

**Site Address: Land East of Stourwell
Barn, Swalcliffe, Banbury**

12/01588/F

Ward: Sibford

District Councillor: George Reynolds

Case Officer: Rebekah Morgan

Recommendation: Approval

Applicant: Taylor Farms

Application Description: Proposed on-farm anaerobic digestion facility

Committee Referral: Major

1. Site Description and Proposed Development

- 1.1 The application site comprises of 0.95ha of agricultural land adjacent to Stourwell Barn; a residential property which is currently occupied by the applicant. The land is currently comprised of part agricultural field and part woodland. The northern edge of the site is bounded by existing woodland. Adjacent to the west edge of the site is an existing steel framed barn (10/000318/AGN refers), with the west and south sides of the site open to the surrounding agricultural land.
- 1.2 The site forms part of Grange Farm which comprises of approximately 330 hectares of land within the farm ownership, an additional 30 hectares of rented land and a further 143 hectares is farmed under contract. Approximately 60 hectares of the farm is grassland with the remainder being utilised for arable farming.
- 1.3 The site is situated on the road between Swalcliffe and Tadmarton Heath. It is located in open countryside approximately 1.8km to the south of Swalcliffe. There are two footpaths close to the site; the one to the north joins the road approximately 60m to the north of the site (immediately adjacent the existing woodland) and heads in a northeasterly direction. The second footpath crosses the fields to the east of the site and goes from Swalcliffe in a southerly direction towards Wigginton Heath. The area is characterised by large rolling, arable fields. The site is positioned in a valley with the topography gently rising away from the site.
- 1.4 The application proposes the installation of an on-farm anaerobic digestion facility for the production of electricity. The facility proposes to generate a peak power capacity of 0.5Mw. Running at peak capacity the plant could provide sufficient power to generate electricity supply approximately 1000 homes. Electricity is fed onto the local grid by means of below ground cabling. A new dedicated sub-station and transformer will be installed as part of the process. The development comprises:
- 1 No. digester tank – 28.4m in diameter x 6.3m wall height, with the total height of the dome construction 12.1m above slab level. Finished in green profiled metal cladding
 - 1 No. digestate tank – 28.4m in diameter x 6.3m wall height, with the total height of the dome construction 12.1m above slab level. Finished in green profiled metal cladding
 - 1 No. pre-storage tank – 5.43m in diameter x 6.2m wall height, with a total height of the dome construction at 8.2m
 - 1 No. acoustic container housing CHP engine – 12.2m (l) x 3m (w) x 2.6m (h). With ventilation equipment the total height of the structure is shown to be 10m
 - 1 No. container housing pumps and control panel – 12.2m (l) x 2.44m (w) x 2.59m (h)
 - 1 No. feedstock hopper (attached to digester tank) – 9m (l) x 2.4m (w)
 - 1 No. emergency flare stack
 - 1 No. dryer plant (located in two containers stack one on top of the other) –

13.8m (l) x 2.4m (w) x 7.25m (h)

- Hardsurfaced storage clamp – 88m (l) x 23m (w). Other smaller concrete platforms are also required within the site
- 1.5 The development will be sited within an area of modified ground levels to create a containment bund. The existing ground level will be reduced between 1m and 7m in comparison to the existing ground levels. The storage clamp is shallower sitting 3-4m below the existing ground levels at that part of the site. A retaining wall will be constructed between the storage clamp and the digester area. Ramps will be formed to provide vehicular access to the site.
- 1.6 The bunded area has been designed to accommodate the worst case scenario of a catastrophic failure of one of the tanks (in line with Environment Agency regulations). The retained volume equates to 110% of the size of the largest tank. The bunded area will be predominantly formed in earthwork materials (a combination of cut and fill). It is envisaged that there is sufficient material on site to form the bund.
- 1.7 Anaerobic digestion is a biological process whereby bacteria break down plant and/or animal matter in the absence of oxygen. The feeding regime is pre-determined and is loaded into the digester tank, through the feed hopper to the front of the digester tank on a gradual basis, after being weighed. The process is continual throughout the year, but works on an approximately 53 day turn around process. Once the digester is filled to capacity it will be left until it has yielded all of the energy potential in terms of gas production. The extracted methane is used to power a generator, in this case a Combined Heat and Power (CHP) engine that will produce electricity. The electricity produced is subsequently relayed back into the National Grid.
- 1.8 The remaining liquid from the process is pumped into the digestate storage tank and can be used as an inert Bio fertiliser on the farmland. Alternatively, it can be dried (in the proposed dryer plant) to produce high quality compost. Excess heat generated by the anaerobic digestion process will be used to run the dryer plant.
- 1.9 The anaerobic digestion facility will operate on material grown on Grange Farm and would comprise of the following amounts per year to 'feed' the process:
- 8000 tonnes of maize (200 hectares of land required)
 - 1000 tonnes of wheat or rye (36 hectares of land required)
 - 1000 tonnes of manure
- 1.10 A CHP (Combined Heat and Power) is shown on the drawings but the supporting information does not detail the use of heat in the generation of electricity within this development.
- 1.11 The silage and maize would be stored on the clamp and covered with tarpaulin to encourage decomposition and the commencement of the chemical process; prior to its input into the digester tank.
- 1.12 The system is proposed to operate continually and it is anticipated the facility will be working at full capacity approximately three months after the process is initiated.

2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letter, site notice and press notice. The final date for comment was the 27th December 2012. No correspondence has been received as a result of this consultation process.

3. Consultations

3.1 Swalcliffe Parish Council: No objections

Cherwell District Council Consultees

3.2 **Anti-social behaviour manager:** A proposal of this nature has a number of features which could be considered potentially detrimental to the environment if not properly mitigated through the process design. These factors include noise, odour, emissions to air from combustion and the pollution of ground and surface waters.

Noise is not anticipated as being a problem from this proposal as the equipment with the greatest potential to produce noise will be acoustically enclosed. Other minor sources of noise such as pumps etc will not produce significant outputs.

Considering the potential for the emissions of odour to atmosphere anaerobic processes generally have the potential to give rise to odours. In this case however the process of digestion will take place within a sealed system. As the objective of the process is to capture the gases produced by digestion for use as a biogas fuel effective containment of the products produced by the process is not anticipated as being a problem. Once produced the fuel will be used to power a Combined heat and power unit (CHP). The combustion process involved will ensure that any odorous component will be eliminated. The site is also to be provided with a flare stack to burn off biogas if the CHP unit is off line due to breakdown or for maintenance.

Other potential sources of odour could be the digestate liquor produced by the process or the handling of feedstocks for the digestion process. The digestate will be stored within sealed tanks until it can be spread to land and feedstock will be fed into the process via a sealed system. The only odour anticipated from this area would be at levels normally expected from the operation of a mixed farming operation.

The use of on farm anaerobic processes is regulated by the Environment Agency through an Environmental Permit. This document will set conditions which will address concerns over emissions to air from combustion and to ensure that surface and ground waters are adequately protected.

On this basis I would not object to the approval of this application.

3.3 **Environmental Protection Officer:** No objections.

3.4 **Arboricultural Officer:** The individual trees, tree group and hedge on the site will be affected by the proposed development are of limited amenity value and therefore I have no objections to the proposed tree removals on Arboricultural grounds.

3.5 **Landscape Officer:** I think VP1 and 2 emphasises my point that there is a landscape visual impact and that a wider belt of tree planting with understory on the boundaries is required. In regard to VP1 the backdrop of the woodland provides enclosure with larger native trees in a wider belt along the SW boundary there will be a merging of the two woodlands visually. This landscaping should screen the site successfully from VP1 when maintained/established and allowed to mature. The SE and NE boundaries could do with similar landscape treatment.

Amended landscape proposals have been submitted. Updated comments will be provided to members on the written committee update.

3.6 **Ecology Officer:** No objections subject to conditions to ensure the recommendations in the submitted ecological report are carried out. The Council should also be seeking ecological enhancements in line with guidance set out in the National Planning Policy Framework.

3.7 **Rights of Way Officer:** Swalcliffe Footpath No 6 extends north-east from the road which runs past the application site, as shown on page 8 of the design and access statement, but is not affected by the development.

3.8 **Waste and Recycling Manager:** No comments received.

Oxfordshire County Council Consultees

3.9 Highways Liaison Officer: Still awaiting comments.

3.10 Drainage Officer: No comments received.

3.11 Minerals Officer: No objections to the application on the grounds of mineral sterilisation.

3.12 Archaeologist: No objections subject to conditions requiring the implementation of a staged programme of archaeological investigations to be maintained for the duration of the construction period.

Other Consultees

3.13 Environment Agency: No objection. Provided information for the application regarding the need for an environmental permit.

3.14 Thames Water: No objections (Water comments)

3.15 Severn Trent Water: No objections (Wastewater comments)

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

- C7: Landscape Character
- C14: Trees and landscaping
- C28: Layout, design and external appearance of new development
- ENV1: Noise and pollution

South East Plan 2009

- CC1: Sustainable development
- CC2: Climate change
- C4: Landscape and countryside management
- NRM15: Location of renewable energy development
- NRM16: Renewable energy development criteria

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Cherwell Local Plan – Proposed Submission Draft (August 2012)

The draft Local Plan has been through public consultation and although this plan does not have Development Plan status, it can be considered as a material

planning consideration. The plan sets out the Council's strategy for the District to 2031. The policies listed below are considered to be material to this case and are not replicated by saved Development Plan policy:

ESD1: Mitigating and adapting to climate change
ESD5: Renewable energy

5. Appraisal

5.1 The key issues for consideration in this application are:

- Principle of the application – renewable energy
- Visual impact and character of the countryside
- Pollution control
- Residential amenity
- Highway Safety
- Impact on woodland
- Biodiversity
- Archaeology

Principle of the application – renewable energy

- 5.2 The National Planning Policy Framework sets out a presumption in favour of sustainable development. In paragraph 93 it states that *'Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development'*. However, such proposals should be weighed against any negative effects such as visual amenity (inc. landscape impact) and residential amenity, impact on biodiversity and highway safety.
- 5.3 The emphasis in the National Planning Policy Framework is for Local Planning Authorities to have a positive strategy to promote energy from renewable and low carbon sources. Although there are no specific policies relating to renewable energy in the current Local Plan (adopted 1996), the Proposed Submission Cherwell Local Plan (2012) reflects the government direction and recognises the significant contribution such schemes can make toward more sustainable development. Furthermore, the increasing pressure to reduce carbon emissions and reliance on traditional forms of non-renewable energy will undoubtedly influence future development proposals and consequently the Council's response to such proposals.
- 5.4 This presumption in favour of renewable energy schemes must therefore be balanced between giving appropriate weight to the national interest and need, versus any local impacts and objections to the proposed development. Policy C7 of the adopted Cherwell Local Plan for example sets a presumption against granting permission for development in the open countryside to protect its character. On the other hand the more recent guidance promotes rural and farm diversification schemes and reflects the need to support developments which secure contributions towards sustainable energy objectives.
- 5.5 When considering the potential output from this type of development, the National Planning Policy Framework is clear in paragraph 98 that Local Planning Authorities *'should not require applicant's for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions'*. Although the information was not requested, in this instance the electricity generated will be fed back into the local grid producing 0.5Mw, which could provide sufficient

power to generate electricity to supply approximately 1000 homes.

- 5.6 The application is considered to be sustainable development, and therefore the application will be assessed with a presumption in favour of the development unless material considerations indicate otherwise.

Visual impact and character of the countryside

- 5.7 The application site is located within the open countryside and within an Area of High landscape Value. The site is located on a minor road between Swalcliffe and Wigginton Heath, with two public footpaths within the vicinity. The development would be visible from the public footpath and from views along the road.
- 5.8 The digestate storage tank and digester tank are the two largest structures proposed within the application. The bund, storage clamp and adjoining hardstanding are also a significant element due to their size and the earth works required to create them. The development as a whole (including the above elements and other associated tanks, container buildings (with ventilation equipment) and access ramps, would be clearly recognisable in the landscape. The development (structures and clamp) is located within an excavated area to be surrounded by a earthwork bund.
- 5.9 Officers considered that due to the scale of the proposed works, there would be a need for additional landscaping. Details of a landscape scheme and photomontages showing the predicted views of the site have been submitted.
- 5.10 The combination of this mitigation, the relative levels at which the features would sit, and the fact that the tanks above the tree line will have a very agricultural appearance, would mean that there would not be such a significant intrusive effect on the landscape character and appearance as to warrant refusal.
- 5.11 In addition the perceived benefits of the scheme, in terms of contributions towards climate change (renewable energy) goals are a significant material consideration which weighs in favour of the scheme.

Pollution Control

- 5.12 The Environment Agency has raised no objection to the proposal, but have advised that the applicant will require an environmental permit to operate the site.
- 5.13 The application has been submitted with a document entitled 'report on strategy relating to ground pollution, prevention and control'. This sets out the strategy for the management of excess water collected within the containment bund to ensure that groundwater sources are protected from potential contamination.
- 5.14 The Environmental Permit will set requirements to ensure the proposal has no adverse impacts in terms of potential pollution. As this will be agreed and monitored by the Environment Agency, it is unnecessary for any conditions relating to these matters.

Residential Amenity

- 5.15 The development is located on a farm site in the open countryside. The nearest residential property is Stourwell Barn which is owned and occupied by the applicant.
- 5.16 The rural position of the development, away from established settlements would seek to mitigate any wider issues to residential amenity. The assessment of impact of the development on the residential amenities of the adjacent occupiers is necessary, particularly the occupants of Stourwell Barn. Although currently occupied by the

applicant, this situation could change in the future.

- 5.17 The proposed development would generate methane, (produced by the energy crop and farm manure being broken down), which in turn is used to power a generator. The CHP engine produces electricity. It is not anticipated there will be any significant impact from odour. The submitted details note that methane will only be burnt off via the proposed flare if excessive methane is produced or a fault occurs with the CHP engine. The process is undertaken in a sealed container, however smells could generate from any cleaning of the tanks and the decomposing plant material stored on the clamp.
- 5.18 The Council's Anti-social Behaviour Manager has assessed the application and when considering the issue of potential odour, he has commented that 'the only odour anticipated from this area would be at levels normally expected from the operation'. Given that the application site is set within existing agricultural land, I do not consider the potential odour to cause detriment to residential amenity.
- 5.19 The proposal indicates that the CHP engine would be housed in an acoustically lined container. It is anticipated that any noise generated within the CHP container could be acceptable mitigated against within an appropriate acoustically lined housing.
- 5.20 Following a site visit to a similar facility, concerns were raised about the potential noise from the CHP engine. The matter is currently being discussed further to ensure that the level of acoustic insulation is appropriate for the development.

Highway Safety

- 5.21 The proposed facility would incorporate a feeding regime of energy crops (silage and maize) and waster (manure) sourced solely from the surrounding land associated with Grange Farm.
- 5.22 The applicant has submitted a transport statement showing the existing vehicular movements associated with agricultural use of the land and the proposed vehicular movements associated with the anaerobic digestion facility. The report demonstrates that although the facility would intensify tractor and trailer movements around the farm, it would reduce the overall number of HGV movements that currently occur on the site. Furthermore, the majority of the tractor movements would be across existing farm tracks.
- 5.23 Once the crops have been delivered on site, the development accommodates the storage of it within the proposed storage clamp. While it is anticipated that the development would result in additional traffic movements being generated to the application site (from the delivery of the crops), this is considered to be localised to the vicinity of the application site. The development is not anticipated to increase traffic generation within the surrounding villages over any existing typical or that normally associated with farming practices.
- 5.24 The issue has been raised regarding potential traffic movements during the construction phase. The submitted transport assessment sets out the construction process and the likely vehicular movements associated with it.
- 5.25 The Council is still awaiting formal comments from the Local Highway Authority. An update will be provided to members at committee.

Impact on woodland

- 5.26 The application involves the removal of some of the existing woodland planting and hedgerow along the northeast boundary of the site. This raises issues in terms of the

impact on trees and impacts on ecology.

- 5.27 With regards to the loss of trees; the woodland area is relatively young with the majority of trees being planted approximately 12 years ago. The Council's Arboricultural Officer has commented that 'the individual trees, tree group and hedge on the site which will be affected by the proposed development are of limited amenity value and therefore I have no objection to the proposed tree removals on Arboricultural grounds'.
- 5.28 The application was submitted with a tree survey report which sets out two recommendations:
- Supplementary planting of indigenous trees and shrubs to the east and south sides of the development
 - Erection of temporary protective fencing along the southern edge of the reduced woodland group – to comprise 2m high Heras fence panels, installed prior to the commencement of site clearance works
- 5.29 The Council's Arboricultural Officer agrees with these recommendations and the matters shall be dealt with by way of planning conditions.

Biodiversity

- 5.30 The National Planning Policy Framework states that "the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures" (para 109)
- 5.31 The removal of some of the woodland planting and the hedge will result in the loss of a habitat. The Council's Ecology Officer commented that *'the proposal would necessitate the removal of a large area of plantation woodland. Whilst the age of this woodland reduces its value (i.e not BAP woodland) it does represent a significant loss of wildlife habitat. There will also be loss of part of a hedgerow, which given the otherwise open nature of the area forms an important vegetated corridor and is a BAP habitat'*. Furthermore the Ecology Officer agrees with the recommendations set out in the submitted ecology report and these matters will be dealt with by way of planning conditions.
- 5.32 In line with the National Planning Policy Framework, the Ecology Officer has advised that we should be seeking ecological enhancements for biodiversity within developments. Provisions for bats or birds on the adjacent farm buildings have been suggested and I consider that this matter can be dealt with by way of planning conditions.

Archaeology

- 5.33 The County Archaeologist provided the following comments:

The site is located in an area of archaeological potential within a bend of the Great Cotswold Ridgeway (PRN 8860). This prehistoric route passes 500m north of the site and bends back to pass approximately 1km to the south. A number of Neolithic flint tools have been recorded within the field to the north of the proposed area (PRNs 3307 and 9758) and a number of Bronze Age barrows have been recorded from aerial photography in the vicinity (PRN 4205 750m SE and PRN 13487 700m SSE). Further cropmarks of enclosures have been recorded approximately 900m NW (PRN 16171 and 16170). Despite the archaeological potential of the area little recent fieldwork has been undertaken in the vicinity of the site and therefore the extent of

these features is unknown and could surviving within the area of this proposal. The proposal involves a considerable amount of ground disturbance which would certainly destroy any surviving archaeological features related to these sites present on the site’.

- 5.34 Along with the above comments, a number of conditions requiring an archaeological watching brief have been recommended. Given the scope of the proposal and the significant earthworks that are involved, the conditions appear necessary and relevant.

Engagement

- 5.35 With regard to the duty set out in paragraphs 186 and 187 of the Framework, additional information has been sought throughout the application process and communication has been maintained with the applicant. Timescales for the application were agreed at an early stage in the process and targets are set to be met. It is considered that the duty to be positive and proactive has been discharged through the efficient determination of the application.

Conclusion

- 5.36 The application is recommended for approval as on balance it represents an acceptable proposal for a renewable energy development and its contribution towards the strategic aim of meeting targets for renewable energy generation would outweigh the resulting visual impact on the countryside. Furthermore, there would be no significant adverse impact on biodiversity, highway safety or neighbouring residential amenity.
- 5.37 The development is therefore considered to be in accordance with government guidance contained within the National Planning Policy Framework, Policies CC1, CC2, C4, NRM15 and NRM16 of the South East Plan and Policies C7, C14, C28 and ENV1 of the adopted Cherwell Local Plan.

6. Recommendation

Approval, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms , Design and Access Statement and drawings numbered:

- T/SS/12/001 – Topographical Survey
- T/SS/12/002 – Existing site selection/site layout
- T/SS/12/010 Rev A – Proposed site plan
- T/SS/12/011 Rev A – Proposed block plan
- T/SS/12/012: Proposed site selection/elevations
- T/SS/12/013: Proposed CHP
- T/SS/12/014: Proposed Dryer Plant
- Standard 6_3 – CO-ANCO-02 – Standard Container 6-3
- Drawing showing Stack Flare details

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

3. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C4 of the South East Plan 2009, Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C4 of the South East Plan 2009, Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. The development hereby approved shall be carried out strictly in accordance with the conclusions and recommendations set out in Ecological Walkover Survey Report submitted with the application, which was prepared by Conservation Constructions dated 4th November 2012.

Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy NRM5 of the South East Plan 2009, Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. Prior to the commencement of the development hereby approved, full details of a scheme for the location of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first use of the development, the bat and bird boxes shall be installed on the site in accordance with the approved details.

Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy NRM5 of the South East Plan 2009, Policy C2

of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

7. Retained Tree

a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.

b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

In this condition a “retained tree” is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of the completion of the development.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C4 of the South East Plan 2009, Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

8. Prior to any demolition and the commencement of development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted and approved in writing by the Local Planning Authority.

Reason – To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with the National Planning Policy Framework.

9. Prior to any demolition on the site and the commencement of the development and following the approval of the Written Scheme of Investigation referred to in Condition 8, a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the National Planning Policy Framework.

10. The Anaerobic Digestion facility (to include all tanks, areas of hard standing and dedicated access routes) shall be removed from site and the land returned to its original state (agricultural land) in accordance with the submission of a method statement (to include timescales for those works), which shall be submitted to and approved in writing by the Local Planning Authority in the event that the facility is no longer required.

Reason – To protect the character and appearance of the open countryside in accordance with government guidance contained in the National Planning Policy Framework and Policy C7 of the adopted Cherwell Local Plan.

11. The Anaerobic Digestion Facility hereby approved shall only be used in conjunction with a feeding regime of energy crops and waste material originated from land controlled by Grange Farm, as set on the site plans contained in Appendix A of the Transport Statement received 12 December 2012.

Reason – To ensure the development represents a sustainable proposal and does not have a detrimental impact on highway safety in accordance with government guidance contained within the National Planning Policy Framework.

Planning Notes

1. It is known that in some areas of the northern part of Cherwell District elevated concentrations of naturally occurring arsenic, chromium and nickel and in Souldern, Somerton, Upper Heyford, Lower Heyford and Kirtlington elevated levels of naturally occurring arsenic exist above soil guideline values produced by DEFRA. Ensure that all site workers are informed of this potential risk and that appropriate health and safety requirements are used to protect the site workers. For further information please contact the Council's Environmental Protection Officer.

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal represents sustainable development which will preserve landscape character and will not have an adverse impact on residential amenity or highway safety. As such the proposal is in accordance with Policies CC1, CC2, C4 and NRM15 and NRM16 of the South East Plan 2009, Policies C7, C14, C28 and ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework. For the reasons given above and having regard to all other matters raised, including third party representations, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.