

**ANGUS COUNCIL**

**DEVELOPMENT STANDARDS COMMITTEE – 10 MAY 2016**

**PLANNING APPLICATION - HATTON FARM HATTON CARNOUSTIE**

**GRID REF: 359050 : 737475**

**REPORT BY HEAD OF PLANNING AND PLACE**

**Abstract:**

This report deals with planning application No. 15/01149/FULL for the formation of an anaerobic digester plant, associated infrastructure, landscaping, ground works and the formation of a new site access for Clova Renewables Ltd at Hatton Farm, Hatton, Carnoustie. The application is recommended for conditional approval.

**1. RECOMMENDATION**

It is recommended that the application be approved for the reasons and subject to the conditions given at Section 10 of this report.

**2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/ CORPORATE PLAN**

This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

**3. INTRODUCTION**

3.1 The applicants seek full planning permission for the formation of an anaerobic digester plant (ADP), associated infrastructure, landscaping, ground works and the formation of a new site access at Hatton Farm, Hatton, Carnoustie.

3.2 The site measures 1.99 hectares and currently consists of an area of arable land associated with the existing Hatton Farm. The farm and the surrounding land around the site are in the applicant's control. All of this land is currently in agricultural use.

3.3 The closest neighbouring residential properties are understood to be in the applicants control and are Old Hatton Farmhouse (B Listed) to the west at a distance of 65 metres and Aerodrome Cottages to the south at a distance of around 20 metres. Neighbouring properties outwith the ownership of the applicant are Shepherds House to the south west (150 metres), Grieve House to the west (100 metres), Hatton House to the south west (B Listed) (315 metres), Hatton Lodge to the south west (380 metres) and Chocolate box and Old Smiddy at East Scryne to the South West (750 metres) with 7-10 East Scryne Cottages beyond (800-860 metres). Inverpeffer Cottages lie around 730 metres to the east. Hatton Waste Water Treatment Works lies around 1km to the south east.

3.4 The site would be accessed from the U507 Road which is a short spur serving the properties around Hatton Farm that deviates east from the C61 Carnoustie - Easthaven – Fauldiehill Road.

The C61 intersects with the Salmond's Muir interchange of the A92. The site access as proposed corresponds with an existing agricultural access to the north of Old Hatton Farmhouse.

- 3.5 The proposed ADP complex would consist of a silage clamp with a capacity of 6400 tonnes, a site office/ weighbridge control building, a technical and process building, two digester tanks, a digestate storage tank, and various ancillary process structures such as bio gas compressors and filters, intake tanks, separators, a combined heat and power unit, transformers, propane storage and a flare stack. The applicant suggests that the development would result in the production of renewable energy equivalent to that utilised by 3000 homes. A landscaped bund is proposed along the north boundary of the site and a landscape screening strip is proposed between the site and Old Hatton Farmhouse on the west boundary. The rest of the west boundary is screened by the existing farm complex at Hatton. An area is also indicated within the site to allow for the addition of a potential future digester tank. The potential third tank does not form part of this proposal.
- 3.6 Other notable features around the site are remnant paraphernalia from the former use of the area as a WW2 airfield. The site lies at the west extent of what remains of the former landing strip and would overlay an existing taxi strip at the west end of the airfield. Some of the former aircraft hangars remain in situ around the farm and neighbouring land holdings and are now utilised for agricultural storage.
- 3.7 The proposal has been amended to move the proposed silage clamp from the south east corner of the site to the north east corner and to relocate the site office, weigh bridge and SUDS provision to the original proposed location of the silage clamp.
- 3.8 The application was advertised in the Dundee Courier as the proposal falls within a category of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.
- 3.9 The application must be determined by the Development Standards Committee due to the recommendation for approval whilst being subject to more than 5 objections.

#### **4. RELEVANT PLANNING HISTORY**

There is no planning history relevant to the determination of this application.

#### **5. APPLICANT'S CASE**

5.1 The applicant's agent has submitted the following in support of the application:

- Air Quality Assessment;
- Odour Management Plan;
- Odour Risk Assessment
- Planning Design Statement;
- Drainage Strategy;
- AD Process Description;
- Digestate Specification;
- Sound Emission Evaluation.

5.2 The supporting information indicates that the proposal can be operated without adverse environmental impact subject to appropriate mitigation and that it is compatible with relevant development plan policy. The documents can be viewed on the Council's Public Access system.

#### **6. CONSULTATIONS**

6.1 **Aberdeenshire Council Archaeology Service** - No objection subject to a watching brief condition.

- 6.2 **Scottish Environment Protection Agency** - No objection subject to conditions relating to SUDS provision and the undertaking and submission of a groundwater conditions survey. In respect of Radioactive Contaminated Land (RCL), no objection subject to a condition requiring RCL survey and remediation strategy to be undertaken and further approved.
- 6.3 **Angus Council - Flood Prevention** – No objection subject to a condition relating to the provision of detailed SUDS design for further approval.
- 6.4 **Angus Council Environmental Health** – Has reviewed submitted information regarding noise and odour and additionally has visited a similar facility near Wormit. On the basis of the submitted information and the aforementioned site visit no objection is offered subject to conditions. Environmental Health offers no objection in respect of contaminated land.
- 6.5 **Community Council** - There was no response from this consultee at the time of report preparation.
- 6.6 **Angus Council - Roads** - No objection subject to a condition relating to the timing of the provision of a crossing to an approved standard at the site access.
- 6.7 **Scottish Water** - There was no response from this consultee at the time of report preparation.

## 7. REPRESENTATIONS

Ten letters of objection have been received. The correspondence will be circulated to Members of the Development Standards Committee and a copy will be available to view in the local library or on the Council's Public Access website. The main issues raised relate to:

- **Unacceptable odour impacts and inadequate odour management methods** - This matter is discussed further in Section 8 below.
- **Inadequate publicity** - Neighbour notification and advertisement of the application has been undertaken in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.
- **Inappropriate use of farm land to produce feed stock** - This matter is discussed in Section 8 below.
- **Unreliability of AD plants** - The reliability of the proposed unit is a commercial matter for the developer. There is nothing in the submissions relevant to the application or in Scottish Government guidance on AD plants to suggest that the technology is particularly problematic.
- **Impacts uncharacteristic of normal agricultural operations** - This matter is further discussed in Section 8 below.
- **Tourism impacts** - The site is not directly related to any tourist related assets and is on a fairly discreet area of land adjacent to a farm complex. The adjacent land is currently concerned with pig production and the site is within 1km of the main waste water treatment works for Dundee and South Angus. No significant impacts on local tourism are anticipated to arise from the development
- **Potential for greater traffic impact than predicted** – Traffic impact is discussed in Section 8 below.
- **Typographical errors in submitted supporting information**- These errors have been observed however they are not considered to have any bearing on the assessment of the application.

## 8. PLANNING CONSIDERATIONS

- 8.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

8.2 Section 59 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 requires that in considering whether to grant planning permission for development which affects a listed building or its setting special regard shall be paid to the desirability of preserving the building or its setting.

8.3 In this case the development plan comprises:-

- TAYplan (Approved 2012)
- Angus Local Plan Review (Adopted 2009)

The application is not of strategic significance and the policies of TAYplan are not referenced in this report. The local plan policies relevant to consideration of this application are provided in Appendix 2 and have been taken into account in the preparation of this report.

Angus Council is progressing with preparation of a Local Development Plan to provide up to date Development Plan coverage for Angus. When adopted, the Angus Local Development Plan (ALDP) will replace the current adopted Angus Local Plan Review (ALPR). The Proposed Angus Local Development Plan was approved by Angus Council at its meeting on 11 December 2014 and subsequently published for a statutory period for representations. The statutory period for representation has now expired and unresolved representations have been submitted to Scottish Ministers for consideration at an Examination. The Proposed ALDP sets out policies and proposals for the 2016-2026 period consistent with the strategic framework provided by the approved TAYplan SDP(June 2012) and Scottish Planning Policy (SPP) published in June 2014. The Proposed ALDP represents Angus Council's settled view in relation to the appropriate use of land within the Council area. As such, it is a material consideration in the determination of planning applications. The Proposed ALDP is, however, at a stage in the statutory process of preparation where it may be subject to further modification. Limited weight can therefore currently be attached to policies and proposals of the plan that are subject to unresolved objection. The policies of the Proposed Plan are only referred to where they would materially alter the recommendation or decision.

8.4 The Scottish Government has published online renewables planning advice that deals specifically with Anaerobic Digestion. The documents primary focus is on farm digesters and sewage sludge AD plants but also discusses larger scale municipal, commercial and industrial waste AD plants. It indicates that key consultees should be involved in the planning process to minimise impacts and help ensure that constraints are overcome where possible. It further indicates that typical planning considerations in determining planning applications for such plant will include locational considerations and refers to guidance on standard design features and approaches to mitigate a range of potential impacts such as traffic, emissions, dust and odours, noise and visual intrusion.

8.5 Angus Council has published a Renewable Energy Implementation Guide that also deals with Anaerobic Digestion. It indicates that the primary planning considerations for this form of development will relate to Siting and location; Fuel source and the implications of importing material to the proposed site; Landscape and visual impact; and Proposed management and mitigation measures. It also indicates that proposals may also require to meet regulations relating to emissions, odour and noise.

8.6 The proposal does not constitute a Schedule 1 development in terms of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. However, the proposed development falls within Schedule 2 of the Regulations and has therefore been screened to determine the potential requirement for Environmental Impact Assessment (EIA). The proposed development is not considered likely to have significant environmental effects by virtue of its nature, scale and location therefore EIA is not required.

8.7 The application site is located in the countryside and as such Policy S1 criterion (b) is relevant. That policy indicates proposals on sites outwith development boundaries (i.e. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan.

- 8.8 Policy SC19 deals with rural employment uses. In this case the proposal is directly associated with an existing farm business. The proposed development is likely to assist the existing business and in this respect I consider that the development will make a positive contribution to the rural economy. The agricultural nature of the business is appropriate for a rural location. The scale and impact of the development is discussed below but in general terms the principle of the proposal is acceptable.
- 8.9 Policy ER34 deals with renewable energy developments and policy states a basic presumption in favour of renewable energy developments subject to a number of locational considerations. The policy requires consideration of the siting and appearance of apparatus to minimise the impact on amenity while respecting operational efficiency; landscape and visual impacts; cultural heritage impacts including listed buildings, scheduled monuments, designed landscapes and archaeology; any associated works including transmissions lines, road and traffic access/safety.
- 8.10 The application site is directly related to the existing farm complex at Hatton Farm where there is already a loose grouping of buildings of a similar scale to the proposed apparatus. There are residential properties close to the site however these are in the control of the applicant. The main sources of amenity concern arising from the development of an AD plant are; visual impact, noise impact and odour impact. In terms of visual impact the properties that would be most affected by the proposal are in the control of the applicant. None of these properties directly overlook the site and are already closely related to an existing agri-industrial type complex. Aerodrome Cottages would be the most closely related properties. These cottages are gable-on to the site however it is considered that any potential visual impact could be adequately mitigated by extending the proposed landscaping scheme to include a visual barrier on the south boundary of the site. The matter of landscaping is discussed further below. The Council's Environmental Health Service has been consulted on the application. In respect of operational noise, no objection has been raised but a number of conditions that would control operational noise to an appropriate level are recommended. These conditions are listed at Section 10 below. In respect of odour, this matter has perhaps been the most contentious issue raised in letters of objection. It should be noted that much of the concern raised regarding odour relates to the potential for animal waste to be introduced into the feed stock chain for the development. The development is however proposed on the basis of a feed stock consisting of maize and rye silage and sugar beet. Information on potential odour emissions has been submitted and reviewed by the Environmental Health Service. Officers from that Service have also visited an operational AD plant near Wormit which is understood to be very similar to that proposed at Hatton in terms of size, type of feedstock, process including gas injection and combined heat and power plant, and proximity to residential receptors. On the basis of that site visit and assessment of the relevant information the Environmental Health Service is satisfied that, subject to controls on the type of feed material to be used in the process and how the process is managed, the odour impact associated with the proposed development should not be significant.
- 8.11 In terms of cultural heritage designations, Policy ER16 presumes against development proposals that would adversely affect the setting of listed buildings whilst Policy ER19 seeks to ensure that sites of known or suspected local (unscheduled) archaeology are appropriately evaluated and preserved or recorded. There are three listed buildings located within 400 m of the site. Hatton House and its associated Doocot are located to the south west and are well contained within a mature landscape setting. The proposed development would not result in any more than a marginal effect on the setting of these buildings beyond the effects already experienced by the existing farm complex which would lie between the site and the assets. Old Hatton Farmhouse is located within 35 metres of the site and is the farmhouse associated with Hatton Farm where the unit would be located. The category B listed dwelling sits within the context of an industrial scale farm complex at present and whilst the plant would have some impact on the setting of the house, this is a setting that is already dominated by large scale buildings including WW2 aircraft hangars. The plant would read as a part of that existing complex. By means of mitigation, a landscaping strip would be introduced between the Old Hatton Farmhouse and the site which would also serve to soften the impact of the plant on the setting of the dwelling. The site is part of a former WW2 airfield and there is likely to be local archaeology present. There is no scheduled archaeology affected by the development. Aberdeenshire Council Archaeology Service has been consulted on the proposal and has not objected subject to a watching brief condition being attached. The

proposal is considered to accord with the requirements of Policy ER34 in respect of impacts on built heritage assets as well as Policies ER16 and ER19.

8.12 In respect of landscape and visual impacts, whilst the buildings associated with the development are utilitarian in nature, they are comparable in scale with the existing agricultural buildings relating to the unit within the wider landscape. However it should be noted that to reduce the visual impact of the development, the largest components would be sunk into the ground by 2 metres. The existing composition of the farm complex would result in the buildings being screened from the west. The introduction of landscaping on the north and part of the west boundaries of the development site would further help to integrate the development into the landscape. No detailed landscaping plan has been provided in support of the application however this matter could be dealt with by means of a planning condition requiring a detailed landscaping plan to be submitted for approval and carried out at the earliest possible opportunity. I am therefore satisfied that there will be no adverse landscape and visual impacts as a result of the proposed development. The application site is not closely related to any sites designated for landscape value and I am satisfied that there would not be unacceptable impacts on any designated site. There would be no transmission lines associated with the proposed development therefore there will be no unacceptable environmental effects from transmission lines.

8.13 Policy ER34 requires traffic impact (both operational and construction related) to be taken into account. The matter of traffic impact has been raised in letter of objection. Vehicle movements associated with the operation of the plant are anticipated to be in the order of: -

- Delivery movements associated with feed stock delivery (4 in and 4 out daily);
- Digestate removal (3 in and 3 out daily);
- On-site tractor movement.

The Roads Service has been consulted on the proposal and has offered no objections. Based on the supporting information which indicates that most of the feed stock would be locally grown, the projected traffic movements appear reasonable. Notwithstanding this, the site is well related to the A92 and a grade separated interchange. There is no information to suggest that an unreasonably high level of traffic movement would occur as a result of the development and in light of a positive consultation response from Roads colleagues, I can only conclude that there would not be an unacceptable traffic impact arising from the development. It is acknowledged that the potential for the plant to grow is indicated in the site plan however such an expansion would require a separate planning permission.

8.14 Policy ER30 indicates that proposals for development that would result in the permanent loss of prime quality agricultural land and/or have a detrimental effect on the viability of farming units will not normally be permitted. The application site measures some 1.99 hectares and occupies an area of prime quality agricultural land (Class1 and Class 3.1). Although the proposal would result in the permanent loss of some prime quality agricultural land, the nature of the site has to be taken into consideration. The site is partly brownfield in nature being a former WW2 airfield with taxi strip etc. in place. The majority of the site consists of a small irregularly shaped area of rough ground that is hemmed in by the remnant infrastructure of the former airfield and its permanent loss would not be significant. The development would arguably make a greater contribution to the applicant's farm operation as a diversification project both in terms of the operation of the plant and in the spin off feed stock production stream that would be a requirement of the operation. It is acknowledged that the production of feed stock has been raised in letters of objection as not being the best use of prime land; however the production of rotation crops on the land would not result in a permanent loss of the land for agricultural purposes. Whatever the purpose of the crop, the cultivation of soil for any purpose is by definition agriculture. Although the proposed use is not strictly agricultural in nature, it is closely related to an agricultural operation and I do not consider that the loss of prime quality agricultural land in this instance is unacceptable and the relatively small area that would be lost when compared to the overall landholding of the farm unit will not have a detrimental effect on the viability of the farming unit. Indeed it is considered that the development would help to support the viability of the farming unit. As such the proposal is considered to offer no conflict with what policy ER30 sets out to achieve.

- 8.15 Policy S3 of the ALPR indicates that a high quality of design is encouraged in all development proposals. The criteria of Policy S3 require development proposals to take account of factors such as site location and how the development fits with the local landscape character and pattern of development; proposed site layout and the scale, massing, height, proportions and density of the development including consideration of the relationship with the existing character of the surrounding area and neighbouring buildings. The current proposal is utilitarian in terms of design however it is comparable with the existing agricultural buildings within the wider landscape. To reduce the visual impact of the development, the largest components have been sunk into the ground. Overall the tallest structure within the development would be 11.2 metres in height which is comparable with the height of most agricultural sheds. The relationship with other existing large buildings will result in the structures being partially screened from the west and south west. The proposal makes provision for a landscaping strip to the north and west of the site which will further integrate the development into the landscape. A detailed landscaping plan would be agreed by condition. As such the proposal is considered to be consistent with Policy S3 of the Angus Local Plan Review in terms of design. The proposal is also consistent with the guidance set out in Advice Note 1: Farm Buildings as it is of a suitable design.
- 8.16 In respect of Policy S6 only certain criteria from this policy would be relevant in the determination of this application. Issues in relation to amenity; visual impact; access; landscaping; and waste management have been addressed in the discussion above. I do not consider these elements of Policy S6 to be compromised by the proposal. The final Policy S6 consideration that has not been discussed above is flood risk and drainage. Both SEPA and Roads (Flooding) have been consulted on the proposal. The submitted drainage information has been assessed by both bodies and both are satisfied that any outstanding matters of detail in respect of site drainage can be addressed through the use of planning conditions.
- 8.17 The proposal complies with relevant policies of the Local Plan and is therefore compatible with Policy S1 criterion (b). As well as development plan considerations, other material considerations need to be taken into account. In this respect ten letters of objection have been received. However it is considered that the points raised are addressed in this report and where appropriate can be addressed by the proposed planning conditions. There are no other material considerations that would lead to the conclusion that the proposal does not accord with development plan or that it should be refused contrary to development plan policy.
- 8.18 In conclusion the proposal is considered to be an appropriate diversification of the agricultural operation at Hatton Farm that would not unduly compromise local amenity or environmental quality. The development would result in the production of renewable energy equivalent to that utilised by 3000 homes which is fairly significant when compared to the relatively small area of land that would be required to accommodate the apparatus when compared to other renewable energy sources. The proposal complies with development plan policy and there are no material considerations that justify refusal of the application.

## **9. OTHER MATTERS**

### **HUMAN RIGHTS IMPLICATION**

The decision to grant permission/consent, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

## EQUALITIES IMPLICATIONS

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

### 10. CONCLUSION

It is recommended that the application be approved conditionally for the following reasons, and subject to the following condition(s):

#### **Reason(s) for Approval:**

That the proposal will provide a source of renewable energy and farm diversification in a manner that complies with relevant policies of the development plan. There are no material considerations that justify refusal of planning permission.

#### **Conditions:**

1. That no development in connection with the planning permission hereby approved shall take place unless full details of the proposed means of disposal of surface water from the development have been submitted to and approved in writing by the planning authority. Unless otherwise agreed in writing by the planning authority, surface water shall be disposed of via the use of Sustainable Urban Drainage Systems (SUDS) and the development shall not be brought into use unless the approved drainage system has been provided in its entirety.

*Reason: To ensure the provision of an appropriate drainage system in the interests of the amenity of the area.*

2. That no development shall be undertaken in association with the planning permission hereby approved, unless a local groundwater conditions survey has been submitted to and approved in writing by the planning authority in consultation with SEPA. The survey shall include details of the depth of unsaturated zone, soil types, aquifer productivity and details of soil infiltration. Once approved, the development shall be undertaken in accordance with any recommendations or mitigations contained within the survey.

*Reason: In the interests of protecting local groundwater quality in the interests of the amenity of the area.*

3. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Aberdeenshire Council Archaeology Service on behalf of the planning authority, during any ground-breaking and development work. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. Terms of Reference for the watching brief will be supplied by the Aberdeenshire Council.

*Reason: In order to record items of archaeological interest and to ensure that the proposal complies with Policy ER19 in the Angus Local Plan Review.*

4. That no development shall be undertaken in association with the planning permission hereby approved, until a radioactive contaminated land survey and remediation strategy, has been submitted to and approved in writing by the planning authority in consultation with SEPA. Unless otherwise agreed, the survey shall consist of a radiological walkover survey of the area concerned in the planning application and screening for radioactive contaminants during ground works. For the avoidance of doubt the Gamma Radiation Survey investigation shall be completed in accordance with The Radioactive Contaminated Land (Scotland) Regulations 2007 (as amended) and The Radioactive Substances (Basic Safety Standards) (Scotland) Direction 2000. Any wastes arising shall be addressed in accordance with the Radioactive Substances Act 1993 (and the associated exemption orders). Once approved, the development shall be undertaken in accordance with any recommendations or mitigations contained within the survey and remediation strategy.

*Reason: In order to ensure that any radioactive land contamination within the site arising from its former use as a military airfield is remediated to an appropriate standard to ensure that the proposal complies with Policy ER40 in the Angus Local Plan Review.*

5. That, prior to the commencement of use of the digester plant, the verge crossing at the proposed access shall be formed and constructed in accordance with the National Roads Development Guide (SCOTS).

*Reason: In order to provide a safe and satisfactory access in a timely manner.*

6. In respect of noise, the development shall be undertaken and operated in accordance with the following requirements:
  - a). Noise from the development shall not exceed the noise limits shown in table A below at any noise sensitive premises.

**Table A: Noise limits**

Day	Time	Average Period (t)	Noise limit	Notes
Monday-Sunday inclusive	0700-2300	1 hour	50 dBA Leq t	1,2,4
Monday-Sunday inclusive	2300-0700	5mins	45 dBA Leq t	1,2,4
Monday-Sunday inclusive	2300-0700	N/A	45 dBA Lmax fast response	3,4
Monday-Sunday inclusive	0700-2300	N/A	NR Curve 30	4,5
Monday-Sunday inclusive	2300-0700	N/A	NR Curve 20	3,4

**Notes**

1. The assessment location shall be free field within the exterior amenity space of any noise sensitive receptor. For the avoidance of doubt sensitive receptors includes all residential properties, hospitals, schools and office buildings or any other similar premises.
  2. As measured and rated in accordance with BS4142:2014 – Method for rating and assessing Industrial and commercial sound.
  3. The assessment location shall be within any bedroom with a window open 50mm for natural ventilation
  4. Where the noise measurement position is not the same as the assessment location the received noise levels shall be predicted using an appropriate methodology.
  5. The assessment location shall be within any habitable room with a window open 50mm for natural ventilation.
- b). Audible reversing alarms shall not be used on site unless agreed in writing with the Planning Authority.
  - c). All process plant and equipment shall be commissioned, operated and maintained in accordance with the manufacturer's recommendations.
  - d). The hours of operation for the delivery and handling of feed material and the removal of liquid and solid digestate shall be between 0700hrs and 1900hrs.

*Reason: In order to ensure that noise from the development can be controlled to an acceptable level in the interests of the amenity of occupants of noise sensitive property located close to the development site.*

7. That no development shall be undertaken in association with the planning permission hereby approved, until a scheme of landscaping has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
- (i) Existing and proposed finished ground levels to a fixed datum point
  - (ii) Strategic planting strips along the north, south, east and part west boundaries at a minimum width of 10 metres.
  - (iii) Details of the earth works/bunding to be formed around the site.
  - (iv) Details of all fences and gates associated with the development.

All landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of development or such other date that may be agreed in writing with the planning authority. Should any planting become diseased, die or become damaged, in the period up to 5 years from the completion of development, it shall be replaced as originally approved.

*Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the amenity of the area.*

8. In respect of odour control, the development hereby approved shall be operated in line with the following requirements:

Prior to commencement of development, an odour management plan and an emissions management plan shall be submitted for the further written approval of the planning authority.

Thereafter, the odour management and emission management plans shall be maintained and implemented for the duration of the development unless notification is received from the Planning Authority that plant operation is giving rise to pollution outwith the site. On receipt of such notification, the operator shall, within 1-month or such other agreed timescale, submit an appropriately revised management plan for the written approval of the Planning Authority. The revised management plan, as approved by the Planning Authority, will take effect and be implemented from the date it is approved and shall supplant any previously approved management plan and shall remain in force unless similarly supplanted in accordance with the foregoing requirements.

Furthermore, the feed material for the digester tank shall be restricted to maize, grass silage, whole crop rye and liquid feeds which arise from on-site activity; and no shredding or washing of feedstock shall be carried out on site.

Notes:

"Pollution" means emissions as a result of human activity which may:

- a) be harmful to human health or the quality of the environment
- b) cause offence to any of man's senses
- c) result in damage to material property, or
- d) Impair or interfere with amenities or other legitimate uses of the environment.

*Reason: In order to ensure that odour and emissions from the proposed development are adequately controlled in the interests of the amenities of nearby sensitive properties and to ensure that the development is operated on the basis that it has been assessed and considered acceptable.*

**NOTE:** No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

**REPORT AUTHOR: VIVIEN SMITH**

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**DATE: 29 APRIL 2016**

**Appendix 1 : Location Plan**

**Appendix 2 : Relevant Development Plan Policies**