Proposed Anaerobic Digestion Plant at Red Linhay in Halberton, Tiverton

Technical Report

On behalf of **Mid Devon District Council**

Project Ref: 38071| Rev: A – Final Issue to MDDC | Date: May 2016

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Project Ref: **38071**

Report Title: **PBA Technical Report**

Date: **May 2016**

	Name	Position	Signature	Date
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-	20/05/2016	Draft Issue to MDDC	Various	MC	JB
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1 Introduction

1.1 Project Brief

1.1.1 Peter Brett Associates (PBA) LLP has been commissioned by Mid Devon District Council (MDDC) to provide technical advice in relation to planning application 15/01034/MFUL for an Anaerobic Digester (AD) plant to be located at Red Linhay in Halberton, Tiverton.

1.1.2 The application site is located approximately 1.5km west of the village of Halberton and 5km east of Tiverton in the district of Mid Devon. The AD plant is to be situated on Crown Hill approximately 500m south of Post Hill which links Halberton to Tiverton.

1.1.3 PBA are commissioned to review and provide independent advice on the four reasons for refusal proposed by MDDC Planning committee members in relation to the planning application. Further details surrounding the planning application and the potential reasons for refusal are provided in the following section of the report.

1.2 Planning Context

1.2.1 Having undertaken a review of relevant documentation provided by MDDC or obtained from the planning portal, PBA understands the planning context surrounding this project to be as follows:

Planning Application 13/01605/MFUL

1.2.2 Planning permission was granted on the 10th July 2014 for the installation of an anaerobic digester and associated works with 4 silage clamps to generate 500 kW of electricity converted from biogas via a combined heat and power unit. Some of the power will be used to run the site with the remainder exported to the National Grid.

Planning Application 14/00801/FULL

1.2.3 Following the above approval, the landowner submitted a revised application for the erection of an agricultural livestock building which was granted permission in 2012 (reference 12/00630/FULL). The livestock building was required for the business of rearing and keeping cows, in this case 46 pedigree and commercial beef cattle. It is understood that the livestock building in question has been constructed.

Planning Application 15/00382/FULL

1.2.4 A further agricultural livestock building was granted approval to be constructed in March 2015. This building was required for an additional 25 cattle to be housed and managed. It is understood that the livestock building in question has been constructed.

Planning Application 15/01034/MFUL

1.2.5 It is understood that the development consented under application 13/01605/MFUL is being constructed on the site but not in accordance with the approved plans. This latest planning application has therefore been submitted to regularise the unauthorised works that are currently being undertaken.

1.2.6 The report on the application considered at Planning Committee on 13th January 2016 set out a schedule of both the components of the consented scheme and that of the current application together with a summary of the changes. The extent of changes between the approved scheme and the scheme currently under consideration as summarised by MDDC are:

1. *The site has increased in size from 0.91 hectares to 1.23 hectares. The majority of the area is the increase to the length of the silage units and a larger bunded area. The site now extends further to the south/south-east by 36 metres to the internal base of the bund and 46 metres to the outside edge of the bund and is therefore closer to the Grand Western Canal.*

2. *The main AD structures have been re-aligned to a north-south axis from an east-west axis.*

3. *The silage clamps have reduced in number from 4 to 2 and have reduced in size and capacity from 7,844 cubic metres to 7,200 cubic metres which represents a reduction of 644 cubic metres.*

4. *Re-location of the digester tank to the site directly to the south of the anaerobic digester unit which is located in approximately the same point as the previous approval.*

5. *The digester tank is larger, increasing from 3,409 cubic metres to 3,927 cubic metres which represents an increase of 518 cubic metres.*

6. *Buffer tank is 1m higher than the approved size.*

7. *CHP unit is 1.5m longer and 0.4m wider, but of the same height.*

8. *New buildings including Control Building, Gas compressor building, Transformer HV and LV, Office Building, 2 x Dryers.*

9. *Additional information submitted including Historic Environment Site Assessment, Landscape response (East Devon), Ground water Vulnerability Plan, additional Noise Assessment Document, Transport Statement Addendum.*

1.2.7 The application was first considered at Planning Committee on 13th January 2016 and Officer recommendation was for approval with conditions. At that meeting Members of Committee:

RESOLVED that Members were minded to refuse the application and therefore wished to defer the decision to allow for a report to be received setting out:

a) the implications of the proposed reasons for refusal based on concerns regarding landscape and visual impact, the impact on the character and appearance on the Grand Western Canal conservation area, the impact on residential amenity and whether the transport plan was up to date, accurate and could be relied upon.

b) Potential enforcement action.

1.2.8 The application was subsequently returned to the Committee at the meeting of 6th April 2016. At this second meeting Members:

RESOLVED that:

a) The application be deferred to seek expert advice on all four of the reasons proposed for refusal;

b) The Head of Planning and Regeneration be requested to write a further letter to the applicant informing them that they were proceeding at their own risk.

1.2.9 In accordance with this resolution, MDDC has appointed PBA to review and advise on the four potential reasons for refusal proposed by members which are:

1. *In the opinion of the Local Planning Authority, due to the scale and siting of the proposed Anaerobic Digester installation, the development is considered to have a harmful effect on the rural landscape character and visual amenities of the area including when viewed from public vantage points on local roads, public footpaths including the Grand Western Canal and it has not been demonstrated that this harm could be satisfactorily mitigated. The application is considered to be contrary to policies COR2 and COR5 of the Mid Devon Core Strategy 2007 (Local Plan Part 1), DM2, DM5 and DM22 of the Local Plan 3 Development Management Policies and the National Planning Policy Framework.*

2. *The proposed development is located in close proximity to the Grand Western Canal Conservation Area. It is the opinion of the Local Planning Authority that if granted it would unacceptably detract from significance of the Conservation Area (a designated heritage asset) in terms of its character and appearance. Accordingly it is considered contrary to policies COR2 and COR5 of the Mid Devon Core Strategy 2007 (Local Plan Part 1), DM2, DM5, DM22 and DM27 of the Local Plan 3 Development Management Policies and the National Planning Policy Framework.*

3. *In the opinion of the Local Planning Authority, due to the proximity of neighbouring dwellings it is considered that the proposed development will have an unacceptably negative impact on the amenity of the occupiers of these neighbouring properties due to odours and noise associated with the development and running of the plant. The application is considered to be contrary to policies COR2 and COR5 of the Mid Devon Core Strategy 2007 (Local Plan Part 1), DM2, DM5, DM7 and DM22 of the Local Plan 3 Development Management Policies and the National Planning Policy Framework.*

4. *(a) The submitted transport statement is not considered sufficiently up to date and does not address traffic generation associated with the newly erected livestock building on the farm holding. It is the view of the Local Planning Authority that this will impact on the ability of the Anaerobic Digester installation to be able to adequately function without additional and unacceptable traffic generation to the detriment of local amenities and character, contrary to policies COR2 and COR5 of the Mid Devon Core Strategy 2007 (Local Plan Part 1), policies DM2, DM5 and DM22 of the Local Plan Part 3 Development Management Policies and the National Planning Policy Framework.*

   OR

4. *(b) It is the view of the Local Planning Authority that it has not been satisfactorily demonstrated that the proposed Anaerobic Digester when considered in conjunction with other approved development for livestock buildings, will not result in additional and unacceptable traffic generation to the detriment of local amenities and character, contrary to policies COR2 and COR5 of the Mid Devon Core Strategy 2007 (Local Plan Part 1), policies DM2, DM5 and DM22 of the Local Plan Part 3 Development Management Policies and the National Planning Policy Framework.*

1.3 Anaerobic Digester Plant Details

1.3.1 PBA understands that the Combined Heat and Power AD Plant is proposed for the purpose of recycling agricultural material to generate energy (producing electricity to export to the national grid) and to produce fertilizers as a by-product. AD is a treatment that digests material in the absence of oxygen, producing a biogas that can be used to generate electricity and heat.

1.3.2 Almost any organic material can be processed with AD. In this case, the feedstock going into the facility would consist of maize, grass silage, manure and beet from the area surrounding the facility.

1.3.3 AD also produces a solid and liquid residue called digestate which can be used as a soil conditioner to fertilise land. The amount of biogas and the quality of digestate obtained will vary according to the feedstock used. It is proposed to distribute the digestate back to the land as per normal agricultural activities such as taking manures to land, with this providing a wholly sustainable process.

1.4 Report Structure

1.4.1 PBA's findings and recommendations in relation to each of the potential reasons for refusal in relation to application 15/01034/MFUL are contained within this report which is structured as follows:

- **Chapter 2** – discusses landscape and visual related issues in relation to the proposed reason for refusal 1;
- **Chapter 3** – discusses heritage related issues in relation to the proposed reason for refusal 2;
- **Chapter 4** – discusses odour related issue in relation to the proposed reason for refusal 3;
- **Chapter 5** – discusses noise related issues in relation to the proposed reason for refusal 3;
- **Chapter 6** – discusses transport and highway related issues in relation to the proposed reasons for refusal 4a or 4b; and finally
- **Chapter 7** – provides an overall summary and conclusion to the report.

2 Landscape & Visual Issues Relating to Proposed Reason for Refusal 1

2.1 Introduction

2.1.1 The following tasks are reported in this document:

- Our findings of the desk based and site work;
- A recommendation based on our professional opinion on the application submission, the scheme and the proposed reason for refusal 1, having regard to planning policies and taking into account the details of the application and its supporting information;
- The difference between the consented and proposed schemes and whether there are judged to be any additional adverse effects arising from the current application which would justify refusal of planning permission;
- If refusal is recommended, why the application is unacceptable in contrast with the earlier scheme;
- A review of the proposed reason for refusal 1 and whether this could be supported at a Planning Inquiry.

2.1.2 The following documents were reviewed during preparation of this report:

- The brief prepared by MDDC; and
- The Landscape and Visual Impact Assessments of September 2013 and May 2015, produced by Viento Environmental Limited.

2.1.3 A site visit was undertaken on 13th May 2015 by a Chartered Landscape Architect.

2.1 Existing Site Conditions

2.1.1 Since the September 2013 LVIA, two additional agricultural buildings have been constructed in the vicinity of the site (see paragraphs 1.2.3 and 1.2.4), which has significantly changed the context of the application site. Additionally, as a bio digester scheme is under construction, albeit not to the consented layout, it is possible to have a clearer idea of the effects of the scheme. For instance, the dome is largely constructed and the earthworks complete.

2.2 Review of Documents

2.2.1 We have undertaken a rapid review of the two LVIAs to consider points that could have changed MDDCs determination of the applications rather than seek academic issues that are only of interest to landscape practitioners.

2.2.2 Both documents are claimed to be based on Guidelines for Landscape and Visual Impact Assessment (2013), and the rapid review shows this to be generally the case. However, from the documents reviewed, there appears to be no definition of sensitivity of the receptor or magnitude of change, so it is not possible to understand how the degrees of sensitivity and magnitude have been arrived at. As a result, the Assessments are not considered to be robust or transparent.

2.2.3 The assessment of landscape fabric takes no account of the effects on landform in terms of both the changes to ground levels to prepare development platforms on a sloping site, but also the construction of the screening bunds.

2.2.4 With the consented scheme, the bund associated with the scheme is not mentioned in the LVIA, and may have been added after the LVIA was undertaken. Drawing WIN01_Redlinhay_PP_05 (included in **Appendix A**) which shows the bund is dated June 2014 whereas the LVIA is dated September 2013. This is of importance as given its gradient of what appears to be 1:1, it is clearly out of character with the gentle slopes of the site and its context. However, paragraphs 49 to 52 do not mention any effects on landform.

2.2.5 The application LVIA describes the bund at paragraph 21, and sets out that the bund will 'aid integration of the application into its surroundings'. At paragraph 48, landform is listed as one of the aspects of landscape fabric that could be effected by development, yet at paragraph 52, considering construction effects, it is stated that 'landscaping proposals', which is taken to mean planting, 'on the earth bund would be planted at the end of the construction phase as a beneficial effect on the landscape fabric of the site.' No account is given of the effects of the bund on the character of the existing landform. Given the gentle existing gradients of the site, the bund, which is not given a gradient but appears to be steep in drawing PP_006 (see **Appendix B**), is clearly out of character with the context and certainly is not an integrating feature. The bund is only to be planted along its top, which will further emphasise its steep character and not disguise the slopes, which are unlikely to retain grass cover.

2.2.6 It is bizarre to consider that there will be a benefit during the construction phase by undertaking planting at the end of it, given that the planting will have no effect at that stage and the exposed steep slopes will be out of character and would more than negate the effects of new planting.

2.2.7 The effects of the maturing new planting are not taken account of during the operational stage, nor is there a description of what will happen to the bund and its planting during decommissioning.

2.2.8 The viewpoint selection appears generally representative, with some exceptions.

2.2.9 Viewpoint 1 is taken from Crown Hill Bridge, over the Grand Western Canal, but attributes views to boat users who clearly would not have a view from a road bridge over the canal. Photograph A (included in **Appendix C**) produced for this report, is taken from the pedestrian and cycle ramp leading down to the canal, and shows the scheme that is under construction. Views of the dome disappear about 40m after leaving the road.

2.2.10 Viewpoint 3 in both LVIAs is a view from the Grand Western Canal, which is a Conservation Area and a Country Park, although not acknowledged in either LVIA. However, it is given a high sensitivity, which is reasonable and this review would be expected given PBA's landscape methodology, but as no criteria are set out it is not possible to establish the reasoning.

2.2.11 The photographs used for Viewpoint 3 are taken in such a way that canal side trees and hedges partly obscure the site and therefore the proposal. This is by no means typical, as further south and south west along the canal, there are much more open views towards the site, as can be seen in photographs B, C and D prepared for this review (also included in **Appendix C**). There are also views filtered to some extent by hedge growth. As a result, for users of the tow path and the canal, heading northwards along the canal, the site and the scheme, currently under construction, is very much the focus of the view when taking in the panorama that includes the canal itself and the landscape beyond.

2.2.12 In Viewpoint 5, it is again stated that the dome will be lower than the agricultural buildings, and photograph E (in **Appendix C**) of this review from approximately the same location shows that not to be the case.

2.2.13 In the LVIA for the consented scheme, no mention is made of the relationship to any existing buildings in the viewpoint analysis in Table 3. In the LVIA for the application, the description of the proposals in Viewpoint 3 in Table 3 states that all structures, including the dome, will be 'at a lower height than the existing agricultural building to the east'. Photographs B to E prepared for this report show that the dome is equivalent to or higher than the agricultural building.

2.2.14 The LVIA also mentions that the development will be seen adjacent to the existing built form. It is clear from photographs B, C and D in this report that the dome is quite separate from the agricultural buildings to the east and much larger than the buildings to the north, which are relatively long and low.

2.2.15 The viewpoint and its analysis are therefore misleading. There is a much greater range of viewpoints with much clearer views of the scheme than set out, and those effects are spread over a much greater area.

2.2.16 Therefore, those major/moderate effects on walkers and cyclists are spread over a larger area than Viewpoint 3 implies. This means that the information available to assist the LPA in making their decision on both applications was not adequate.

2.2.17 The LVIAs make no mention of colour or reflectivity. When undertaking the photography for this review, it was notable that the surface of the dome produced glare in the bright and sunny conditions. Additionally, the green selected for the finish of the dome is much too bright, so that it contrasts even with the brighter greens of foliage in mid-May.

2.2.18 In the LVIA for the consented scheme, there is no mention of a lighting scheme for the site. However, the site visit confirmed that external lighting is being provided. The provision of external lighting requires a lighting assessment based on existing lighting levels in the vicinity of the site in order to determine the impact.

2.3 Landscape Proposals

2.3.1 The landscape proposals for the application show bunding that is much more extensive than that of the consented scheme. No gradients are shown for the bunding but the drawing shows it as steep and out of character with the landscape in which it is located, where the slopes are gentle, as was the case with the consented scheme. However, given that the extended bunding, currently under construction, runs along the western boundary, it is clearly visible in the views from the canal where it is seen extending into the more open countryside. No planting is proposed on the steep slopes, and without gradients it is not clear if planting would be achievable.

2.4 Comparison of Schemes

2.4.1 Given that a scheme has already been consented on the site and established the ability of the site to accommodate such development, one of the key issues is the difference between the two schemes. The applicant has produced a plan and elevations showing the two schemes overlaid to show the differences, and an overlaid plan has been produced for this review showing the bunds and landscape treatment for both schemes (see figure in **Appendix D**). In summary, setting aside the bunds, the scheme under construction has advantages over the consented scheme in that the dome appears slightly lower as a result of lowering of ground levels, and slightly nearer the other proposed structures. Additionally, many structures are much lower and although the site is more extensive, the effects are reduced as can be seen in the applicant's drawing E10v_001 (included in **Appendix E**) which is a comparison of the south elevation.

2.4.2 As the applicant points out, additional buildings have been consented and as the site survey for the review has shown, they have now been constructed. In many closer views, those new buildings have provided a much more developed context than would have been the case in

the LVIA for the consented scheme. In the more distant views from the canal, the effects of those buildings on the context of the development are less obvious.

2.4.3 As set out in the analysis of viewpoints above, the extension of the rather clumsy bunding is a significant difference between the two schemes, and has not been adequately covered in the LVIA. As the photographs provided show, it is a notable change to the proposal that is out of character with its setting.

2.5 Draft Reasons for Refusal

2.5.1 The draft reason for refusal 1 refers to landscape and visual issues and reads:

In the opinion of the Local Planning Authority, due to the scale and siting of the proposed Anaerobic Digester installation, the development is considered to have a harmful effect on the rural landscape character and visual amenities of the area including when viewed from public vantage points on local roads, public footpaths including the Grand Western Canal and it has not been demonstrated that this harm could be satisfactorily mitigated. The application is considered to be contrary to policies COR2 and COR5 of the Mid Devon Core Strategy 2007 (Local Plan Part 1), DM2, DM5 and DM22 of the Local Plan 3 Development Management Policies and the National Planning Policy Framework.

2.5.2 However, a similar scheme has been consented on the site, and therefore MDDC presumably has taken account of those issues set out in the reason and found the original scheme acceptable. This review finds that in landscape and visual terms, the scheme currently under construction is in most respects equal to or sometimes better than the consented scheme, and therefore the reason for refusal does not apply to the proposal as a whole.

2.5.3 However, it is important that when providing landscape mitigation for a scheme, it needs to be in character with its setting. The mitigation for the consented scheme was not well designed, but was nevertheless consented. A version of that mitigation has been proposed in the new application but crucially has been extended beyond the relatively enclosed and local context into a more open and more widely visible location, where this review believes it causes harm.

2.5.4 Additionally, if MDDC was not aware of the availability of more frequent and open views from the canal than the original LVIA stated, or of the reflective nature or inappropriate colour of the dome, then they may not have given consent to the original scheme and may not give consent to the scheme which is currently under construction, and the harm described in the draft reason would apply.

2.5.5 In terms of policy, COR2 of the adopted Core Strategy requires of development *'high quality sustainable design which reinforces the character and legibility of Mid Devon's built environment and creates attractive places'* and COR5 states that *'the development of renewable energy capacity will be supported in locations with an acceptable local impact, including visual, on nearby residents and wildlife.'*

2.5.6 Of the Development Management Policies, DM2 concerns high quality design and requires *'Clear understanding of the characteristics of the site, its wider context and the surrounding area*' DM5 requires renewable development to consider landscape character, and DM22 requires agricultural development to be *'well-designed, respecting the character and appearance of the area'.*

2.5.7 As a result of the factors set out above, the scheme as now proposed fails to accord with those policies, although only in very specific areas.

2.5.8 In conclusion, elements of the design of the scheme, namely the extension of the steep bund to run to the south and south west of the site, and the bright green colour and reflectiveness of the dome, are important issues in relation to the design of the scheme. A Planning Inspector

would probably view the points as valid but that they should be addressed through negotiation and/or design conditions attached to a consent, rather than at a costly and time consuming inquiry. We believe that there is only about 10 to 20% likelihood of the appeal being dismissed.

2.5.9 Instead, an approach would be to seek to negotiate a modification to the bund so that it has a shallower outer slope, more akin to the adjacent landform than is currently proposed. Additionally, if there are problems with carrying out additional planting on the bund because of concerns about its integrity, then you should seek to agree additional planting along the toe of the bund.

2.5.10 The shade of green for the dome does not accord with the approved colour for the consented scheme, and is inappropriate because it is too bright. It also has a reflective surface which, combined with the shade of green, means that the dome is too prominent in local to medium distant views. The colour and the reflectiveness could be controlled through a condition.

3 Heritage Issues Relating to Proposed Reason for Refusal 2

3.1 Introduction

3.1.1 AB Heritage Limited (hereinafter AB Heritage) has been commissioned by Peter Brett Associates (PBA) to produce a Heritage Statement to cover the proposed development at Red Linhay, Halberton, Tiverton, Devon.

3.1.2 This report aims to inform on the impact of the proposal on the setting of the Grand Western Canal Conservation Area, as part of PBA's investigation into reasons for refusal.

3.1.3 The conclusions of this report relate only to the current proposal in place for the site, and no previous planning applications.

3.2 Site Location & Description

3.2.1 The application site lies at Red Linhay, c. 1km south-west of the centre of Halberton village, in Tiverton, Devon; centred at approximately SS99598 12799. The site occupies c. 1.7ha over part of a rectangular field within an agricultural landscape, between the town of Tiverton, and Sampford Peverell village, to the south of the M5 motorway.

3.2.2 Prior to the commencement of ongoing development at the application site, a barn and concreted area were present along the northern boundary of the site. The field is bound to the west by an access road to additional agricultural buildings, while further arable fields lie to the south and east. The northern field boundary meets the Crown Hill road, where the Grand Western Canal passes the application site at c. 50m to the east.

3.2.3 The site is currently under construction for a new AD (see Section 1.4 and Figure 2 & 3). A Stop Notice is currently in place at the site as works towards the proposed development have been commenced.

3.3 Geology & Topography

3.3.1 The majority of the application site lies upon a sandstone bedrock, consisting of the Tidcombe Sand Member. This sedimentary bedrock was formed in the Permian Period, when rivers were depositing mainly sand and gravel detrital material in channels formed river terrace deposits, with fine silt and clay from overbank floods forming floodplain alluvium and some peat bogs.

3.3.2 A small area in the east of the application site lies upon the Halberton Breccia Formation. This bedrock was also a sedimentary formed in the Permian Period, but in a local environment of hot desserts (BGS 2016).

3.3.3 No superficial deposits have been recorded in this area.

3.4 Proposed Development

3.4.1 There is ongoing development within the application site, following a former approved planning application for anaerobic digester. A subsequent application has been submitted for additional structures to be constructed, and for the area of development to be extended, with additional planting and screening. These plans show that the form of the structures surrounding the existing anaerobic digester will be lower in height and closer to the agricultural buildings at the site which were present before recent construction began.

3.5 Statutory Protection for Heritage Assets

3.5.1 Current legislation, in the form of the Ancient Monuments and Archaeological Areas Act 1979, provides for the legal protection of important and well-preserved archaeological sites and monuments through their addition to a list, or 'schedule' of archaeological monuments by the Secretary of State for Culture, Media and Sport.

3.5.2 Likewise, structures are afforded legal protection in the form of their addition to 'lists' of buildings of special architectural or historical interest. The listing of buildings is carried out by the Department of Culture, Media and Sport under the Planning (Listed Buildings and Conservation Areas) Act, 1990. The main purpose of the legislation is to protect buildings and their surroundings from changes that would materially alter the special historic or architectural value of the building or its setting. This legislation also allows for the creation and protection of Conservation Areas by local planning authorities to protect areas and groupings of historical significance.

3.6 National Planning Policy

3.6.1 The NPPF sets out government policy on the historic environment, which covers all elements, whether designated or not, that are identified as 'having a degree of significance meriting consideration in planning decisions, because of its heritage interest'.

3.6.2 One of the over-arching aims is to 'Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'. To achieve this, local planning authorities can request that the applicant describe "the significance of any heritage assets affected, including any contribution made by their setting". The level of detail required in the assessment should be "proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance". It goes on to say that "where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."

3.6.3 A key policy within the NPPF is that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

3.6.4 With regard to non-designated heritage assets specific policy is provided in that a balanced judgement will be required having due regard to the scale of any harm or loss and the significance of the heritage asset affected.

3.7 The Mid Devon Local Plan, Part 3: Development Management Polices

'Heritage assets and their settings are an irreplaceable resource.

Accordingly, the Council will:

a) Apply a presumption in favour of preservation in situ in respect of the most important heritage assets

b) Require development proposals likely to affect heritage assets and their settings, including new buildings, alterations, extensions, changes of use and demolitions, to consider their significance, character, setting and local distinctiveness, and the opportunities to enhance them.

c) Only approve proposals that would be likely to substantially harm heritage assets and their settings if substantial public benefit outweighs that harm or the requirements of requirements of paragraph 133 of the National Planning Policy Framework are met.

d) Where a development proposal would lead to less than substantial harm, that harm will be weighed against any public benefit, including securing optimum viable use.

e) Require developers to make a proportionate but systematic assessment of the impact on setting as set down in the guidance from English Heritage: "The Setting of Heritage Assets".'

3.8 Site Visit

3.8.1 At the time of the site visit, the application site contained a number of features covered by a previously approved planning application, including the AD and a number of associated structures.

3.8.2 Construction for the more recent proposal was evident, particularly in the form of a circular excavated area in the location of a proposed new structure.

Photo 3-1 The excavated area for an additional feature of the proposed alterations to the site in the foreground, and the existing anaerobic digester and associated structures in the background. Taken from the south-east of the site looking west

3.8.3 The bund which encloses the application site to the south and east in the most recent application was present at the site, although no grass or tree planting has been done by this time. The bund on the eastern boundary had been terraced into the natural east-west slope.

Photo 3-2 The area of bund terraced into the slope on the north-eastern boundary of the application site. Taken from the north-east of the site looking south

3.8.4 Views out of the application site were present primarily to the south, but were limited to the higher ground within the application site where views over the bund were made possible. It is likely that these views will no longer be present once the proposed planting is put in place.

3.8.5 Limited views to the west of the application site were possible through the hedgerow boundary, while views to the north were obstructed by a further hedgerow boundary and a dwelling. A gap in the hedgerow either side of Crown Hill allowed for limited views towards Post Hill / Halberton High Street. There were no views of the Grand Western Canal from within the application site.

3.9 Aims & Methodology

3.9.1 A settings assessment was undertaken on the Grand Western Canal in order to determine the relationship of the setting of the heritage asset with the application site, and how the features of the most recent application may impact the setting of the asset.

3.9.2 The settings assessment was undertaken using information from the Historic England, *Historic Environment Good Practice Advice in Planning on the Settings of Heritage Assets (Historic England 2015).*

3.9.3 The overall level of potential impact upon the setting of the Grand Western Canal will be assessed in line with the Impact Assessment Criteria in **Appendix F**, and a suggested mitigation strategy will be provided where applicable.

3.10 Methodology Limitations

3.10.1 No private property beyond the proposed development boundary was entered as a part of the settings assessment, and therefore the assessment was made at ground level, outside of the building.

3.10.2 Only the areas closest to the application site were visited as part of this settings assessment.

3.11 Settings Assessment

3.11.1 The settings assessment was conducted by Zoe Edwards (Assistant Heritage Consultant; AB Heritage) on the 13th May 2016. The assessment was made from the best possible position with regard to viewpoint, safety, and remaining on public land.

3.12 Step 1 - Identification of Heritage Assets

Mon ID	Name	Designation	Importance (Table A, Appendix F)	Location
MDV1497	Grand Western Canal	Conservation Area	Regional	c. 50m to the east of the application site boundary

Table 3-1 Heritage assets selected for settings assessment

Reasons for Designation

3.12.1 While there is currently no readily available Conservation Area Appraisal or Management Plan for the Grand Western Canal, Mid Devon District Council defines Conservation Areas as follows:

'Conservation areas are areas with a special character or quality which should be preserved or enhanced. The special architectural and/or historic nature of the area derives from the cumulative impact of groups of buildings and spaces rather than due to a singular outstanding building.

Areas are designated as conservation areas to ensure the character is preserved or enhanced. This does not mean that no change or development can take place, but, where changes do occur, they are appropriate for the context and setting of the area'.

3.13 Step 2 - Assessing whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s)

3.13.1 The key attributes of the Grand Western Canal are summarised below and used to assess whether, how, and to what degree the proposed development might be considered to make a contribution to the setting and significance of the Conservation Area.

Key Attributes of the Grand Western Canal

3.13.2 The Grand Western Canal Conservation Area represents the historic trade route between Tiverton and the Somerset border. The current use of the Conservation Area is recreational and is fully accessible to the public, where it is safe to use the footpath and waterway. This function will be retained.

3.13.3 Views out of the Conservation Area vary along its route but, beyond Tiverton, these primarily consist of a rural landscape and occasional villages.

3.13.4 The original setting of the Grand Western Canal has been largely retained, although it has been altered slightly by changes in the villages it passes, and likely also by the construction of new agricultural structures and access bridges for roads and railways across the canal.

3.14 Step 3 - Assessing the Effect of Proposed Development

3.14.1 **Table 3-2** assesses the potential attributes of the development affecting the setting of the Grand Western Canal which are considered proportionate to the purpose of this assessment.

LOCATION AND SITING OF DEVELOPMENT	
Extent	Application site area covers c. 1.7ha
Position in relation to key views	Application site lies on Crown Hill, c. 50m west of the Grand Western Canal at its closest point, and c. 60m west of the closest public access point to the Canal footpath.
FORM AND APPEARANCE OF THE DEVELOPMENT	
Form of development	The proposed development consists of plans to extend the existing site of the anaerobic digester to incorporate addition features and structures, as well as a bund and planting to screen views into the site (see Figure 2).
Prominence, dominance or conspicuousness	The most prominent structure at the application site is the dome of the anaerobic digester which is already present which is topped by a green dome. Views of other existing features were screened in places by natural vegetation screening. Features of the new proposal will not be higher or more dominant than the existing structures.
Seasonal change	Views of the application site may be more prevalent in the winter when screening vegetation is less substantial.
OTHER EFFECTS OF THE DEVELOPMENT	
Noise, vibration, dust etc.	Temporary increase in traffic, noise, vibration and dust during construction works, although this is not considered to be a higher impact than that experienced by the previously approved proposal. Permanent increase in noise is not expected to be substantial. Some increase in traffic may be possible for site access.
Change to general character	The original industrial use of the Canal is no longer present. The proposal is not perceived to alter the existing character of the Conservation Area significantly, nor is it expected to hinder the experience of the asset substantially.
Changes to public access, use or amenity.	There will be no change to the public access of the Conservation Area as a result of the proposed development. No change to the existing use of the Canal is anticipated.
Changes to land use	No change to land use as the proposal is to alter and extend the existing, approved anaerobic digester site.

Table 3-2 Potential attributes of the development affecting the setting of the selected heritage assets

Effect of Proposed Development on the Grand Western Canal

3.14.2 The most prominent point of the application site is the dome of the anaerobic digester which is already present at the site, and was approved under the previous planning application. The dome is bright green in colour and is therefore is prominent in the landscape.

3.14.3 There were no views of the application site from the stretch of Canal in closest proximity to the application site, as it was screened by hedgerows (Photo 3-3). Further along the Canal, the application site came into view (Photo 3-4). The view of the application site will become more limited by the proposed bund and vegetation screening.

3.14.4 The additional features of the new proposal will not be higher or more dominant than the existing structures and are therefore considered unlikely to cause any additional setting impact to the Conservation Area.

Photo 3-3 The view towards the application site from beneath Crownhill Bridge on the Grand Western Canal, c. 50m east of the application boundary

Photo 3-4 The view towards the application site from c. 300m south-east of the application boundary on the Grand Western Canal footpath

3.14.5 The elevation plans of the new proposal (see **Appendix G**) also show that the majority of the structures proposed under the previously approved plans will be closer to the existing agricultural buildings, and are therefore less likely to change the long-distance views into the site from the Conservation Area. This assumes that the form and colour of these structures does not differ substantially from the existing agricultural buildings.

3.14.6 In addition, the proposal incorporates additional planting in order to limit views of the site from the Conservation Area.

3.14.7 Given that the most prominent features at the site are perceived to be those which are already present at the site, and taking into consideration the inclusion of new screening planting, and that views from Conservation Area are interrupted by existing vegetation and hedgerows, the setting impact of the proposed development upon the Conservation Area is considered to be negligible (see Table B, **Appendix F).**

Heritage Asset	Location to Site	Visible from Site	Potential for Setting of Heritage Asset to be affected by proposed development
The Grand Western Canal Conservation Area	c. 50m to the east of the application site boundary	Yes	Permanent but Negligible Impact

Table 3-3 Potential for development to affect setting of heritage assets

3.15 Maximising Enhancement and Minimising Harm

3.15.1 Maximum advantage can be secured if any effects on the significance of a heritage asset arising from development liable to affect its setting are considered from an early stage in project planning. Early assessment of setting may provide a basis for agreeing the scope and form of development, reducing the potential risk for project delays and redesign at a late stage.

3.15.2 In line with the importance of the Grand Western Canal Conservation Area (Regional, Table A, **Appendix F**) and the perceived level of setting impact (negligible, Table B, **Appendix F**) the significance of effect is anticipated to be 'not significant' (Table C, **Appendix F**).

3.16 Making and Documenting the Decision and Monitoring Outcomes

3.16.1 The true effect of a development on setting may be difficult to establish from a theoretical perspective. Once the development has been implemented, it may be helpful to review the success of the scheme and to identify any 'lessons learned' to aid with the formulation of mitigation strategies for similar developments in the future.

3.17 Outline Recommendations

3.17.1 No further work is recommended regarding the impact on setting. However, as previously discussed, it may be helpful to review the success of the scheme and to identify any 'lessons learned' to aid with the formulation of future mitigation strategies with regard to the assessment of settings.

4 Odour Issues Relating to Proposed Reason for Refusal 3

4.1 Introduction

4.1.1 The following documents have been reviewed as part of this assessment:

Consented planning application - 13/01605/MFUL

- Greener for Life Energy Ltd, Volume 1 Supporting Information February 2014
- Greener for Life Energy Ltd, Volume 2 Process Information November 2013
- Greener for Life Energy Ltd, Volume 3 Environmental Review February 2014
- Odour Management Plan, March 2014
- Planting Plan, September 2013
- Response to post submission questions – 14/02/14
- Response to MDDC Planning Comments – 06/03/14
- Email from Kate Cantwell to Development Control - 23/04/14
- Environment Agency consultation response - 13/01/14
- Environmental Health Response – 18/02/14
- Environmental Health Response – 11/03/14
- MDDC Planning Approval Notification – 10/07/14

Current planning application – 15/01034/MFUL

- Greener for Life Energy Ltd, Design and Access Statement – 29/06/16
- Odour Management Plan, Version 2 September 2015
- Email from Deb Cairns to Development Control – 15/12/15
- Response to questions/further information requests, email Daniel Rance 28/08/15
- Environmental Health Response – 20/07/15
- Environmental Health Response – 24/08/15
- Environmental Health Response – 22/09/15
- Environmental Health Response – 09/11/15
- Planning Committee Officer's Report – 06/04/15

4.1.2 In addition to the reviewed information, a copy of the Environmental Permit application (EPR/CB3905KW/A001) was requested by telephone and email from the Environment Agency (EA). At the time of writing this report, the copy of the permit application had not been received. However, in discussions with the EA, it was confirmed that the permit application had not been determined and further information had been requested from the applicant, including information on the odour management plan.

4.1.3 A visit to the site and the surrounding area was made on Friday 13th May in order to understand the context of the site in the surrounding area and to confirm the construction operations that were on-going.

4.2 Assessment

Policy

4.2.1 Odour comes within the proposed reason for refusal 3, and in particular Policy DM7 Pollution which states that:

'Applications for development that risks negatively impacting on the quality of the environment through noise, odour, light, air, water, land and other forms of pollution must be accompanied by a pollution on impact assessment and mitigation scheme where necessary. Development will be permitted where the direct, indirect and cumulative effects of pollution will not have an unacceptable negative impact on health, the natural environment and general amenity.'

4.2.2 In addition, there is a reference to Policy DM7 from Policy DM5, Renewable and Low Carbon Energy. Policy DM22 also refers to the impacts of agricultural developments on the living conditions of local residents being acceptable, and therefore this is also related to Policy DM7.

4.2.3 Compliance with Policy DM7 relates to whether or not the development provided an impact assessment and mitigation statement and whether or not the resulting impact (odour) would be unacceptable in terms of general amenity.

4.2.4 Both the consented and current applications provided Odour Management Plans which can be regarded as fulfilling the function of an impact assessment and mitigation scheme. The question in terms of odour therefore, is whether or not the resulting impact would be unacceptable in terms of general amenity.

Guidance

4.2.5 The Institute of Air Quality Management (IAQM) Guidance on the assessment of odour for planning (Bull et al, 2014) provides a framework to consider the risk of odour effects in a planning context. By applying the guidance it is possible to ascertain the significance of the odour effect which can be taken into account in terms of the overall planning balance.

4.2.6 The Defra guidance: Odour Guidance for Local Authorities (Defra, 2010) provides information on the regulatory framework for odour control. Where the generation of odours from a development can be readily anticipated, the local authority will need evidence that odour emissions will be adequately controlled to prevent any significant loss of amenity to neighbouring sensitive land uses.

4.2.7 The Defra guidance confirms that the role of the pollution control regime, i.e. Environmental Permitting, is to ensure that emissions are controlled so that environmental impacts are acceptable. It is not the purpose of the planning system to control releases where these would otherwise be controlled via permitting. Rather, the planning system needs to concentrate on whether the development is an acceptable use of the land, and the impacts of those uses, rather than the control of the processes or emissions themselves.

4.2.8 In terms of the proposed development, it must be assumed at the planning stage that the EA will exercise its responsibilities in terms of Environmental Permitting, and that the operations will be controlled in accordance with the methodologies stated in the permit application.

4.2.9 The EA Guidance: H4 Odour Management – how to comply with your environmental permit provides information on how odour will be regulated. In particular, the guidance makes it clear that the EA would not grant a permit if it considered that 'unreasonable odour pollution is being or is likely to be caused'. Where it is satisfied that unreasonable odour pollution is unlikely, then the adequateness of control measures would be reviewed to ensure that odour is minimised. The resulting permit condition would likely be of the form:

Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the EA, unless the operator has used appropriate measures, including, but not limited to, those specified in an approved odour management plan, to prevent or where that is not practicable to minimise the odour.

4.2.10 Overall therefore, the Environmental Permitting regime should ensure that were a permit to be granted, the resulting odour would not be unacceptable to residential receptors and that operations would be regulated to ensure that that remained the case through the life of the development. Nevertheless, the planning regime still needs to ascertain if the impact on residential amenity would be acceptable or not.

Odour Generating Activities

4.2.11 From a review of the information provided with both the consented and current planning applications, it is considered that the main sources of odour from the process have been adequately described. These are likely to be:

- Receipt of feedstock into the plant;
- The silage clamp;
- Loading of material into the digester;
- Removal of digestate, drying of solid digestate and land spreading of solid and liquid.

4.2.12 Liquid feedstock is delivered to the site in a sealed tanker and discharged to the liquid buffer storage tank via sealed pipework. There is therefore only a low potential for odour to be generated from this activity.

4.2.13 Solid feedstock such as maize silage, grass silage and beet is delivered to the site in tractors and trailers and then stored in the silage clamps. The process of making silage requires the organic materials to be covered. At the time of the site visit there was maize and grass stored in the silage clamps (covered), and an odour from them could be detected in the immediate vicinity of the clamps. The silage is removed from the clamps by tractor and placed into the solids feeder of the digester. The process of loading the feeder with the silage would expose one end of the silage clamp and this would likely to release odour during the period of the loading operation.

4.2.14 Cow slurry, farmyard and poultry manure would be loaded directly into the solids feeder of the digester when received on site. There would be odour released from this process as the material is dropped into the top of the solids feeder.

4.2.15 The solid digestate is removed from the digester and falls into a concrete bay. The digestate is transferred by digger to the inlet of the dryer where it is dried. Whilst the digestate will have a relatively low odour potential compared to the feedstock materials, there could be some odour realised from the transfer of the odour to the drier, and its subsequent removal.

4.2.16 Liquid and solid digestate are pumped from the site and injected into the land to act as a soil improver. The odour potential of the application of the digestate to land will be lower than the current practice of applying farmyard slurry and manure directly to land.

Differences in Odour Potential

4.2.17 Both applications provide the same summary of material inputs into the process which equates to 13,925 tonnes per annum. However, information provided by the applicant indicates that the Environmental Permit application has been submitted for 14,375 tonnes of feedstock per annum (an increase of approximately 3%). Overall however, it is considered that there is no difference in the odour potential of the materials receipt operations between the two applications.

4.2.18 The overall volume of the silage clamps is slightly lower in the current application compared to the consented. However, the two silage clamps are longer and thinner than the original four clamps, and the end of the clamps is closer by approximately 40m to the nearest residential receptors to the site. The current application will therefore have a slight increase in odour potential from this activity compared to the consented application.

4.2.19 The only other change is the incorporation of a drying process. The drying process will involve handling of the digestate, and the drying process itself is likely to release odour. The applicants argue that the digestate is virtually odourless, and it is likely that the digestate will have a significantly lower odour potential than the feedstock material due to the process of anaerobic digestion. Overall therefore, there may be a slight increase in the odour released from the site due to the additional handling of the solid digestate material.

Assessment of Odour Potential of the Activities

4.2.20 The IAQM guidance provides a methodology to qualitatively assess the effect of odour from an activity. The methodology requires an assessment to be made of the odour source strength of the activity (large, medium or small); the pathway effectiveness (highly effective, moderately effective and ineffective) and the sensitivity of the receptor (high, medium or low). By combining the odour source strength and pathway effectiveness, the risk of odour exposure is determined. Combining the risk of odour exposure with the receptor sensitivity gives an assessment of the magnitude of the odour effect. Table 4-1 provides a summary of the odour effect descriptors.

Risk of Odour Exposure	Receptor Sensitivity		
	Low	Medium	High
High	Slight adverse	Moderate adverse	Substantial adverse
Medium	Negligible	Slight adverse	Moderate adverse
Low	Negligible	Negligible	Slight adverse
Negligible	Negligible	Negligible	Negligible

Table 4-1 IAQM Magnitude of Odour Effect Descriptors (Table 10 of the guidance)

4.2.21 In terms of the IAQM guidance, the odour source is considered to be of medium source potential; it is not a large site in Environmental Permitting terms and the odour from the process is likely to be moderately offensive.

4.2.22 The silage clamps are approximately 75m from the nearest residential receptors at their closest point. A wind rose for Exeter airport from the period 2001 – 2010 is provided in **Appendix H**. This indicates that winds from the site will blow towards the nearest residential receptors for approximately 9% of the year. Taking into account the distance and wind distribution, it is considered that the pathway for odour between the source and the receptors is likely to be moderately effective, i.e. the receptors are local to the source with a strong component of the wind blowing from the site to the receptors.

4.2.23 Combining a medium source with a moderately effective pathway leads to a low odour potential for the site. The receptors would be regarded as high sensitive receptors and therefore in accordance with Table 4-1, the resulting odour effect is slight adverse. This essentially means that there is likely to be some odour generated from the site and perceived by the receptors, but that the odour is unlikely to be sufficient to constitute a significant environmental effect.

4.3 Conclusions

4.3.1 Information within the consented and current planning application documents describes the likely odour from the process in sufficient detail for an assessment of the likely effect on amenity to be made.

4.3.2 Controls in place through the Environmental Permitting process should mean that a significant effect on residential amenity is avoided (assuming that a permit for the operation is granted).

4.3.3 There is only a minor difference in the likely odour generation potential of the consented and current planning applications.

4.3.4 There is likely to be ‘slight adverse’ effect on residential amenity as a result of odour from the operations of the site. This is unlikely to constitute a significant environmental effect and therefore would not be classed as an unacceptable negative impact on amenity. The development would therefore be in accordance with policy DM7 and by inference, DM5 and DM22 of the Local Plan Part 3 Development Management Policies.

4.3.5 It is unlikely that the impact on residential amenity as a result of odour from the site would justify refusal of the planning application.

5 Noise Issues Relating to Proposed Reason for Refusal 3

5.1 Introduction

5.1.1 This chapter is written following a review of the information presented in the Noise Assessments undertaken by ACIA as part of the consented and current planning applications. The review is undertaken on the basis that the data / proposals presented in the documents are accepted as face value, as written and presented. No further assessment has been undertaken.

5.1.2 The documents reviewed are the noise assessment part of the planning application 13/01605/MFUL *"Comments on probable noise emissions"* and the noise assessments (Report number 2697.02 and 2697.03) and the supplementary noise information additional (Report number 2697.04) part of the planning application 15/01034/MFUL.

5.1.3 It is understood from the documents reviewed that the assessment criterion agreed with MDDC is for plant noise to not exceed the background noise by more than 5 dB at nearby dwellings, in accordance with BS4142:1999.

5.2 Assessment for Consented Application 13/01605/MFUL

5.2.1 The assessment, *"Comments on probable noise emissions"*, was a high level assessment. It predicted the sound pressure level of the CHP plant to be around 25 dBA, before any screening, at the nearest noise sensitive receptor said to be located 163 m from the CHP location.

5.2.2 It further predicts that the sound pressure level of the CHP plant when including screening from farm buildings is no more than 19 dBA at the same nearest noise sensitive receptor 163 metres away.

5.2.3 It therefore concluded that the noise levels arising from the CHP plant would be considerably below the pre-existing background noise levels and would therefore not be detrimental to the amenity of the nearest local residents.

5.2.4 The assessment also pointed out that noise from vehicular movements on site would be no more than 40 to 45 dBA at the nearest properties. This would be comparable and indistinguishable from conventional agricultural activities already taking place on site. The operation would be limited to 7 am to 6 pm daily outside of harvest time.

5.2.5 Noise is also expected to remain at acceptable levels throughout the construction period.

5.3 Environmental Noise Assessment (reports 2697.02, .03 and .04) for Consented Application 15/01034/MFUL

5.3.1 The revised and updated reports go into a lot more detail in relation to the potential impact of the AD and associated CHP and dryer equipment on the nearby noise sensitive receptors. Calculations are undertaken for the different parts of the proposed development.

Methodology

5.3.2 The construction noise has been assessed with reference to BS5228-1:2009 Annex E, which states that the daytime noise levels should be below 65 dB $L_{Aeq,1h}$ to avoid a significant impact.

5.3.3 The plant noise emissions have been assessed to ensure that they do not exceed the background sound levels by more than 5 dB at the nearest noise sensitive residential receptor. It should be noted that the background sound level was taken as the minimum 5 minute value, in accordance with BS4142:1999. The latest version of the standard, updated in 2014, requires the assessment to be undertaken against a typical 15 minute value. This would make for a less stringent criterion.

Assessment

5.3.4 The background sound level is stated to be at their lowest during the small hours of the morning (i.e. still under what is defined as night time). The background sound level is measured to be 23 dBA.

5.3.5 Plant noise, which has the potential to be continuous even during the night-time, has been calculated to be 22 dBA at the worst affected residential receptor (Lisieux), which is below the proposed night-time criterion.

5.3.6 Mobile plant and vehicles on site will only operate for approximately 10 minutes at a time during normal operations. The impact has been calculated as 45 dB $L_{Aeq,1h}$ at the worst affected residential receptor, which is below the proposed daytime criterion.

5.3.7 During peak periods of activities, 12 non-consecutive days in the year, the mobile plant and vehicles on site are expected to operate continuously during the daytime. The impact has been calculated as 53 dB $L_{Aeq,1h}$ at the worst affected residential receptor, which would be just above the proposed daytime criterion.

5.3.8 It is also understood that there will be fewer vehicles entering and leaving site once the development is operational rather than during construction.

5.3.9 The construction noise impact has been calculated as 61 dB $L_{Aeq,1h}$ at the worst affected noise sensitive receptor (New House), which is below the proposed daytime criterion. A temporal element has also been included, pointing out that construction activities should only occur between 0800 and 1900 hours during weekdays and between 0800 and 1300 on Saturdays.

5.4 Review

5.4.1 The overall assessment methodology and the use of BS5228 to assess the potential impact from construction noise and the use of BS4142 to assess the potential impact from plant noise are accepted.

5.4.2 As explained above, the data / proposals presented in the documents reviewed are accepted as face value, as written and presented. However, they are within the range of noise levels that would be expected of such plant/activities.

5.4.3 The calculations undertaken as part of the assessment have been reviewed. The calculations relating to distance attenuation, attenuation due to screening, periods of activities and cumulative impact of plant operating concurrently are accepted.

5.5 Conclusion

5.5.1 Even if the conclusions of the noise assessments in the two planning applications (13/01605/MFUL and 15/01034/MFUL) are similar (i.e. no significant noise impact), they are different in the amount of detail the assessment goes into. The methodology of the latest assessment is a lot more thorough, with calculations of the noise impact of all activities occurring on site.

5.5.2 It is our view that an appropriate methodology and standards have been used for the assessment. We have also found the calculations, as part of the assessment, to be correct.

5.5.3 Based on the data presented in the documents and the reviews of said documents, we would agree with the conclusions that the impacts from the different elements of the proposal would meet the relevant criteria and no further mitigation should be required.

6 Transport & Highways Issues Relating to Proposed Reasons for Refusal 4 a/b

6.1 Introduction

6.1.1 The following documents have been reviewed as part of this assessment:

- Transport Statement (TS) dated October 2013 prepared by Hydrock supporting the consented application 13/01605/MFUL
- Addendum to Transport Statement (ATS) dated January 2016 prepared by E4environment supporting the current application 15/01035/MFUL
- Various highway consultation responses prepared by Devon County Council (DCC) in response to both planning applications

6.1.2 It should be noted that this assessment does not consider whether the principle of the development is appropriate in this location. This has already been established through the consented application. DCC as the Local Highway Authority has already agreed that the traffic impact of the consented development is acceptable subject to the provision of a new passing bay on Crown Hill to the west of the site access.

6.1.3 This report considers if the changes to the site layout and additional items within the site which seek to vary the consented scheme are acceptable. It is of note however that DCC has concluded that it has no objection to the current application due to the transport situation being unaffected by the scheme variations.

6.1.4 Given this context, the remit of this assessment is to advise whether the proposals to vary the consented scheme are likely to cause impacts that are greater than under the consented scheme, and will result in an unacceptable impact in terms of road safety and/or operation of the network.

6.1.5 This assessment has been informed by a site visit that was conducted on Friday 6th May 2016 by a member of the PBA Transport team. This allowed the staff member to observe the condition and operation of the existing road network in the vicinity of the site. Spot speed surveys were also undertaken at various locations on the highway network around the site.

6.1.6 A review of the documentation combined with the outcomes of the site visit has identified the following transport / highway related issues that will be considered further within the remainder of this chapter:

- Trip generation forecasts
- Layout of the site access junction
- Provision of a passing bay on Crown Hill to the west of the site access
- Layout of the Post Hill / Crown Hill priority T junction

6.1.7 The chapter provides an overall conclusion for the assessment that has been undertaken and relates this to the proposed transport based reasons for refusal proposed by Committee which are:

4 (a) The submitted transport statement is not considered sufficiently up to date and does not address traffic generation associated with the newly erected livestock building on the farm holding. It is the view of the Local Planning Authority that this will impact on the ability of the Anaerobic Digester installation to be able to adequately function without additional and unacceptable traffic generation to the detriment of local amenities and character, contrary to policies COR2 and COR5 of the Mid Devon Core Strategy 2007 (Local Plan Part 1), policies DM2, DM5 and DM22 of the Local Plan Part 3 Development Management Policies and the National Planning Policy Framework.

Or

4 (b) It is the view of the Local Planning Authority that it has not been satisfactorily demonstrated that the proposed Anaerobic Digester when considered in conjunction with other approved development for livestock buildings, will not result in additional and unacceptable traffic generation to the detriment of local amenities and character, contrary to policies COR2 and COR5 of the Mid Devon Core Strategy 2007 (Local Plan Part 1), policies DM2, DM5 and DM22 of the Local Plan Part 3 Development Management Policies and the National Planning Policy Framework.

6.2 Trip Generation

6.2.1 The trip generation forecasts prepared by Hydrock and E4environment included in the TS and ATS have been calculated using a first principles methodology which we assume has been based on information provided by the applicant. This approach combined with the fairly unique nature of the proposed development means it is difficult for PBA to confirm using usual means that the trip generation forecasts and the underlying assumptions are reasonable and robust.

6.2.2 We have reviewed the methodology adopted through review of previous assessments and an understanding of how these types of development generally operate.

Existing Trip Generation

6.2.3 The TS supporting the consented development states that the existing agricultural element of the business at Red Linhay is predominantly arable farming comprising in the main of maize/corn production which is then exported off the farm. All agricultural practices are understood to take place on the site at Crown Hill which is stated to generate the following volume of trips in the existing scenario:

- Slurry, compost, chicken manure, fertiliser and farmyard manure transported to the site – 809 loads annually.
- Silage, maize, wheat and straw leaving the site – 449 loads annually.
- Averaged over the year this represents approximately 4 loads (8 vehicle movements) per day based on a six day working week across the year.

Consented Trip Generation

6.2.4 In comparison, the consented development is anticipated to reduce the number of trips generated below levels in the existing scenario in the following ways:

- The AD plant will utilise crops (feedstock) produced by Red Linhay which would otherwise be exported off site.
- The feedstock provided by Red Linhay will be transported directly to the AD plant via internal farm tracks rather than public roads.

- Following processing, the majority of the digestate will then be pumped onto Red Linhay land, consequently reducing the number of deliveries of manure and fertiliser to the site via public roads.

6.2.5 The trip generation figures for the consented development scenario are set out in the TS and below:

- Slurry and manure transported to the site – 300 loads annually.
- Grass, maize, silage and beet loads transported by public roads to the site – 339 loads annually.
- Digestate transported by public roads off the site – 145 loads annually.
- Averaged over the year this represents approximately 3 loads (6 vehicle movements) per day based on a six day working week across the year.

6.2.6 It can be seen that the consented development is forecast to reduce the number of loads generated by the Crown Hill site from an average of 4 loads per day (8 vehicle movements) to 3 loads per day (6 vehicle movements).

6.2.7 The more recently prepared ATS report supporting the current application appears to have been produced in response to the transport related concerns raised by Members. It does this by expanding upon the trip generation assessment set out in the earlier TS by taking account of the two agricultural livestock buildings that have been constructed on the site since the original TS was produced.

6.2.8 The ATS states that the buildings house 71 cattle in total, of which only 31 require grazing. The remaining 40 cattle are intensive beef cattle which are not grazed at any time of the year. Feed for the intensive beef cattle is imported from other parts of the farm via farm tracks rather than public roads.

6.2.9 It also confirms that the grazing land for the cattle totalling 20 acres was previously identified in the TS to be used for AD plant feedstock. This means that a new area of Red Linhay totalling 26 acres will provide the feedstock for the AD plant instead, with the resulting crops being delivered to the site on farm track and not via public roads.

6.2.10 The ATS report concludes that the two agricultural buildings and substituted AD cropping area is forecast to have no impact on the local road network as the crop will be transported by farm track and the digestate produced will be directly pumped to the land to act as fertiliser.

Proposed Trip Generation

6.2.11 The ATS report demonstrates that the proposed changes to the consented development are forecast to have no impact on the number of vehicle movements generated by the Crown Hill site. Therefore, the proposed development is still forecast to reduce the number of loads generated by the Crown Hill site from an average of 4 loads per day (8 vehicle movements) to 3 loads per day (6 vehicle movements).

Conclusion

6.2.12 In light of the previous comments, PBA considers the trip generation assessments included in the TS and ATS reports to be robust and reasonable based on the checks that have been possible. It is evident that the assessment does take account of two agricultural buildings that have been constructed on the site in recent years which was identified as a concern for Members.

6.2.13 The proposed changes to the consented development are forecast to have no impact on the number of vehicle movements generated by the site. Therefore, the proposed development is still forecast to reduce the number of loads generated by the Crown Hill site from an average of 4 loads per day (8 vehicle movements) to 3 loads per day (6 vehicle movements).

6.2.14 It is noted that the trip generation assessment has focussed on average figures across a year and that the trip generation could be significantly greater during harvest season than at other times of the year. Notwithstanding this point, this is likely to be the case for both the existing development and consented / proposed development, and is therefore not considered to undermine the assessment presented.

6.3 Site Access Junction

6.3.1 The consented application proposed that access into the AD plant would be provided via the existing farm entrance located on Crown Hill. Site observations suggest that works to improve the access have taken place because it appears to have been widened and industrial gates added resulting in a more formalised arrangement (see **Photo 6-1**).

Photo 6-1 Site access junction

6.3.2 Drawing 13425/T03 included in the TS (and included in **Appendix I**) supporting the consented application suggests that the vegetation immediately to the east along the Crown Hill boundary will be cut back so that visibility splays from the minor arm in both directions meet 2.4m x 33m which is the recommended distance specified in the Manual for Streets guidance document.

6.3.3 At present this work does not appear to have been undertaken as visibility to the east from the minor arm is in the region of 10-15m when measured to the nearside kerb rather than 33m identified by DCC. In order to achieve the desired splay, the vegetation would need to be significantly cut further back or more likely removed along a small stretch. PBA however consider that significantly improving the visibility splay to the east of the access should not actually be necessary. The provision of better visibility for vehicles emerging from the site is intended to create a safer environment for road users, but we consider it may have the opposite effect leading to greater potential for collisions. We have formed this view because the removal of a significant part of the existing hedgerow in this location is likely to dramatically change the character of Crown Hill in the vicinity of the site access as it would create a greater sense of openness to drivers. This in turn could lead to increased speeds along the stretch of road onto which the access fronts.

6.3.4 It should be noted that the access currently provided at the site appears to have been more extensively modified than stated in the approved TS. The TS only refers to trimming back an existing hedgerow located immediately to the east of the access to improve visibility in this location, however on site observations suggest that vegetation to the west has been removed in order to create a significantly wider access. If our understanding of this issue is correct, it does not appear that the applicant is seeking for these modifications to the access to be approved under the current application.

6.4 Passing Bay on Crown Hill

6.4.1 DCC required the provision of an additional passing opportunity for vehicles on Crown Hill at the bend to the west of the site access as part of the consented development for the following reasons:

- To maintain safe entry and exit to the existing field gate at this location
- To provide adequate inter-visibility between passing opportunities between the site, the bend in Crown Hill to the west and the priority T junction with Post Hill
- To mitigate the potential increase in traffic using this part of the road network during harvest season and / or if the site generates more traffic than has been forecasted

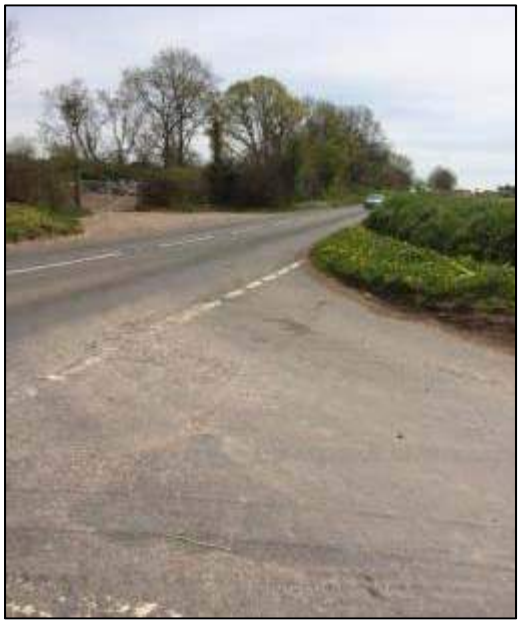
6.4.2 It is noted that DCC correspondence confirms that the referred passing bay has already been constructed. There are two drawings included in **Appendix J** showing what we understand to be the approved design of the passing bay, and these suggest that full surface course reinstatement would be undertaken extending from the corner in both directions with a kerbed lay-by. However, **Photos 6-2** & **6-3** below were taken at the recent site visit and suggest that these works have not yet been completed and that the carriageway is in poor condition, with the road construction broken down at the edges of the carriageway.

Photos 6-2 & 6-3 Existing condition of corner on Crown Hill, west of the site access

6.4.3 PBA recommends that at the edges of the highway, full reconstruction will be necessary to obtain an adequate width of satisfactory road surface that will allow vehicles to pass. Furthermore, it is suggested that where only reinstatement of the surface course is proposed, all surface course material is stripped back prior to resurfacing to ensure an adequate stiffness of construction. On-site observations suggest that previously new surface course layers have been laid without the previous layer being removed. These works should be completed prior to the AD plant becoming operational.

6.5 Post Hill / Crown Hill Junction

6.5.1 Site observations demonstrate that visibility splays along Post Hill of approximately 25 to 30m ('y' distance) are achievable at an 'X' distance of approximately 2.4m for vehicles emerging from Crown Hill (see **Photos 6-4** & **6-5**).



Photos 6-4 & 6-5 Existing visibility from Crown Hill along Post Hill (Left – looking west; right – looking east)

6.5.2 Spot speed measurements undertaken at the recent site visit demonstrated 85th percentile speeds of approximately 40 mph for vehicles travelling in both directions along Post Hill. Based on the speed readings obtained, Design Manual for Roads and Bridges standards stipulate that visibility splays achieving 120m 'y' distance should be provided in this location. On this basis, the existing junction is considered to be substandard in visibility splay terms.

6.5.3 Despite the junction providing substandard visibility splays, we note that DCC concluded that the consented development would not be required to deliver improvements at this location. This is on the basis that the consented development would not lead to an increase in traffic movements at the junction and there are no apparent existing safety concerns at this location further to the applicant's review of Personal Injury Accident data in the TS.

6.5.4 PBA consider that the proposed development being considered under the current application should not be required to deliver improvements at this junction for the following reasons:

- A review of Crashmap data suggests that there have been no incidents at or within the immediate vicinity of this junction between 2012 (the end date of the analysis presented in the TS) and the end of 2014 (latest data available).

- The proposed development is not anticipated to generate additional trips over and above the consented level.

6.6 Conclusion

6.6.1 Further to our review of the documentation supporting the consented and current applications and having recently undertaken a site visit, PBA has concluded the following in relation to transport / highway matters:

- PBA considers the trip generation assessments included in the TS and ATS reports to be robust and reasonable based on the checks that have been possible. It is evident that the assessment does take account of two agricultural buildings that have been constructed on the site in recent years which was identified as a concern for Members.

- The proposed changes to the consented development are forecast to have no impact on the number of vehicle movements generated by the site. Therefore, the proposed development is still forecast to reduce the number of loads generated by the Crown Hill site from an average of 4 loads per day (8 vehicle movements) in the existing scenario to 3 loads per day (6 vehicle movements).

- It is noted that the trip generation assessment has focussed on average figures across a year and that the trip generation could be significantly greater during harvest season than at other times of the year. Notwithstanding this point, this is likely to be the case for both the existing development and consented / proposed development, and is therefore not considered to undermine the assessment presented.

- It is considered that significantly improving the visibility splay to the east of the access to 2.4m x 33m should not be necessary. The provision of better visibility for vehicles emerging from the site is intended to create a safer environment for road users, but we consider it may have the opposite effect leading to greater potential for collisions. Removal of a significant part of the existing hedgerow in this location is likely to dramatically change the character of Crown Hill as it would create a greater sense of openness to drivers in the vicinity of the site access. This in turn could lead to increased vehicle speeds along the stretch of road onto which the access fronts.

- It is noted that correspondence from DCC confirms that the proposed passing bay on Crown Hill has already been constructed. However, site observations suggest that these works have not yet been completed and that the carriageway is in poor condition, with the road construction broken down at the edges of the carriageway. PBA recommends that at the edges of the highway, full reconstruction will be necessary to obtain an adequate width of satisfactory road surface that will allow vehicles to pass. These works should be completed prior to the AD plant becoming operational.

- The priority T junction between Crown Hill and Post Hill is considered to provide substandard visibility splays in both directions along Post Hill from the minor arm. However, we note that DCC concluded that the consented development would not be required to deliver improvements at this location. PBA considers that the proposed development being considered under the current application should not be required to deliver improvements at this junction.

6.6.2 In overall conclusion, the development proposed under the current planning application is not anticipated to lead to transport or highway impacts (in terms of road safety and / or operation of the network) that are greater than for the consented development.

6.6.3 On this basis it is considered unlikely that the development would have a detrimental impact on the local amenity and character as referred in the local policies specified in the potential reasons for refusal 4 a/b.

7 Summary & Conclusion

7.1 Summary

7.1.1 This report comprises a technical appraisal of the proposed reasons for refusal for an Anaerobic Digester plant at Red Linhay in Halberton, Tiverton. The findings provide evidence to support one of the four reasons for refusal, based on landscape character and visual amenity.

7.2 Landscape and Visual Issues

7.2.1 The landscape and visual appraisal points to several critical areas of concern which could constitute a reason for refusal, as follows;

- The mitigation scheme for the original application was not well designed and for the new application it has been extended into a more open and more widely visible location, where it causes harm.
- The original LIVA did not make clear the views from the canal or the reflective nature or inappropriate colour of the dome. With the benefit of this information, the scheme which is currently under construction is considered to cause harm.
- The scheme as now proposed fails to accord with policy set out in the Core Strategy (COR2, COR5, DM2 and DM22), although only in very specific areas.

7.3 Remaining Issues

7.3.1 The other three proposed reasons for refusal assessed in this report are not considered to constitute a reason for refusal as summarised in **Table 7-1**.

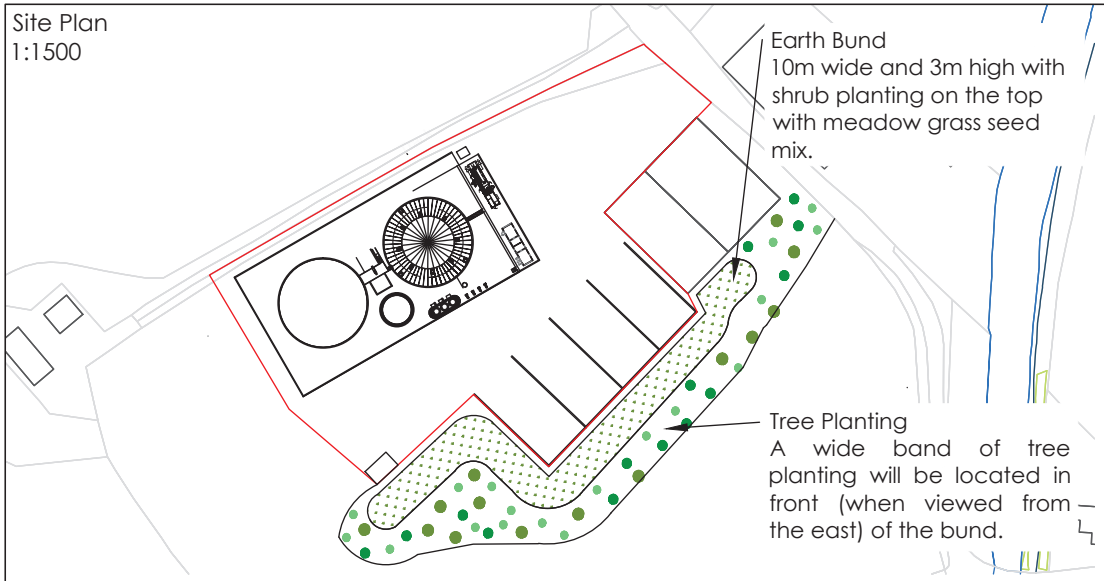
Reason	PBA Appraisal
Heritage – proximity to the Grand Western Canal	The proposal is not perceived to alter the existing character of the Conservation Area significantly, nor is it expected to hinder the experience of the asset substantially.
Odour and Noise	There is no significant effect on residential amenity from odour and the there is only a slight difference between the original and revised planning applications. The noise impact has been correctly assessed and meets the relevant criteria with no further mitigation required.
Transport	The method of assessment is robust and the development proposed under the current planning application is unlikely to cause transport or highway impacts that are greater than for the consented development. It is considered unlikely that the development would have a detrimental impact on the local amenity and character as referred in the local policies specified in the potential reasons for refusal 4 a/b.

Table 7-1 Summary of areas where there are considered to be no reasons for refusal

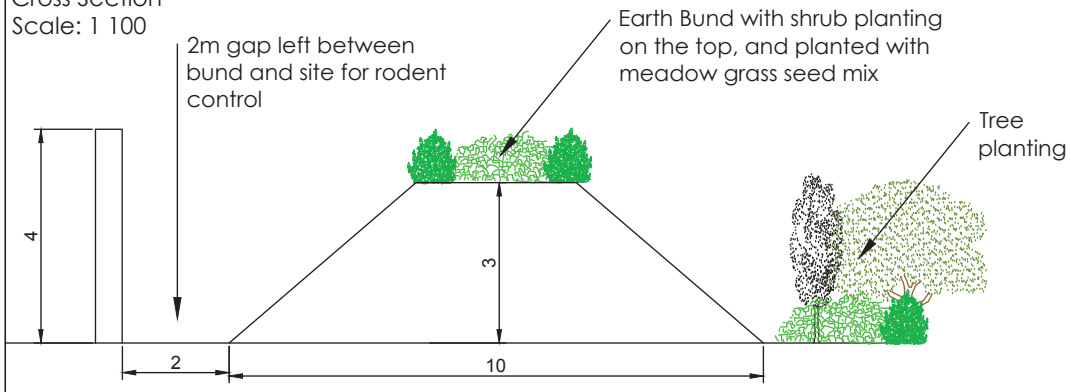
Appendices

Appendix A

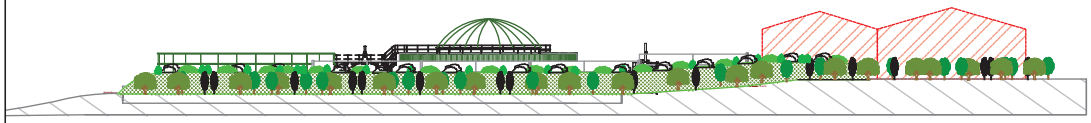
Site Plan
1:1500



Cross Section
Scale: 1 100



East Elevation
Scale: 1 750



Hedge/Shrub Planting

Species	Height	Size	Type
Crataegus monogyna (Hawthorn)	40-60cm	1+1	Bare
Prunus spinosa (Blackthorn)			
Corylus avellana (Hazel)			
To be planted with 4-6 plants per metre in double staggered rows.			

Tree Planting

Species	Density	Size	Type
Sorbus aucuparia (Rowan)	40%	1+1	Bare
Acer campestre (Field Maple)	30%		
Quercus robur (Peduniculate Oak)	30%		
Tree planting would be organised in 3 metres interval spacing. Ideally whips (40 - 90cm in height) that are locally sourced			

Proposed Planting

An earth bund is proposed to screen views from the east, the bund will be 3m high. This bund will be planted with shrub species as indicated in the Planting table above. These species have been recommended within the Ecology report and are found within the sites existing hedgerows. The bund will also be planted with meadow grass seed mix.

Trees will be planted in front of the bund, the Ecology report recommends *Fraxinus excelsior* (Ash) however at the time of publication there is a restriction of the movement and use of Ash trees. *Sorbus aucuparia* (Rowan) have been chosen as an alternative. However should the restrictions have been lifted at the time of planting then *Fraxinus excelsior* will be used. Understory planting should consist of the same shrub species used for the bund planting as indicated above.

Planting Phases

Before planting begins, areas will be removed of any rubbish, debris and unwanted existing vegetation. Some healthy and native plants that are to be removed will be kept if possible to become part of the proposed planting scheme.

New vegetation should be planted during the dormant season between October and March, if construction does not finish until Spring then planting will not be able to be carried out until the following October at the earliest.

The planting scheme includes a mixture of native species local to the area. Tree planting will be organised in 3 metres interval spacing. Ideally whips (40 - 90cm in height) will be used as these will establish quickly and thrive. Shrub plants will be planted in double staggered rows with 4-6 plants per metre. Local specimens are recommended as they will establish faster having become accustomed to the climate.

Management

Areas designated for landscaping will not be used during or as part of the construction process. During the early years light regular trimming during the autumn will encourage dense and bushy growth. Mulch placed immediately after planting will reduce the amount of weeds and will help retain soil moisture.

The planting will be inspected regularly during the first summer following planting. If any plant failures are identified these will be removed and replaced during the next dormant season.

To protect young plants from damage they will be protected using plant guards such as clear spiral guards and shrub shelters. If necessary a rabbit-proof fence will be installed around the site. Trees will be managed to avoid conflict within site usage - they will not be planted too close to areas where damage could occur to the root ball.

Management Objectives

The management objective of this landscaping specification is to provide screening and improve the visual amenity of the site particularly for views from the East. This will be done by planting trees and shrubs to act as screens for reduced visual impact.

Aftercare and Maintenance

The aftercare of the vegetation is planned for five years after planting. Within the first year the new planting will be inspected regularly during the first summer following planting. Plant failures will need to be replaced during the next dormant season. Weeds will be removed (by hand or chemically) and during the first 5 years the planting will be regularly inspected.

Figure:

Planting Specification for a screening bund

Drawing Number: WIN01_Redlinhay_PP_05

Scale*: Various | Papersize: A3

Drawn by: ESG
Date: 9th June 2014
Updated: 16th June 2014

Planting shown is representative of approximately 3 years growth

Project: Redlinhay, Crown Hill

Cilent Greener for Life Energy

E4 environment

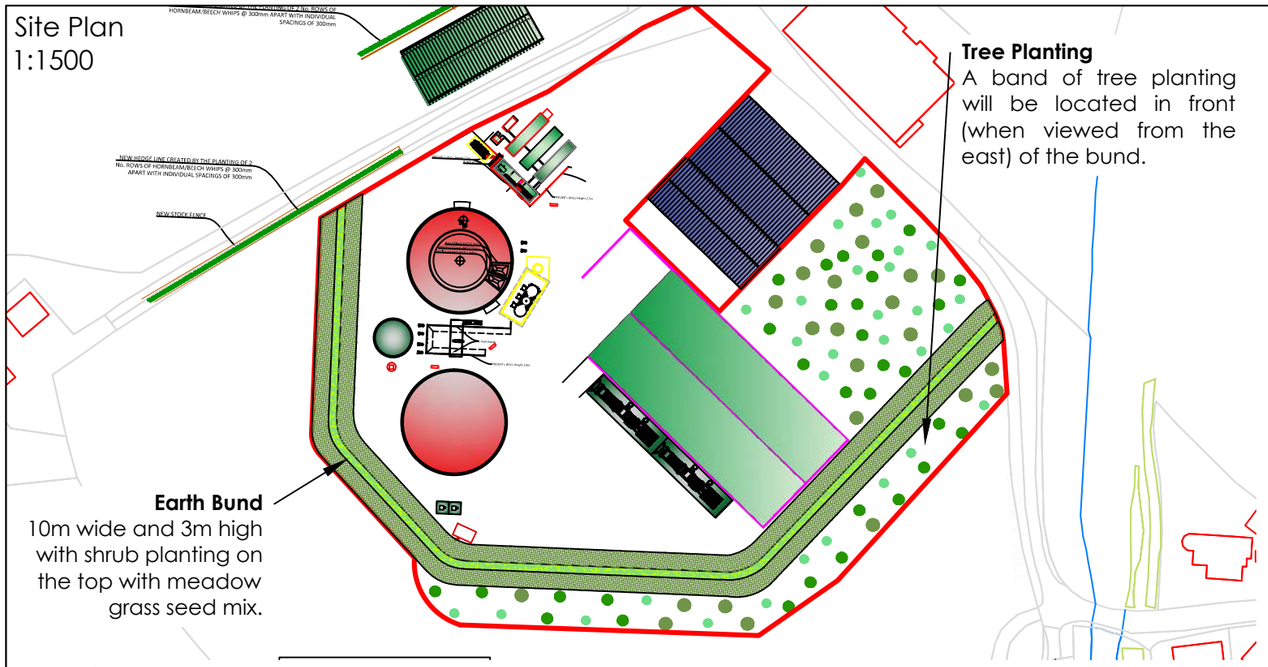
* When printing please ensure the document is printed at actual size to preserve the correct scale.

File Name: Redlinhay Bunding V5

Last Saved: 16/6/2014 9:35 AM

Appendix B

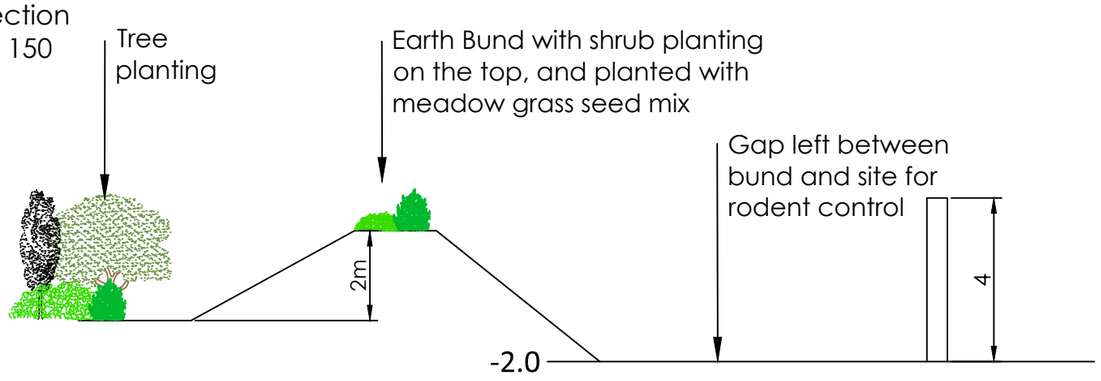
Site Plan
1:1500



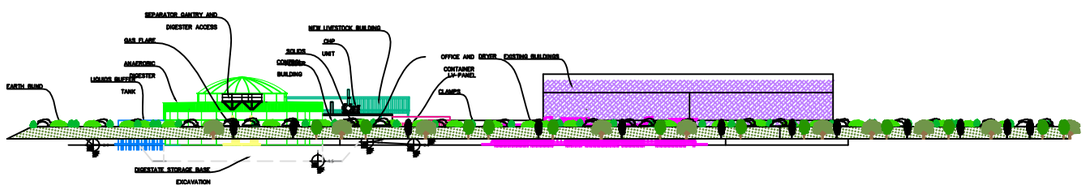
Tree Planting
A band of tree planting will be located in front (when viewed from the east) of the bund.

Earth Bund
10m wide and 3m high with shrub planting on the top with meadow grass seed mix.

Cross Section
Scale: 1 150



South Elevation
Scale: 1 1000



Hedge/Shrub Planting

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Crataegus monogyna (Hawthorn)	40-60cm	1+1	Bare
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Corylus avellana (Hazel)			

To be planted with 4-6 plants per metre in double staggered rows.

Tree Planting

Species	Density	Size	Type
Sorbus aucuparia (Rowan)	40%	1+1	Bare
Acer campestre (Field Maple)	30%		
Quercus robur (Peduniculate Oak)	30%		

Tree planting would be organised in 3 metres interval spacing. Ideally a mixture of whips and standard trees that are locally sourced.

Proposed Planting

An earth bund is proposed to screen views from the south and east. The bund will be of a flat total height to allow for effective planting so will rise in height from between 2m on the eastern boundary to 3m on the western boundary due to the topography of the site. This bund will be planted with shrub species as indicated in the Planting table above. These species have been recommended within the Ecology report and are found within the sites existing hedgerows. The bund will also be planted with meadow grass seed mix.

Trees will be planted in front of the bund, the Ecology report recommends *Fraxinus excelsior* (Ash) however at the time of publication there is a restriction of the movement and use of Ash trees. *Sorbus aucuparia* (Rowan) have been chosen as an alternative. However should the restrictions have been lifted at the time of planting then *Fraxinus excelsior* will be used. Understorey planting should consist of the same shrub species used for the bund planting as indicated above.

Planting Phases

Before planting begins, areas will be removed of any rubbish, debris and unwanted existing vegetation. Some healthy and native plants that are to be removed will be kept if possible to become part of the proposed planting scheme.

New vegetation should be planted during the dormant season between October and March, if construction does not finish until Spring then planting will not be able to be carried out until the following October at the earliest.

The planting scheme includes a mixture of native species local to the area. Tree planting will be organised in 3 metres interval spacing. Ideally whips (40 - 90cm in height) will be used as these will establish quickly and thrive. Shrub plants will be planted in double staggered rows with 4-6 plants per metre. Local specimens are recommended as they will establish faster having become accustomed to the climate.

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The management objective of this landscaping specification is to provide screening and improve the visual amenity of the site particularly for views from the East. This will be done by planting trees and shrubs to act as screens for reduced visual impact.

Aftercare and Maintenance

The aftercare of the vegetation is planned for five years after planting. Within the first year the new planting will be inspected regularly during the first summer following planting. Plant failures will need to be replaced during the next dormant season. Weeds will be removed (by hand or chemically) and during the first 5 years the planting will be regularly inspected.

Figure:

Planting Specification for a screening bund

Drawing Number: WIN01_Redlinhay2_PP_006

Scale*: Various | Papersize: A3

Drawn by: ESG
Date: 27th May 2015
Amended: 3rd December 2015

Planting shown is representative of approximately 3 years growth

Project:
Redlinhay, Crown Hill

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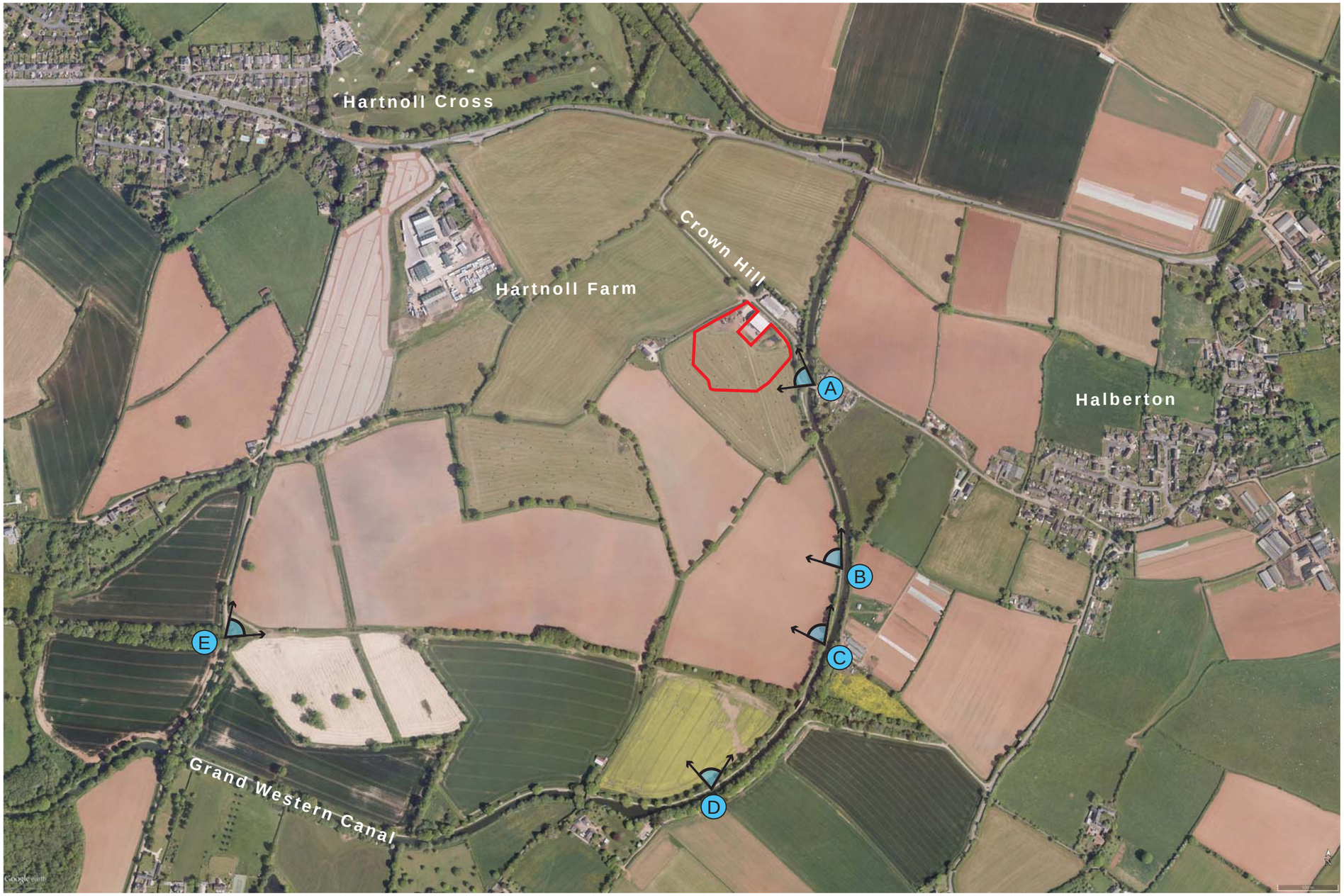
Appendix C



LEGEND:

Site Boundary

Photograph locations

L2

RED LINHAY, CROWN HILL, TIVERTON

VIEWPOINT LOCATION PLAN

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Mark	Revision	
REV	Date	18/05/2016
	Scale	AS SHOWN
	Drawn	KH
	Checked	NE

Drawing No.
38071-02

Aerial photo images reproduced from a licensed copy of Google Earth Pro: 2015 Getmapping plc

N

0 100 200 300 400 500m

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Viewpoint A: View from the tow path north of Crown Hill Bridge, looking south-west to north-west towards site.

All photographs have been taken with a full format DSLR 50mm fixed focal length lens and processed as the standard size of 6 by 4 inches. Panoramas may have been cropped but have not been manipulated beyond basic image processing.

Photographs taken on: 13.05.2016

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APPENDIX C

Job No.	Sheet No.	Rev
38071	1/xx	

Red Linhay, Crown Hill, Tiverton
Landscape and Visual Appraisal

Mid Devon District Council

Viewpoint A

Date	18.05.2016
Drawn	KH
Checked	NE

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Viewpoint B: View from Grand Western Canal Towpath, looking north-west to north towards site.

All photographs have been taken with a full format DSLR 50mm fixed focal length lens and processed as the standard size of 6 by 4 inches. Panoramas may have been cropped but have not been manipulated beyond basic image processing.

Photographs taken on: 13.05.2016

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APPENDIX C

Job No.	Sheet No.	Rev
38071	2/xx	

Red Linhay, Crown Hill, Tiverton
Landscape and Visual Appraisal

Mid Devon District Council

Viewpoint B

Date	18.05.2016
Drawn	KH
Checked	NE

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Viewpoint C: View from Grand Western Canal Towpath, looking north-west to north towards site.

All photographs have been taken with a full format DSLR 50mm fixed focal length lens and processed as the standard size of 6 by 4 inches. Panoramas may have been cropped but have not been manipulated beyond basic image processing.

Photographs taken on: 13.05.2016

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APPENDIX C

Job No.	Sheet No.	Rev
38071	3/xx	

Red Linhay, Crown Hill, Tiverton
Landscape and Visual Appraisal

Mid Devon District Council

Viewpoint C

Date	18.05.2016
Drawn	KH
Checked	NE

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Viewpoint D: View from Grand Western Canal Towpath, looking north towards site.

All photographs have been taken with a full format DSLR 50mm fixed focal length lens and processed as the standard size of 6 by 4 inches. Panoramas may have been cropped but have not been manipulated beyond basic image processing.

Photographs taken on: 13.05.2016

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APPENDIX C

Job No.	Sheet No.	Rev
38071	4/xx	

Red Linhay, Crown Hill, Tiverton
Landscape and Visual Appraisal

Mid Devon District Council

Viewpoint D

Date	18.05.2016
Drawn	KH
Checked	NE

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Viewpoint E: View from brigde along Manley Lane, looking north-east towards site.

All photographs have been taken with a full format DSLR 50mm fixed focal length lens and processed as the standard size of 6 by 4 inches. Panoramas may have been cropped but have not been manipulated beyond basic image processing.

Photographs taken on: 13.05.2016

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APPENDIX C

Job No.	Sheet No.	Rev
38071	5/xx	

Red Linhay, Crown Hill, Tiverton
Landscape and Visual Appraisal

Mid Devon District Council

Viewpoint E

Date	18.05.2016
Drawn	KH
Checked	NE

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Appendix D

38071-Red Linhay, Crown Hill, Tiverton
Figure 1

existing

existing

GREAT WESTERN CANAL

LEGEND

Site boundary & Layout for
Scheme- A- Existing Planning Permission-13/1605/MFUL

Proposed Bund
Scheme- A- Existing Planning Permission-13/1605/MFUL

Proposed planting
Scheme- A- Existing Planning Permission-13/1605/MFUL

Site boundary & Layout for
Scheme- B- Proposed development(commenced)-15/01034/MFUL

Proposed bund
Scheme- B- Proposed development(commenced)-15/01034/MFUL

Proposed planting
Scheme- B- Proposed development(commenced)-15/01034/MFUL

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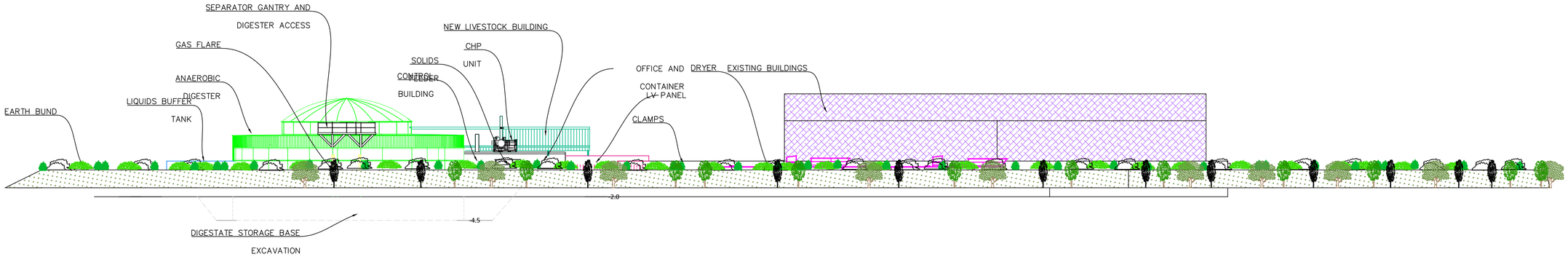
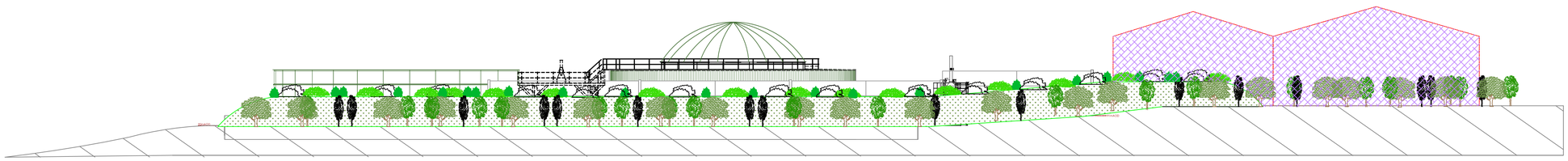
Appendix E

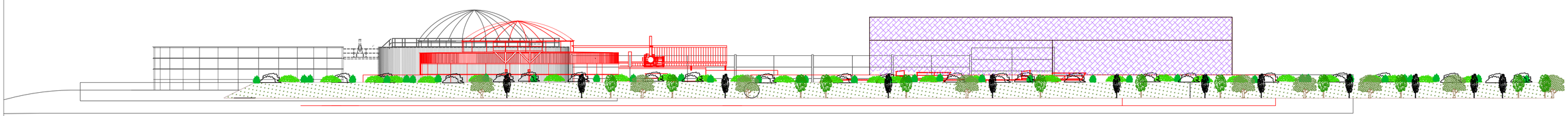
South Elevation - Proposed



Southwest Elevation - Approved with 106 Agreement



South Elevation - Approved and Proposed Overlay
(106 Agreement not shown)



Proposed Development
Approved Development
Existing Buildings

Figure 3

South Elevation Overlay

Drawing Number - WIN01_Redlinhay2_ElOv106_001

Scale* - 1:250 | Papersize - A1

Drawn by - ESG

Date - 5th May 2016

Project

Redlinhay, Crown Hill

Client

Greener for Life Energy Limited

E4 environment

* Please ensure the document is printed at actual size to preserve the correct scale.

File Name: WIN01_Redlinhay_ElevationOverlay

Last Saved: 6/5/2016 1:35 PM

Appendix F

Appendix 2 Methodology for Assessing Importance, Impact & Significance of Effect

There is currently no standard adopted statutory or government guidance for assessing the importance of an archaeological feature and this is instead judged upon factors such as statutory and non-statutory designations, architectural, archaeological or historical significance, and the contribution to local research agendas. Considering these criteria each identified feature can be assigned to a level of importance in accordance with a five-point scale (Table A, below).

Table A: Assessing the Importance of a Cultural Heritage Site

SCALE OF SITE IMPORTANCE	
NATIONAL	The highest status of site, e.g. Scheduled Monuments (or undesignated assets of schedulable quality and importance). Grade I and Grade II* Listed Buildings. Other listed buildings that can be shown to have exceptional qualities in their fabric or historical associations not adequately reflected in the listing grade. Conservation Areas containing very important buildings. Undesignated structures of clear national importance. Extremely well preserved historic landscape, whether inscribed or not, with exceptional coherence, time depth, or other critical factor(s).
REGIONAL	Grade II Listed Buildings or other designated or undesignated archaeological sites (in addition to those listed above), or assets of a reasonably defined extent and significance, or reasonable evidence of occupation / settlement, ritual, industrial activity etc. Examples may include areas containing buildings that contribute significantly to its historic character, burial sites, deserted medieval villages, Roman roads and dense scatter of finds.
LOCAL	Evidence of human activity more limited in historic value than the examples above, or compromised by poor preservation and/or survival of context associations, though which still have the potential to contribute to local research objectives. Examples include sites such as 'locally designated' buildings or undesignated structures / buildings of limited historic merit, out-of-situ archaeological findspots / ephemeral archaeological evidence and historic field systems and boundaries etc.
NEGLIGIBLE	Assets with very little or no surviving archaeological interest. Examples include destroyed antiquities, structures of almost no architectural / historic merit, buildings of an intrusive character or relatively modern / common landscape features such as quarries, drains and ponds etc.
UNKNOWN	Insufficient information exists to assess the importance of a feature (e.g. unidentified features on aerial photographs).

The importance of already identified cultural heritage resources is determined by reference to existing designations. Where classification of a receptor's value covered a range of the above possibilities or for previously unidentified features where no designation has been assigned, the value of the receptor was based on professional knowledge and judgement.

For some types of finds or remains there is no consistent value and the importance may vary, for example Grade II Listed Buildings and Conservation Areas. For this reason, adjustments are occasionally made, where appropriate, based on professional judgement.

Impact Assessment Criteria

The magnitude of impact upon the archaeological and heritage resource, which can be considered in terms of direct and indirect impacts, is determined by identifying the level of effect from the proposed development upon the baseline conditions of the site and the cultural heritage resource identified. The criteria for assessing the magnitude of impact are set out in Table B (below).

In certain cases, it is not possible to confirm the magnitude of impact upon a cultural heritage resource, especially where anticipated buried deposits exist. Where possible a professional judgement as to the scale of such impacts is applied to enable the likely 'Significance of Effects' to be established; however, a magnitude level of 'uncertain' is included for situations where it is simply not appropriate to make such a judgement at this stage of works.

Table B: Criteria for Determining Magnitude of Impact

IMPACT LEVEL	DEFINITION
HIGH	Major impacts fundamentally changing the baseline condition of the receptor, leading to total or considerable alteration of character or setting – e.g. complete or almost complete destruction of the archaeological resource; dramatic visual intrusion into a historic landscape element; adverse change in the setting or visual amenity of the feature/site; significant increase in noise; extensive changes to use or access.
MEDIUM	Impacts changing the baseline condition of the receptor materially but not entirely, leading to partial alteration of character or setting – e.g. a large proportion of the archaeological resource damaged or destroyed; intrusive visual intrusion into key aspects of the historic landscape; or use of site that would result in detrimental changes to historic landscape character.
LOW	Detectable impacts which alter the baseline condition of the receptor to a small degree – e.g. a small proportion of the surviving archaeological resource is damaged or destroyed; minor severance, change to the setting or structure or increase in noise; and limited encroachment into character of a historic landscape.
NEGLIGIBLE	Barely distinguishable adverse change from baseline conditions, where there would be very little appreciable effect on a known site, possibly because of distance from the development, method of construction or landscape or ecological planting, that are thought to have no long term effect on the historic value of a resource.
UNCERTAIN	Extent / nature of the resource is unknown and the magnitude of change cannot be ascertained.

The overall Significance of Effects from the proposed development upon the Cultural Heritage Resource is determined by correlating the magnitude of Impact against value of the Cultural Heritage resource. Table C highlights the criteria for assessing the overall Significance of Effects. Where effects are moderate or above these are classified as significant.

Table C: Significance of Effects

IMPORTANCE	MAGNITUDE			
	HIGH	**MED**	**LOW**	**NEG**
NATIONAL	Severe	Major	Mod	Minor
REGIONAL	Major	Mod	Minor	Not Sig.
LOCAL	Mod	Minor	Minor	Not Sig.
NEGLIGIBLE	Minor	Not Sig.	Not Sig.	Nt.

Not Sig. = Not Significant; Nt. = Neutral; Mod = Moderate; Ext. = Extensive

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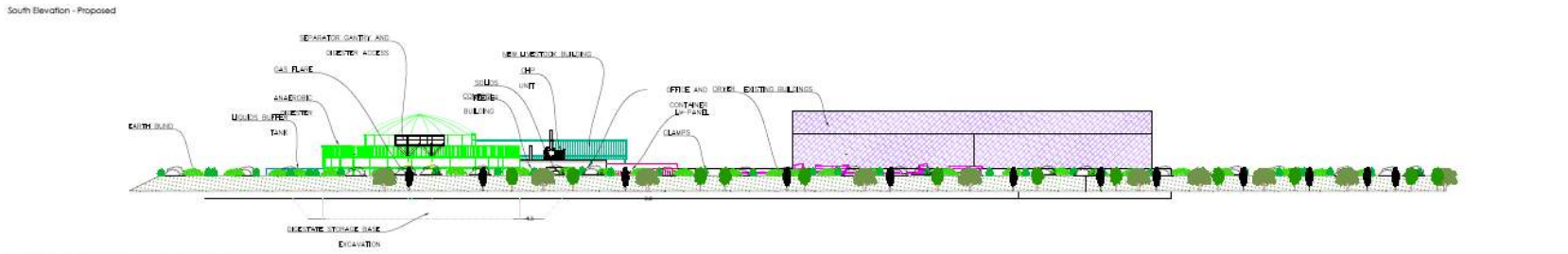
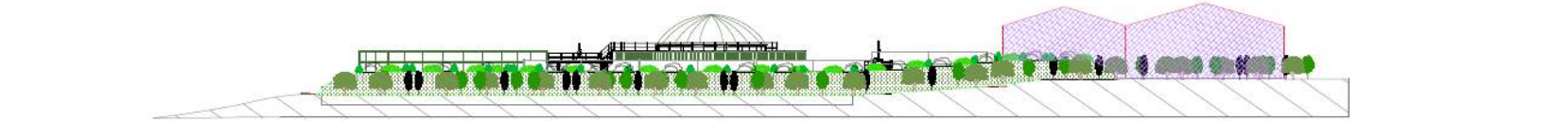
Appendix G





NOT TO SCALE
REPRODUCED FROM CLIENT'S PLANS

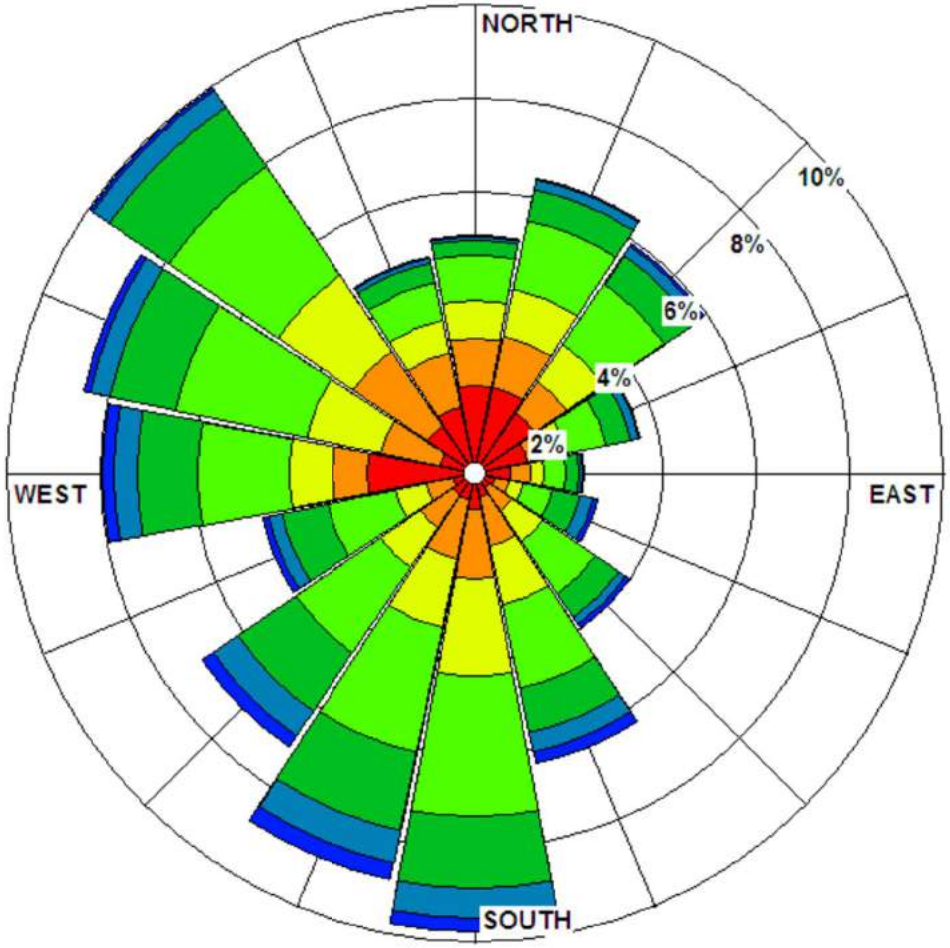
Figure 3: Existing and Proposed Development Elevations Overlain

Project: Red Linhay Anaerobic Digester

Date: 17/05/16	Job Number: 10830
Drawn by: ZE	Approved by: AB

AB HERITAGE
ARCHAEOLOGICAL CONSULTANCY

Appendix H



Exeter, UK
2001-2010

Wind Speed
(m/s)

- >= 10.0
- 8.0 - 10.0
- 6.0 - 8.0
- 4.0 - 6.0
- 3.0 - 4.0
- 2.0 - 3.0
- 0.5 - 2.0

Calms: 2.18%

pba peterbrett
Offices throughout the UK and Europe
www.peterbrett.com

TAUNTON
Tel: 01823 445150

Client:
MID DEVON DISTRICT COUNCIL

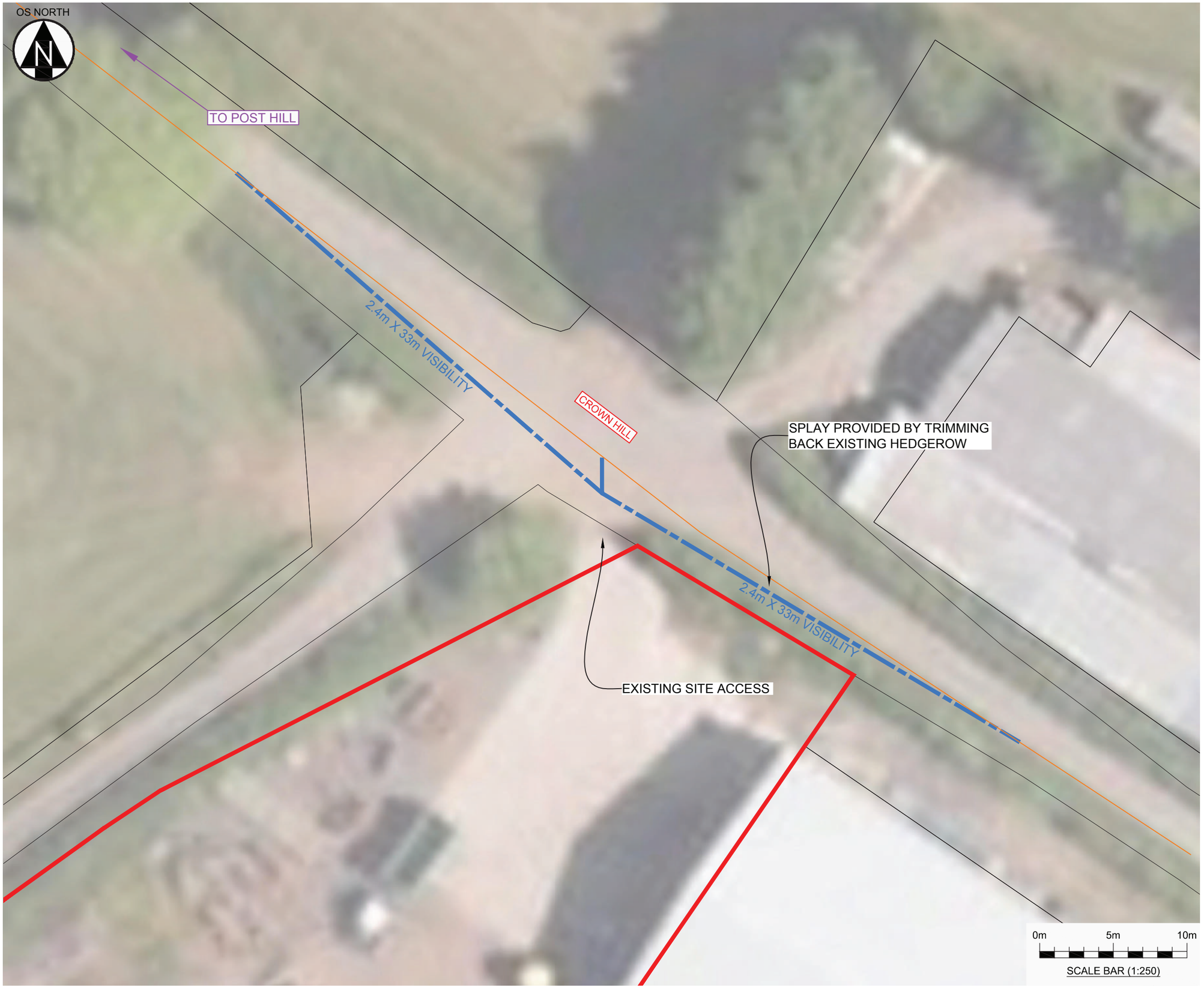
RED LINHAY
ANAEROBIC DIGESTER
WIND ROSE

Date	18.05.16
A4 Scale	-
Drawn by	GH
Checked by	GH

Figure Number
FIGURE 4.1

File Location: I:\38071 red linhay ad mddc\technical\technical report to mddc\figures\odour\fig 4.1.dwg

Appendix I



NOTE

APPLICATION AREA BASED UPON DRAWING TITLED FIGURE 2: SITE PLAN DATED SEPTEMBER 2013 PRODUCED BY E4 ENVIRONMENT

KEY

APPLICATION SITE

AMENDMENT TO ORDNANCE SURVEY (EDGE OF CARRIAGEWAY)

Rev	Date	Description	By	Ckd
A	29/10/13	AMENDMENT TO TITILEBLOCK	AJT	KJ

Hydrock Consultants
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Cook Way
Taunton
Somerset TA2 6BJ
Tel : +44 (0) 1823 277613
Fax: 0870 838 1078
E-Mail: Taunton@hydrock.com
or visit www.hydrock.com

Client

GREENER FOR LIFE ENERGY LTD

Project

PROPOSED ANAEROBIC DIGESTION PLANT, REDLINHAY, CROWN HILL, TIVERTON, DEVON

Title

EXISTING SITE ACCESS AND VISIBILITY SPLAYS

Drawing Status

IN REPORT

Job No.

C13425

Drawn	Checked	Scale at A3	Date	Issue Date
AJT	KJ	1:250	01/08/13	19/09/13

Drawing No.

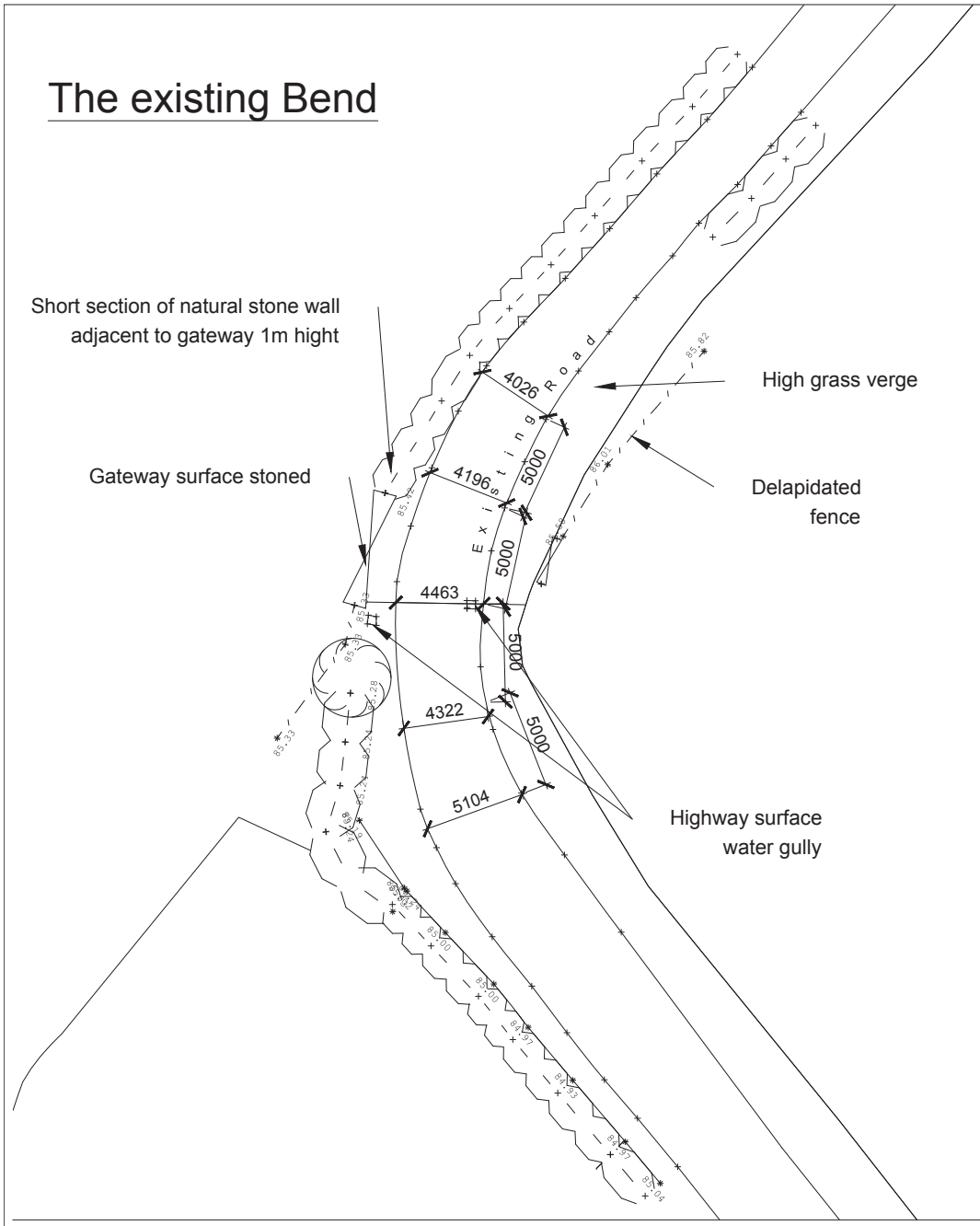
13425/T03

Revision

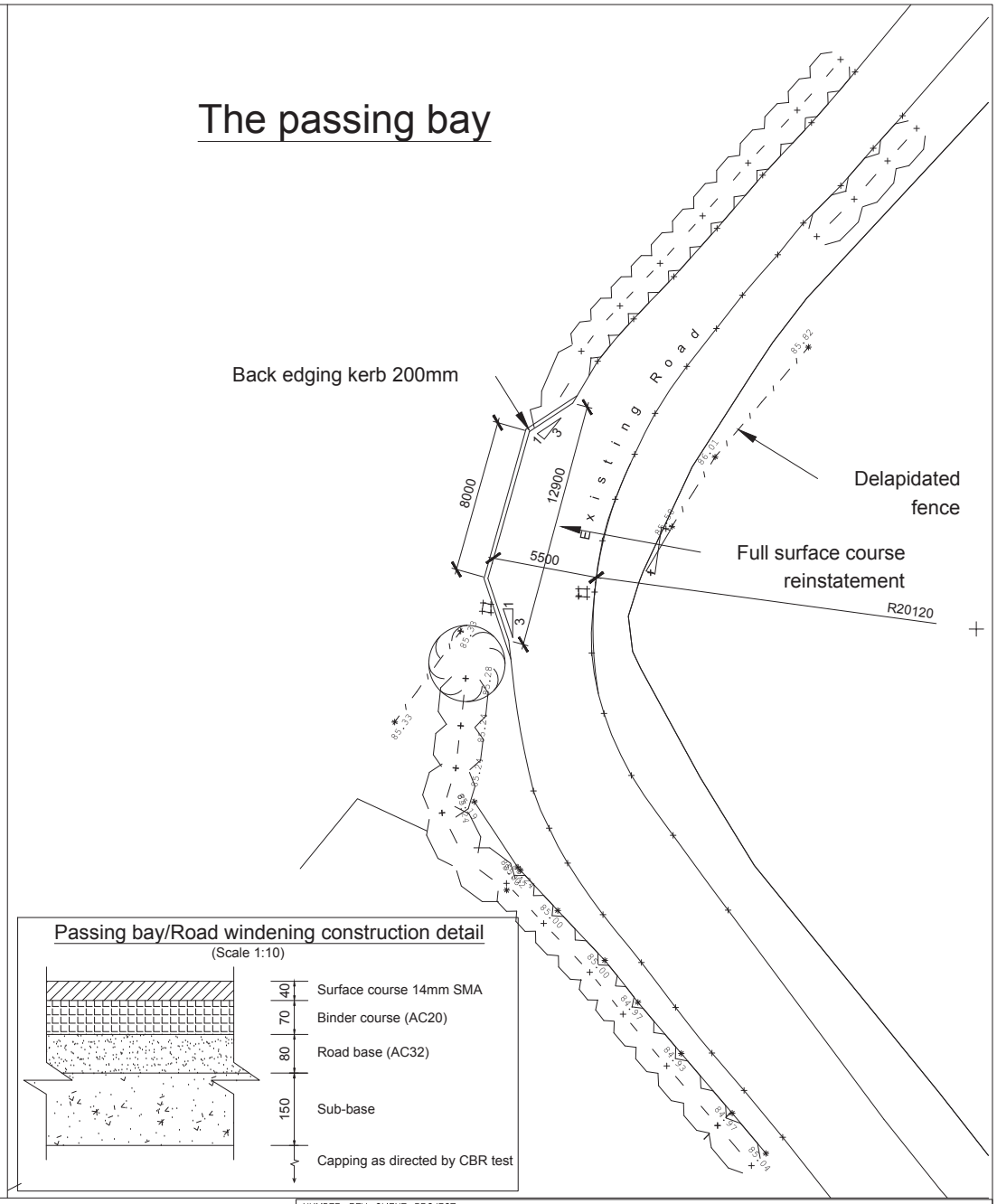
A

Appendix J

The existing Bend



The passing bay



Passing bay/Road windening construction detail

(Scale 1:10)

40	Surface course 14mm SMA
70	Binder course (AC20)
80	Road base (AC32)
150	Sub-base
	Capping as directed by CBR test

Rev No	Revision Note.	Date	Drawn	Checke

NUMBER - REV - CLIENT - PROJECT
00030 - GFL - Hartnoll - Passing bay

TITLE
The Passing Bay

DATE	SHEET	SCALE
10.02.2015	01/02	1:250
DRN BY: HN	CHK BY: LM	PAPER SIZE: A3

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MARLBOROUGH
WILITSHIRE. SN8 3EQ
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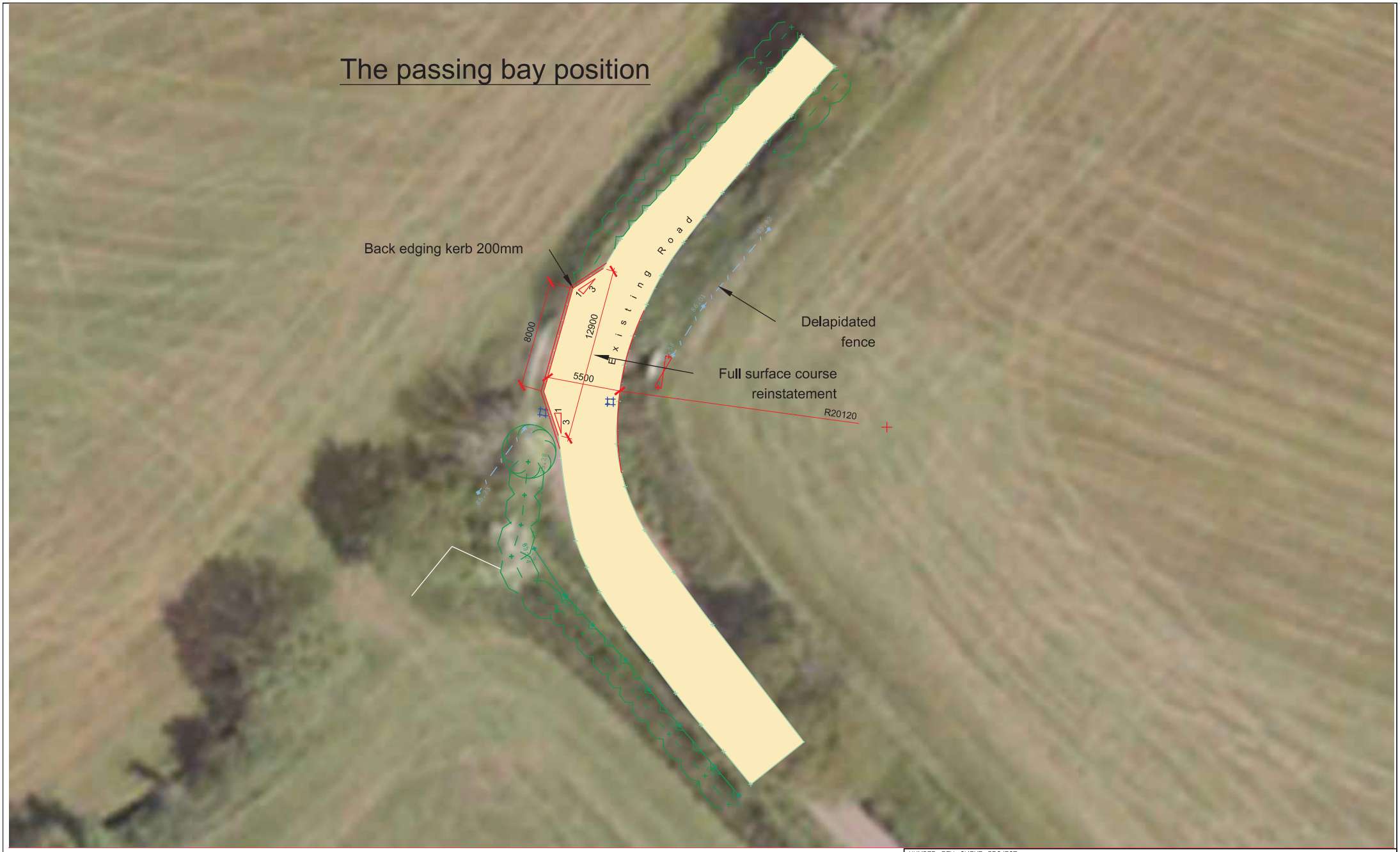
The passing bay position



Rev No	Revision Note.	Date	Drawn	Checke

NUMBER - REV - CLIENT - PROJECT
00030 - GFL - Hartnoll - Passing bay

TITLE
The Passing Bay Position

DATE	SHEET	SCALE
10.02.2015	02/02	1:250
DRN BY: HN	CHK BY: LM	PAPER SIZE: A3

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