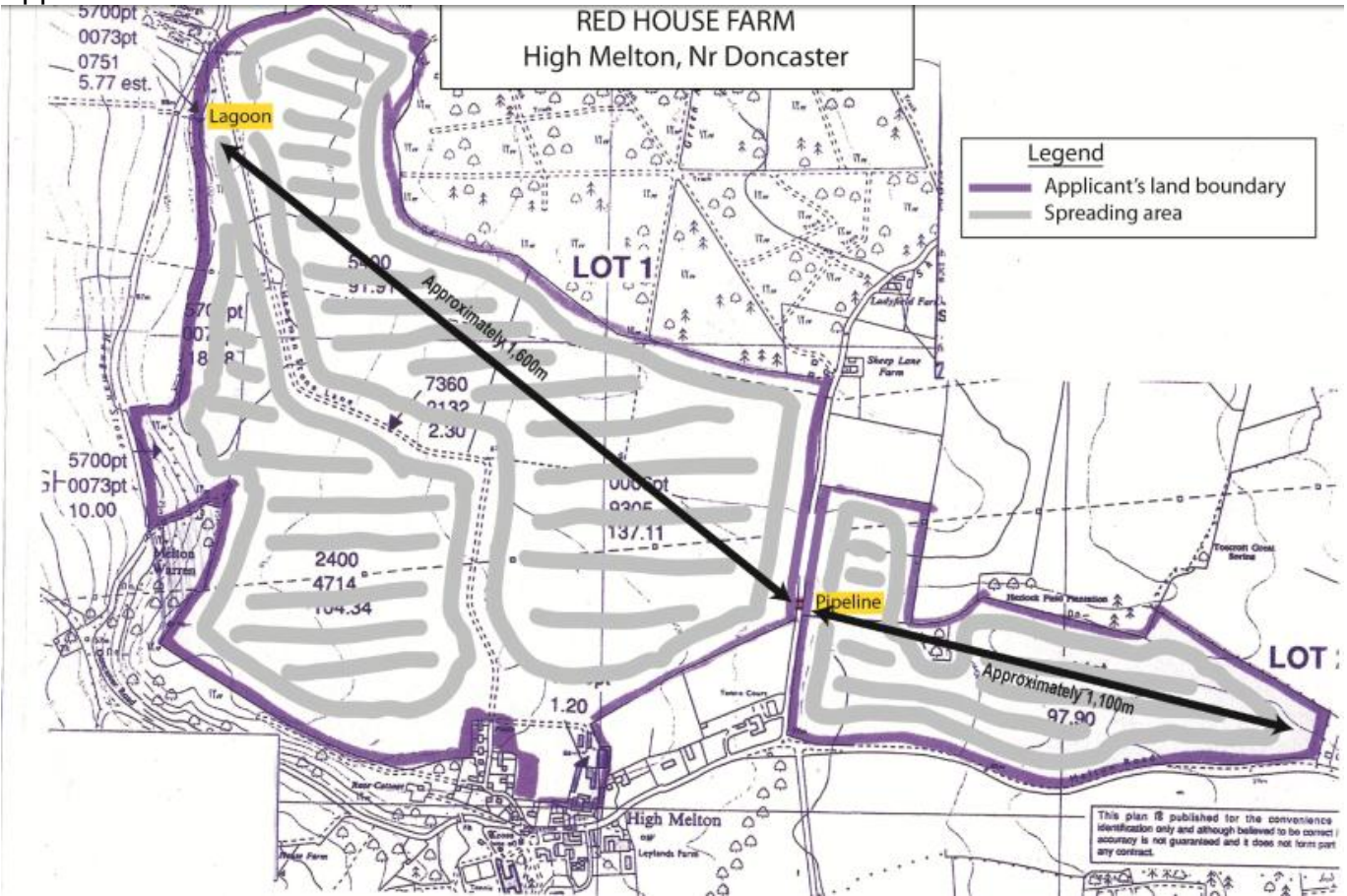
Species		Plant size and container	Number
Latin name	English name		
Cornus sanguinea	Dogwood	60-80cm 1+1 BR	50
Crataegus monogyna	Hawthorn	60-80cm 1+1 BR	50
Viburnum opulus	Guelder rose	60-80cm 1+1 BR	50
Rosa canina	Dog rose	60-80cm 1+1 BR	50
Prunus spinosa	Blackthorn	60-80cm 1+1 BR	50

PLANTING ALL PLANTED IN 1.0M X 1.0M X 1.0M TREE PIT, BACKFILLED WITH TOPSOIL, SUPPORTED WITH SINGLE STAKE, WITH RUBBER TIE AND SPACER TO 1/3 HEIGHT OF THE TREE. ALL DEAD & DEFECTIVE PLANT MATERIAL TO BE REPLACED WITHIN 5 YEAR ESTABLISHMENT PERIOD. TREE TIES CHECKED AND LOOSENED REGULARLY, REMOVED WHEN ESTABLISHED.

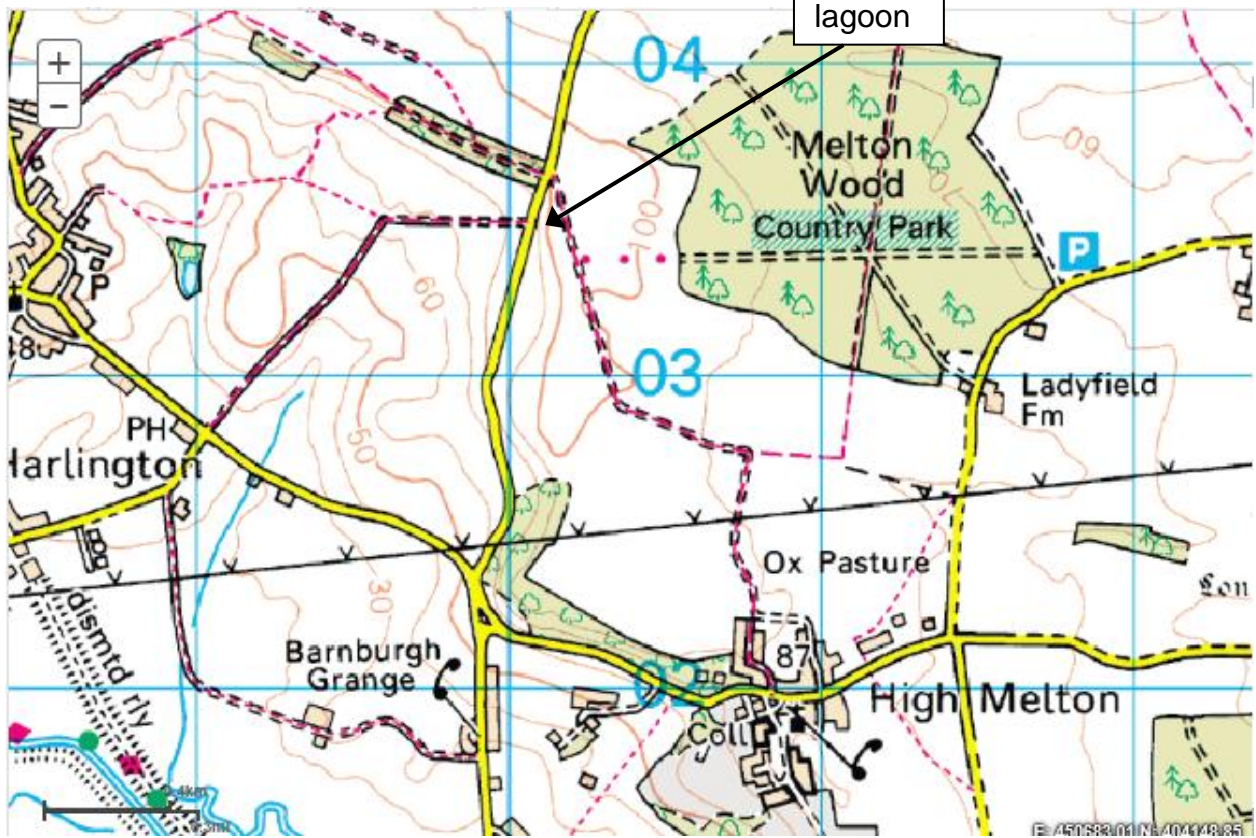
Wildflower seeding
 Bund around lagoon to be seeded with sheeps fescue (*Festuca ovina*), dogstail (*Cynosurus cristatus*), meadowgrass (*Poa pratensis*), catstail (*Phleum pratense bertolonii*), meadow fescue (*Festuca pratensis*), bentgrass (*agrostis capillaris*), and Boston Seeds BS2M: Chalk & Limestone Soils Wildflower Seed mix, or similar approved, applied at a rate of 5g/m².

WelchDesign

Appendix 4 Extent of Red House Farm



Appendix 5 wider map including bridleways and footpaths



Appendix 6 Site Plan – Conduit under Sheep Lane

