PROPOSED ENERGY RESOURCE CENTRE AND COMMUNITY RECREATIONAL FACILITIES

LAND AT BERESFORD'S, CHEADLE ROAD, AND ADJOINING FACTORY OFF FELTHOUSE LANE, CHEDDLETON

PLANNING STATEMENT

FOR

JOHN POINTON AND SONS LIMITED

OUR REF: 05/2351/C/W

AUGUST 2008

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CONTENTS

1. INTRODUCTION

2. OVERVIEW OF THE PROPOSED DEVELOPMENT

3. PLANNING PROPOSALS

4. OVERVIEW OF THE RENDERING INDUSTRY

5. CONTEXT FOR APPLICATION

6. COMMUNITY CONSULTATION

7. PLANNING POLICY

8. DESIGN AND ACCESS STATEMENTS

9. CASE FOR THE APPLICANT

10. CONCLUSIONS

APPENDICES

A Overall proposals and location plan – Ref 2003-1192-13M

B Paid reply card/invitation to Open Day, 26 March, 2007

C Brochure illustrating proposal circulated to people and businesses in the locality, including local District and Parish Councillors

D Design and Access Statements for Energy Resource Centre

E Technical note regarding non-peak traffic movements, prepared by Singleton Clamp and Partners, June 2007

F Landscape Masterplan

G S106 Draft Heads of Terms

1. INTRODUCTION

1.1 This Planning Statement is in support of an application by John Pointon and Sons to develop an Energy Resource Centre and Community Recreational Facilities on sites within their ownership near to and adjoining the existing factory site off Felthouse Lane, Cheddleton. The details of the proposals are given in the section entitled "Planning Proposals".

1.2 Also accompanying this planning application is a full Environmental Statement (ES) as the proposed Energy Resource Centre element constitutes an EIA development, as detailed in the Introduction to the ES. The ES and Planning Application are accompanied by a suite of reports, covering the following issues:

- Transport Statement
- Landscape and Visual Appraisal
- Ecology, Bio-diversity and Nature Conservation
- Flood Risk Assessment
- Light Pollution
- Noise Assessment
- Land Contamination investigation and assessment

1.3 The planning application identifies two sites edged red which are the subject of this single planning application, together with extensive areas edged blue which is land within the ownership of the Company, with the exception of a small area of land adjoining Felthouse Lane and the lane itself which are owned by Directors of the Company. Though there are two separate red edged areas, this is a single inter-related scheme and neither element can proceed without the other; consequently, they are included in a single planning application. However, there is one further planning application submitted with this core application, for the refurbishment and alterations to the listed former traditional Staffordshire farmhouse located on what is known as the Beresford's site adjoining Cheadle Road and which it is intended to be used as a

first responder base station and provide facilities for a grounds man who will look after the recreational facilities.

1.4 A further aspect of the overall proposals, but dependent upon the acceptance of the core proposals, is the intention of the Company to relinquish the use of the site known as Staffordshire Farmers, opposite the Beresford's depot on Cheadle Road, as a store and vehicle operating depot and to remove all the buildings and return the land to agricultural or forestry use. This aspect of the proposal is to be covered in a Section 106 Unilateral Undertaking or Agreement with the Council.

1.5 As part of the preparation for this core planning application, there have been discussions with officers, Staffordshire Moorlands District Council, and also with the local community. The latter consultation has included the distribution of brochures, the holding of an open day with presentations and a website providing general details of the proposed development. Further details of the Community Consultation are detailed in the Section under that heading.

2. OVERVIEW OF THE PROPOSED DEVELOPMENT

2.1 John Pointon and Sons Limited is one of very few rendering plants in the country, and also the largest single plant in the country. The last decade has been extremely challenging for the industry with the advent of the BSE crisis, followed by various animal disease problems, and notably the Foot and Mouth outbreak in 2001 when the rendering industry played a major part in resolving the crisis in the treatment and disposal of animal carcasses and animal by-products. However, this industry was turned upside down with the loss of its traditional market outlets for meat and bone meal, as animal feed, and tallow in certain industries with the result that rather than paying for material the industry has had to charge abattoirs, processors and ultimately farmers for treating the material.

2.2 After this decade of turmoil, the industry is now on a more stable base and regulatory changes are less frequent. Along with others in the industry, John Pointon and Sons Limited see the future in the use of certain of their products – meat and bone meal and tallow generally from non-Category 3 material (see explanation below at Section 4) – as an energy resource. MBM has a high calorific value and can be used in power stations and other high consumers of fuel, such as cement kilns, and tallow can be used either directly as a fuel or converted into bio-diesel.

2.3 The Company is proposing to build an energy resource plant which will utilise tallow to create bio-diesel and energy and become an exporter of electricity to the national grid. Certain MBM is already being shipped to Castle Cement for use in their cement kilns – consequently, the use of such material directly by the applicant Company for power generation is currently not a possibility. The scheme will also include all the necessary storage and service buildings and also new stores for various categories of MBM so that it no longer has to be stored off-site and transhipped back to the existing plant before its current disposal off-site or beneficial sale to end users. Both tallow and MBM are renewable non-fossil energy resources and their use as alternative fuel will contribute to the Government's targets for a substantial increase in electricity production from such sources, as a fuel for transport and a substitute carbon neutral

fuel to mineral or fossil based fuels. In this way the rendering industry will once again achieve a full recycling of its products and in so doing not only contribute to the reduction of carbon emissions but also reduce costs for the meat industry and livestock farmers.

2.4 Planning permission has previously been granted for industrial development on the site known as "Beresfords", the former garage depot on Cheadle Road. However, in planning for this new development it became apparent that it would be better for both the Company and local people if the proposed development were to be sited adjoining the existing factory, thus removing the need for separate transport and also removing the potential disturbance from the activity of industrial development and use on the former depot site. This would then allow the similar area of land at the former depot site to be better used by developing recreational facilities for staff and the local community which could also make use of the listed, traditional farmhouse building on the site which would be refurbished and reused. Additionally, this would also provide the opportunity to divert the western end of Felthouse Lane, so that it no longer runs past the properties on that road, and create a new junction with Cheadle Road resulting in a vast improvement upon the current sub-standard junction of Cheadle Road and Felthouse Lane. The proposed development will also result in a reduction in HGV movements.

2.5 The Company is proposing, therefore, a joint development of the energy resource plant for the production of renewable energy on land immediately adjoining the south eastern end of the existing developed factory site, the development of community recreational facilities on the Beresfords site and the diversion of the western end of Felthouse Lane to form a new junction with Cheadle Road. As there would then no longer be a need to maintain storage and a transport depot on the site opposite Beresford's, known as Staffordshire Farmers, and subject to ensuring 24 hour access to the main factory, then it is proposed that the buildings on that site are demolished and the site returned to agricultural or forestry rural use. The overall plan and proposals are illustrated on the Plan appended at A; the full size, to scale version of this plan, reference 2003-1192-13M Rev C, is submitted as part of the formal

planning application illustrating the area edged red which form the site of the planning application and also other land within the control of the Company.

2.6 The proposals for the recreational facilities have been the subject of discussions and consultations with Staffordshire Moorlands District Council's representatives, the local community and other interested parties and the facilities and scheme illustrated reflects those discussions and consultations. The intention is for the Company to finance their provision though how they will be accessed and controlled will need further detailed discussions and agreement. A suitable Legal Agreement will be put in place to provide the surety for the Council and local people that the recreational facilities will be provided as part of the overall development within a determined timescale.

2.7 The scheme will also allow for a further 50 people to be employed over the next three years. Also, with an overall project cost in excess of £30 million, there will be very considerable expenditure in creating the Energy Resource Centre and the Community Recreational Facilities. The Company will therefore seek as usual to source contractors and suppliers from local companies as far as it can and keep as much of this investment as possible within the local economy.

2.8 This proposal will result in a very considerable improvement in the most visible and public local environment with the redevelopment of the Beresford's depot site for much needed recreational facilities, the positive use of the listed building on the site and the removal of the now life expired buildings on the Staffordshire Farmers site. It will also enable the Company to return to full recycling and beneficial use of its products and make a notable contribution towards the push for renewable energy and reduction of carbon emissions.

3. PLANNING PROPOSALS

3.1 There are two elements to this core planning application, detailed on the submitted plans and planning application. The description of the proposed development is:

> *"1) Development of energy resource centre consisting of bio-diesel production plant and silos, renewable energy power generation unit, 30m chimney and silos and associated equipment, meal and packaged food stores, plant and vehicle maintenance facilities and associated access, turning and parking areas and landscaping with surface water attenuation area; and*
> *2) Development of community recreational facilities including provision of football and other playing pitches and changing rooms and associated access off Felthouse Lane, car parking and landscaping; and new access road off Cheadle Road to link with the eastern end of Felthouse Lane to main factory site including stopping up of part of western end of Felthouse Lane to prevent vehicular access to main factory site; and*
> *3) Renovation and conversion of formal farmhouse to police and first responder base"*.

3.2 The submitted plans with this application are:

2003-1192-13M Rev C	Location plan, illustrating areas edged red subject of the application and other land edged blue in the control of the Applicant
2003-1192-10H Rev B	Energy Resource Centre, Site Plan
2003-1192-11C Rev A	Energy Resource Centre, Site Sections
2003-1192-14B Rev B	Community Recreational Facilities, Changing Rooms Plan and Elevations
2003-1192-15	Listed Barn Survey
2003-1192-16D Rev F	Community Recreational Facilities, Access Road and Site Plan
2003-1192-17A Rev A	Energy Resource Centre, Category 1/2 Meal Store and Vehicle and Plant Maintenance Workshops
2003-1192-18A Rev A	Energy Resource Centre, Bio Diesel Production Unit and Silos
2003-1192-19A Rev B	Community Recreational Facilities, Site and Road Sections
2003-1192-20A Rev A	Energy Resource Centre, Renewable Energy Power Generation Plant
2003-1192-21A	Energy Resource Centre, Category 3 Meal Store and Secure Store
2003-1192-22 Rev A	Listed Barn Proposal
2003-1192-25D	Recreation Area Access Road Layout
2003-1192-26	Recreation Area Access Road Details
2003-1192-27	Existing Conditions, Location Plan

3.3 Energy Resource Centre

3.3.1 The site of the proposed Energy Resource Centre (ERC) lies immediately to and adjoining the south east of the main factory site and to the north east and adjoining the site of the water treatment plant. The overall proposal and location plan, drawing 1192-13M Rev C, illustrates and defines the site.

3.3.2 The overall site area extends to 4.4 hectares and is presently a green field, formerly in agricultural use – it has not been used for agriculture for many years and is now degraded pasture land. The site slopes downwards from southwest to northeast towards the Churnet River and Caldon Canal. To the immediate south east, the site is bounded by a track, which is also a public footpath, which provides access from the main factory site to an off-site temporary meal store which lies to the north of the factory and proposed ERC as illustrated on drawing 1192-13M Rev C. There is a further open field, in the ownership of the Company, to the north of the proposed site; the intention is to plant trees in part of this field area as an additional feature of the current proposal and the field may also be used for water attenuation purposes in connection with storm water run-off from the site, which may occur in extreme, 1in100 year events. The lorry park and bio-filters of the main factory site lie to the west of the proposed site of the ERC.

3.3.3 As the site slopes down steeply from southwest to northeast, it will be necessary to excavate to create a stepped site for the proposed development and the layout and arrangement of buildings has been designed to accord with the nature of the site, the need to create suitable sized areas of the site for different activities and the need for all accesses to be of an appropriate gradient for access by HGV's, cars and also pedestrian access from the main factory site, which accords with access for the disabled requirements. Another factor in the eventual layout has been the consideration to site buildings to minimise their visual and landscape impact, for suitable landscaping and to mitigate for loss of an intermittent line of trees across the site.

3.3.4 The floorspace of the proposed buildings is as follows:

Bio-diesel production	826m^2
Bio-diesel material pre treatment plant	826m^2
Renewable Energy Power Generation Unit	826m^2
Category 1 and 2 Meal Store together with vehicle and plant/maintenance workshops	3932m^2
Category 3 Meal Store and secure package food store	2571m^2
Electricity sub-station	37m^2
	9018m^2

3.3.5 The two novel and most important elements of this part of the application are the bio-diesel production unit and renewable energy power generation unit.

Bio-Diesel Production Unit

3.3.6 Bio-diesel is an organically derived fuel resulting from the esterification process to convert fats and oils in the presence of methanol. Bio-diesel is a bio-degradable, non-toxic, non-carcinogenic, non-mutagenic and non-allergenic fuel. Its use can reduce CO2 emissions by more than 80% and is a carbon neutral fuel derived from renewable sources.

3.3.7 The intention is to use fats and oils produced at the rendering plant which, with the introduction of methanol and other chemicals, will produce primarily bio-diesel but also saleable products such as glycerol; some of the methanol and other chemicals are recovered for reuse. As referred to in the Policy section, it is part of European Union and UK policy to increase the use of bio-fuel as a substitute for mineral fuel based fuels and oils.

3.3.8 The proposed bio-diesel production unit will consist of a pre-treatment unit, with associated raw material silos, the bio-production unit itself together with end product silos.

Renewable Energy Power Generation Unit

3.3.9 The proposal is to install five x 5 Megawatts power generating engines, up to four of which will be running at any one time with one on standby/maintenance. The initial intention is to be able to generate 10 MW of energy from this unit, building up later to 20MW with the installation of all engines. The engines will be fuelled by tallow primarily produced by the Company but supplemented with supplies from elsewhere.

3.3.10 The importation of Category 1 tallow may be necessary in the short term until the issue of burning tallow as a fuel in the main factory boilers, which are non-Waste Incineration Compliant, is resolved. Burning tallow as a fuel (co-incineration) is, in the opinion of the Government, a waste disposal activity and can only be utilised in WID compliant boilers and facilities; the proposed 5MW engines will be WID compliant. The Company must, therefore, plan for the use of an alternative fuel which is not waste which will then release the tallow used in the main boilers for use in the ERC and eliminate the need for short term importation of some tallow. Additionally, steam created using heat recovered from the renewable energy generation plant will reduce the need for the present output from the main boilers.

3.3.11 This proposal requires a substantial building to house the power generating plant together with a chimney which extends to 30m in height with a diameter of 3m, including lagging. The height of the chimney has been determined following an air dispersal modelling exercise and the need to ensure dispersion of all emissions to comply with air quality standards. The chimney will, however, be lower than the existing chimneys on site due to the fact that the ERC site level is substantially lower than the main factory site.

Other Buildings

3.3.12 The proposed meal and other stores and plant and vehicle maintenance workshops are self explanatory. Currently there are extensive storage facilities off-site due to insufficient capacity on-site and the intention is to provide more storage on-site which

will very considerably cut down the amount of heavy goods vehicle traffic movements to and from the site which, in some instances, requires quadruple movements of MBM/PAP due to the need to store off-site, bag and test the product and then remove off-site again prior to final weighing and dispatch to customers. The details of this are provided in the Transport Section and the technical note which is referred to and appended to this Statement.

3.3.13 The proposal includes for extensive bunding and landscaping around the site which provides for containment and visual mitigation. The bunding will also use some of the material which needs to be cut from the site to create the appropriate levels. Other cut material is to be used in the formation of the embankment linking the proposed new access road onto Cheadle Road with the eastern end of Felthouse Lane and also with extensive additional bunding and landscaping around the Community Recreational Facilities.

3.4 Community Recreational Facilities and New Access

3.4.1 The site of the proposed Community Recreational Facilities (CRF) is illustrated on the overall proposals and location plan, drawing 1192-13M. The site predominantly consists of the former Beresford's bus depot site, now in a very dilapidated state, and a greenfield area to the rear. Overall the site extends to 3.3 hectares.

3.4.2 The overall site is bounded on the western side by Cheadle Road and also properties fronting that road, to the north by the residential property at 411, Cheadle Road, and its rear garden and back paddock, to the south by Felthouse Lane and to the east by an open field owned by the Company.

3.4.3 There are two elements to this part of the core planning application, one the provision of community recreational facilities and the other a new linking access road off Cheadle Road.

Community Recreational Facilities

3.4.4 The proposed scheme of Community Recreational Facilities (CRF) has been the subject of extensive discussions with officers of the Council and interested local bodies and persons and open consultations with local people. The proposals submitted illustrate a scheme for a football pitch, an under 9s football pitch, a multi-purpose court, a skate park and a jogging track, together with a play area and associated changing rooms, new access off Felthouse Lane and car parking. All this would be set within a landscaped area with a secure fence.

3.4.5 The existing and dilapidated structures on the site would be demolished, with the exception of the listed building. The total area of buildings to be demolished extends to 629m^2. The proposed changing rooms extend to 243m^2.

3.4.6 A further aspect of this proposal is the refurbishment and alteration of the traditional Staffordshire farm building which is a listed building which it is intended to be used as a "first responder" facility (ambulance and police emergency services) and also for use by the groundsman tending the proposed recreational facilities. This proposal is, however, the subject of separate planning and Listed Building Consent applications.

Revised Access Road

3.4.7 The intention is to stop up Felthouse Lane at a point some 25m or so from its junction with Woodland Avenue so that vehicular access will no longer be possible along the full length of Felthouse Lane to the main factory site and the proposed ERC beyond; pedestrian access will be maintained. Instead, a new eastern end diversion of Felthouse Lane will be created passing to the rear of the proposed CRF and forming a new junction with Cheadle Road. The proposed road is designed to full HGV standards with a carriageway width of 7.2m and the junction with Cheadle Road has been designed to accommodate such vehicles. The proposed road junction would provide good sight lines and forward visibility and this would represent a major improvement upon the existing Felthouse Lane/Cheadle Road junction. The major

advantage in amenity terms of the proposed new route would be to remove traffic away from the housing area to the south of Felthouse Lane and along Woodland Avenue and also segregate traffic going to the factory from that going to the CRF.

Staffordshire Farmers Site

3.4.8 A further aspect of this proposal concerns the Staffordshire Farmers site and the 1984 Section 52 Agreement between the Council and Gilberts Animal By-Products Ltd, the pre-cursor company, which limits the movements of HGV's along Felthouse Lane to the hours of 6am to 12 midnight, for the purposes of amenity. With the construction of the revised access onto Cheadle Road and new storage facilities at the ERC, the S52 Agreement would no longer be necessary which in turn would not only allow the factory to operate more efficiently but also enable the storage use of Staffordshire Farmers to end and trailers and tractor units stored overnight there to be repatriated to the lorry park within the main factory site which in turn will reduce the number of HGV movements on and off-site and on to the public highway. This then allows for the Company to declare the Staffordshire Farmers site as redundant and thus the proposal, which will form part of a Section 106 Unilateral Undertaking or Agreement with the Council, to end the current use of the Staffordshire Farmers site, demolish the buildings and return it to an agricultural or forestry use.

4. OVERVIEW OF THE RENDERING INDUSTRY

4.1 The animal by-product rendering industry is the principal means by which animal remains is safely processed and dealt with. Animal remains consist of the parts of animals which are farmed for human consumption which we do not eat or are discarded for one reason or another in food processing, together with fallen stock and other stock slaughtered in connection with either market intervention or disease control programmes; animal by-products is specifically defined and now includes blood and gut contents from abattoirs, which were formerly excluded and were traditionally spread on land.

4.2 The principal activity of rendering is the application of heat, and sometimes pressure, which cooks the animal remains, the resulting material in most rendering plants being known as greaves. The greaves are then pressed to extract tallow. Tallow has traditionally been used in the production of candles, though not in the modern era, but it has a number of beneficial uses notably in the oleochemical and pharmaceutical industries, in animal feedstuffs and it is also a low sulphur and high calorific value fuel. The greaves minus the tallow is known as meat and bone meal (and more recently as processed animal protein) which has traditionally been used as an animal feedstuff, but it also has a calorific value equivalent to coal and has in recent years been used as a feedstock for power generation. Most meat and bone meal is currently banned from use as an animal feedstuff as a result of the BSE crisis.

4.3 Following the cessation of the use of meat and bone meal as a feedstuff for bovine animals in 1988, following the discovery of BSE, and the subsequent total ban of the use of red meat and porcine derived MBM as a feedstuff in 1996 to all animals, most meat and bone meal has been disposed of by landfill. However, certain animal remains (Category 3 material), notably avian remains from poultry plants, has been and continues to be used in pet food. Additionally, catering waste, which would include animal by-products, and poultry remains continued to be processed as a feed for pigs. However, the Foot and Mouth Disease crisis brought a ban in the use of

these processed materials as a pig feed with the consequent decimation of the pig industry in this country.

4.4 The current regulatory regime recognises three categories of material known as 1, 2 and 3. Those different categories of material must generally be processed separately or higher grades downgraded (eg 3 to 2). Category 1 covers specified risk material, that is the parts of bovine animals where infectivity is most likely to reside if it is present, and diseased or suspected diseased animals/by-products. Category 3 material is that which is fit for human consumption but which is generally discarded while Category 2 covers meat which fails anti and post mortem checks, falls on the floor in a processing plant, dead on arrival poultry, etc.

4.5 The EU Animal By-Products Regulations, 1774/2002, prescribes how specific grades and types of material shall be processed – a range of methods of cooking are normally given. However, Category 1 material is the most tightly prescribed in terms of how it shall be processed, and products utilised or disposed of. Only material which has been pressure cooked under Method 1 processing, as prescribed, can be land filled and only Category 1 specified risk material is usually processed in this way. As a consequence, all over the country there are stores holding hundreds of thousands of tonnes of meat and bone meal awaiting final disposal. The same restrictions would apply to Category 1 tallow if it were not for the fact that the rendering industry is licensed to utilise it as a fuel.

4.6 The end products of rendering have to be used in specified ways and the lower the grade of material then the more certainty that the end products finally have to be disposed of as a waste; consequently, there is more of an incentive, because there are more outlets for material, to process material at its originally categorised grade and not to downgrade it which will most likely lead to greater on-costs for final treatment and disposal. As a consequence of the different categories of material, the rendering industry has introduced separate lines to deal with those different categories and which requires that not only the incoming material and containers be kept wholly separate but also the full processing and the end products. That in turn has created

considerable stresses in the industry, and the need for large-scale investment in new plant and equipment and buildings. Pointon's is licensed to process Category 1, 2 and 3 material, but currently downgrade their Category 2 material to Category 1.

4.7 The Regulations prescribe that tallow other than Category 3 derived product should be sterilised before being used in bio-diesel production but subsequently Category 2 derived bio-diesel can be used for the production of technical products while Category 1 derived bio-diesel must be combusted. There is, therefore, greater flexibility in the possible uses of Category 2 derived bio-diesel and thus an incentive to separate production of the different categories of material and utilise differently. In Pointon's case this is not currently done but the introduction of the bio-diesel production unit will provide an incentive to do so and use Category 2 material as the primary material from which to manufacture bio-diesel.

5. CONTEXT FOR APPLICATION

5.1 The relevant context for the submission and consideration of the application has two parts in respect of the ERC. Firstly, that of the rendering industry and secondly that of the particular plant operated by John Pointon and Sons Limited.

5.2 The Overview of the Rendering Industry (see above) outlines the changes the industry has gone through due to certain catastrophic animal health events and consequent regulatory changes. Most specifically, rather than the industry being a very traditional recycling activity, taking the remains of animals and processing them using heat and sometimes pressure to extract the fat (tallow) and produce meat and bone meal which was then, traditionally, fed back to animals, much of the MBM and some of the tallow has been precluded from going into not just animal feed but also a range of other industries due to the problems and concerns raised by BSE.

5.3 The regulatory regime covering the categorisation, handling, storage and treatment of material and the use of the subsequent products is prescribed under a European Regulation (EU 1774/2002) which is directly imported into UK Law without any transitional UK regulations apart from the Animal By-Products Regulations, 2005, which essentially details the enforcement regime for non-compliance of obtaining a license. While both tallow and MBM from Category 3 material (fit for human consumption – see explanation in Section 4) has continued to go into various industries as has Category 2 tallow which has gone into the oleochemical industry, there are now fewer changes to the regulatory regime and a greater scientific and technical understanding of what can be allowed and what should be restricted. This has resulted in a significant impetus to utilise products which otherwise have had to be stored or land filled, primarily as waste, for beneficial purposes.

5.4 While it is expected that some meat and bone meal, or processed animal protein (PAP) as certain grades and types are called, may go back into non intra-species feedstuffs, large amounts of meat and bone meal and some tallow do not have an

immediately available alternative use though both materials have a high calorific value. Indeed, as referred to earlier, tallow derived from Category 1 material is used in the rendering industry for fuelling boilers. With the impetus both from heightened concerns about the use of fossil/mineral fuels for generating electricity and as a direct fuel (petrol/diesel) for transport and resulting carbon emissions, together with Government Policy aimed at reducing dependence upon fossil derived fuels, and thus carbon emissions, the rendering industry generally is looking to utilise meat and bone meal and also some grades of tallow as alternative fuels. There are two aspects to this, one is the use of MBM as a fuel to generate power (steam) for use by the rendering plant or generate electricity – Energy Power Resources utilises meat and bone meal in their former chicken litter fuelled power station at Glanford, near Scunthorpe, to generate electricity – or as a substitute fuel for coke or other forms of fuel in cement kilns, and secondly the potential use of tallow as a feedstock in order to create bio-diesel as a substitute transport fuel.

5.8 The approach of each operator in the rendering industry, and in respect to the specific plants under their control, is varied. Pointon's operate the largest rendering plant in the country and process Category 1, 2 and 3 material. The Category 3 material is processed into PAP and tallow which is largely used by the pet food industry. Pointon's Category 1 and 2 material is processed as Category 1 and the MBM produced by Pointon's is currently being shipped off-site, after suitable conditioning, for use by Castle Cement as an alternative fuel in their cement kilns – this MBM is not, therefore, presently available for use by Pointon's for use either in a burning plant to raise steam or in order to be used to generate electricity directly or by sale to some other third party. Category 1/2 tallow is primarily currently used in the Company's main boilers as a fuel.

5.9 However, having regard to what is permissible under EU Animal By Products Regulation 1774/2002, the intention is to utilise tallow, potentially both Category 1/2 and Category 3 tallow, for the production of bio-diesel and also as a fuel for the proposed 5MW engines to create electricity. As noted earlier, the Company may need to import some tallow to supplement their own production – those plants dealing with

Category 1 raw material generally have a surplus of tallow and are able to sell it into the market place which is a restricted one for use by renderers only given the restrictions within the Animal By-Product Regulations.

5.10 Consequently, the context for this proposed ERC development and its consideration is the move by the Company, encouraged by Government Policy and a more stable regulatory regime, to better utilise the products of rendering by producing bio-diesel and also generating electricity from non-fossil fuel. As referred to later, this has the further benefit that there will be a reduction in off-site storage of material and also heavy goods vehicle movements allowing for not only more efficient operations but a more sustainable approach to the storage and utilisation of products and transport.

5.11 As noted earlier, the Company has previously obtained planning permission for the industrial use of the Beresford's site and there has been a long term intention to use it for the development of a fat/tallow plant. However, with the review of proposals in the light of the more stable regulatory regime and Government policy on renewable energy, together with the need for more on-site storage facilities, which have been the matter of previous discussions with officers of the Council, the proposal to use the Beresford's site was reviewed. This also coincided with the consideration by the Company of the desirability of providing recreational facilities for their growing numbers of staff and awareness of the complete lack of sporting and recreational facilities available to local people in the community around Cheddleton and Whetley Rocks. It was this rethinking of the project which has led to the current proposal with effectively a land swap arrangement, and provision of recreational facilities on the Beresford's site and the ERC proposal on land adjoining the main factory site which will also result in the various other benefits referred to, including the ability to declare the Staffordshire Farmers site redundant.

5.12 One further aspect has been the need to consider the future of the traditional farmhouse building on the Beresford's site. There have been many plans and proposals for its reuse for many years but its scale and listed status have always been insuperable constraint to finding an appropriate alternative use. However, it became

apparent that there was a need for a "first responder's base", that is a location where emergency services in the form of a paramedic and vehicle can be stationed to serve the community and local area; the police have also now expressed an interest in the possible use of the building as a local call point for officers. In addition, the proposal for recreational facilities will need accommodation for both changing rooms and a groundsman and it was considered that it would be most appropriate if the listed building could also be used for that latter purpose, being outside what will be a fenced off recreational and sports area, rather than associated with the changing rooms to be developed within the CRF area; the groundsman will have responsibility not only for the recreational facilities but some of the extensive areas of landscaping being proposed and which lie outside of the CRF.

6. COMMUNITY CONSULTATION

6.1 The Company has for some considerable time had regular liaison meetings with the Parish Council. However, the developments which are subject of the current planning application, and associated proposals, have not been a matter of formal prior discussion with the Parish Council – until the project had reached an appropriate stage it could not go "live".

6.2 The Company and its consultants engaged in extensive public consultation once the proposal had reached a cogent form. The Company did a number of things:

- An initial courtesy consultation and notification to Councillors prior to a public announcement
- Local notification of the proposed Open Day held at Cheddleton Community Centre
- Brochures circulated to local people illustrating the project
- Paid reply card enabling people to provide an initial response and raise questions
- Dedicated website illustrating the project and also providing an electronic response system
- Open day held on 26 March, 2007, at which there were displays, presentations, answers to the questions raised by people in the response cards and also on the day personnel on hand to explain the project in full

A copy of the paid reply card/invitation to the Open Day is appended at B, together with the brochure appended at C.

6.3 Local people and the Cheddleton Residents Action Group have responded to the notification, the brochure, the Open Day and website. The feedback has been positive though in some instances cautious pending the submission of the application.

6.4 The Company has responded to comments made and in particular the nature and scale of recreational facilities which it is seeking to provide on the Beresford's site. At the time of the local community consultation there were few firm proposals for the recreational area as it was all to be agreed and discussed with local people and the Council. The proposals are now firmed up and the scheme submitted as part of the application illustrates what is proposed, which includes both a full size and small size football/playing pitch, another sports pitch, local play facilities and a jogging track around the site, together with the necessary changing room facilities and car park area.

6.5 The Company is also conscious of the need for security not only at the facilities but also to protect the amenity and privacy of adjoining neighbours and the site will, therefore, be fenced.

6.6 The Company has sought to be open and transparent in its proposals. One of the reasons why the current application has two elements, rather than being two separate planning applications, is to demonstrate the inter-related nature of the two elements and that the one will not and cannot proceed without the other. This will be reinforced by a Section 106 Agreement with the Council which will ensure that the fears of some local people that the recreational facilities will not proceed or lag well behind will not be the case.

7. PLANNING POLICY

7.1 The detailed policy consideration of the proposed development, and in particular the proposal to develop an area of land with the green belt, needs to be considered within the context of national and regional policy (Regional Spatial Strategy for the West Midlands) and the extant Local Plan for the area.

National Policy

7.2 The starting point for national guidance is in **PPS1 – Delivering Sustainable Development** - this PPS "… *sets out the overarching planning policies on the delivery of sustainable development through the planning system*". The key principles require that sustainable development is pursued in an integrated manner, and that development plans contribute to global sustainability by addressing, amongst other things, the potential impacts of climate change and the need for policies which reduce energy use and emissions. A spatial planning approach is at the heart of planning for sustainable development and the policy statement encourages policies which will promote high quality inclusive design, clear comprehensive and inclusive access policies and community involvement in delivering sustainable development and creating sustainable and safe communities.

7.3 PPS1, while reaffirming the plan-led system, refers to the prudent use of natural resources while at the same time recognising the need for a sustainable economic development. This latter aspect will include ensuring that there are suitable locations available for industrial and other forms of development and where the economy can prosper, providing for improved productivity and recognising that economic development can deliver environmental and social benefits. Amongst other things, the general approach to sustainable development includes enhancing as well as protecting bio-diversity and natural habitats and the landscape, and also addressing the causes and impacts of climate change, the management of pollution and natural hazards, the safeguarding of natural resources, and the minimisation of impacts from

the management and use or resources. The supplement to PPS 1 is also an important consideration which clearly highlights the Government's commitment and the priority to be given to energy from renewable sources in the efforts to reduce CO^2 emissions and the climate change.

7.4 **PPG4 – Industrial, Commercial Development and Small Firms** is expected to be replaced shortly but it continues to provide the Governments key aims to encourage continued economic development, in line with environmental objectives. The need to take into account the locational demands of industry and commerce is stated as is the principle that the planning system should operate on the basis that applications for development should be allowed having regard to the development plan and all material considerations, unless the proposed development would cause demonstrable harm to interests of acknowledged importance. The PPG also encourages the development of plans which will encourage new development in locations which minimise the number of trips, while discouraging that development which is likely to add unacceptably to congestion.

7.5 **PPS7 – Sustainable Development in Rural Areas** indicates that new development should be focused in or near to local centres where employment, housing and other facilities are in close proximity to each other. However, it also highlights that allowing some limited development in, or next to, rural settlements which are not designated as local service centres may be appropriate in policy terms in order to meet local business community needs. In general, there is a need for local planning authorities in their Local Development Documents to find suitable sites for economic development and that LDD's should also detail the criteria for permitting economic development in various locations including policies for the future expansion of businesses if there is to be a healthy and diverse economy in rural areas.

7.6 **PPS10 – Planning for Sustainable Waste Management** provides the Government's planning guidance within its overall policy objective on waste which is to protect human health and the environment by producing less waste and by using it as a resource wherever possible. Animal by-products and the products of the rendering

industry are not "waste" though the regulatory regime forces some products to be treated as waste due to the restrictions placed upon their use following the BSE crisis of 1996. However, the principles of PPS10 can be applied in as far as some of the products of rendering which otherwise might either have to be stored or landfilled can be used as a source of energy, in line with the guidance in PPS10. The guidance also notes, amongst other things, that protecting the green belt is important but at the same time regional planning bodies and all planning authorities need to recognise the particular locational needs of some types of waste management facilities when either defining green belt boundaries and also in determining planning applications – *"…the wider environmental and economic benefits of sustainable waste management are material considerations that should be given significant weight in determining whether proposals should be given planning permission*" (paragraph 3).

7.7 The Government has laid out in **PPS22 – Renewable Energy,** its objectives and national planning policies for the development of renewable energy resources which it considers is vital to facilitating the delivery of the Government's commitments to both climate change and renewable energy. Amongst other things renewable energy will assist in the effective protection of the environment, by reductions in emissions of greenhouse gases, and the prudent use of natural resources by reducing reliance on fossil fuels.

7.8 At the outset, the PPS22 recognises that:

> "*renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily*"

7.9 The key principles also note that the wider environmental and economic benefits of all proposals for renewable energy projects are material considerations to be given significant weight in determining whether proposals should be granted planning permission.

7.10 Attention is drawn within PPS22 to the locational considerations, including development of renewable energy projects within the green belt. While warning that careful consideration will need to be given to the visual impact of projects, and the need to demonstrate very special circumstances, it also notes (paragraph 13) that:

> "…*such very special circumstances may include the wider environmental benefits associated with the increased production of energy from renewable sources*".

7.11 In addition to considering specific designated areas, such as green belts, the national guidance also notes that a sequential approach should not be applied to the consideration of renewable energy projects (paragraph 16).

Regional Spatial Strategy

7.12 The extant regional guidance covering the locality is RPG11, Regional Planning Guidance for the West Midlands, which is now formally referred to as the Regional Spatial Strategy. A draft RSS revision is in preparation.

7.13 Protection of the environment and prudent use of natural resources are two of the four pillars of sustainable development guiding the RSS, and which are derived from the Government's sustainable development objectives. The RSS recognises the problems of climate change and the responsibility to help meet national targets for the reduction of greenhouse gases. Specifically, the Strategy encourages the use of more sustainable forms of transport, supports new industries and technologies that address climate change and renewable energy and energy conservation, and promotes the reuse of materials and also sustainable drainage systems.

7.14 Policy QE1 concerns conserving and enhancing the environment in which high standards for sustainable natural resource use and management is highlighted for prospective developers and all agencies. This also extends, via Policy QE6, to the conservation, enhancement and restoration of the region's landscape and protecting,

managing and enhancing the bio-diversity and nature conservation resources of the region (QE7). The water environment is also noted as is the importance of air quality.

7.15 Two policies address energy issues, EN1 concerning energy generation and EN2 concerning energy conservation. Policy EN1 states that local authorities in their Development Plans should:

> *"i) Encourage proposals for the use of renewable energy resources, including biomass, onshore wind power, active service systems, small scale hydro-electrics scheme and energy from waste combustion and landfill gas, subject to an assessment of their impact using the criteria in iii) below. Specific policies should be included for technologies most appropriate to the particular area. …"*

Staffordshire and Stoke on Trent Structure Plan, 1996-2011

7.16 The key role of the Structure Plan is to provide strategic policies aimed at sustainable development. Separate local plans on waste and minerals have been prepared by the County and Stoke on Trent City Council in cooperation with each other but neither is relevant in this instance; while there are principles within the Waste Local Plan which are relevant, in accordance with PPS10 and PPS22 as Government guidance is now constituted, the proposed development does not involve the use of "waste" or a product derived from "waste" in terms of the legal definition of the term and the matters which the Waste Local Plan directly addresses.

7.17 The Structure Plan's aims and objectives include for increasing the prosperity of the locality and maintaining and enhancing environmental quality, the latter including the strategy of protecting and improving the appearance and bio-diversity of the countryside as well as urban areas.

7.18 Policy D2 is a general policy for conserving and where possible improving the quality of life and the environment but which also makes specific mention of more detailed

matters such as pollution prevention and the incorporation of sustainable surface water drainage techniques. Policy D7 seeks the conservation of both energy and water. Making more efficient use of energy is one aspect of this policy as is the use of renewable energy resources.

7.19 Policy D5A maintains the general extent and purposes of the adopted green belt while Policy D5B refers to the nationally adopted policy to prevent in appropriated development with the green belt.

7.20 Policy D8 refers to providing appropriate infrastructure facilities in association with development including community services and/or mitigating measures. The forms of provision mentioned include surface water drainage, community facilities and open space and other recreational facilities, high quality landscaping and/or woodland planting and, where protected habitats frequented by protected species is unavoidable, the replacement of significant natural habitats or the introduction of other appropriate mitigation measures.

7.21 Policy E7 provides for existing industry and allowing them to extend or expand "*…unless unacceptable environmental conditions would result*". With regard to landscape, Policy NC2 is a criteria based policy requiring that development should be informed by and sympathetic to landscape character and quality and that proposals which have landscape and visual implications will be assessed against a number criteria. Policy NC5 seeks to ensure the maintenance of bio-diversity while Policy NC11 refers to establishment of new tree and woodland planting. On flood risk, Policy NC10 specifically refers to the unacceptability of the risk of flooding and increase of the risk of flooding elsewhere caused by development.

Staffordshire Moorlands Local Plan

7.22 This was adopted in 1998 and remains the extant Local Plan for the area pending the progression of the Local Development Framework.

7.23 Policy F8 of the Local Plan refers to and is supportive of schemes for power generation from renewable energy sources, but not if in the green belt or there is a significant adverse impact upon the landscape or surrounding uses. The policy envisages proposals for wind turbines and expresses concerns about noise. The policy was, however, formed and adopted long before current Government policy which envisages a much wider range of possible projects using renewable energy.

7.24 The site of the proposed ERC lies within the green belt and open countryside area, albeit adjoining the main factory site, and Policies N1 and N2 apply, the latter being the standard nationally applied restraint against inappropriate development within the green belt except where there are very special circumstances; development in the open countryside (N1) will also rigourously protected. Policy N7 also refers to development which might injure the visual amenity of the green belt.

7.25 The Local Plan also refers to the Special Landscape Area and Policy N8 whereby permission will not be given for development which would materially detract from the high quality of landscape. However, there is now a national system of assessment of landscape character areas and specific reference is made to this and the appropriate judgements within the reports of The Appleton Group on landscape impact and visual assessment.

7.26 There are a number of proposals within the Local Plan referring to nature conservation, which are graded from those sites of international importance to those which concern any site of significant nature conservation and value (N15). Policy N20 refers to the need to retain and safeguard existing trees and the planting of new trees. Protection is also afforded to hedgerows (Policy N22) and also specially protected species (N24).

7.27 The Local Plan indicates the Beresford's site fronting Cheadle Road as a committed industrial/employment site. Apart from general development control policies which are criteria based, Policy E10 of the Local Plan clearly states the need for detailed applications for industrial development not to have a detrimental effect on the amenity

of nearby houses, to include landscaping, have suitable road access and parking, and not generate traffic which cannot be satisfactorily absorbed into the existing road network.

7.28 The Local Plan also includes a chapter on Recreation and Tourism. Policy R1 indicates the Council's aspirations and intentions to achieve a minimum standard of open space including provision of playing fields and children's play areas.

8. DESIGN AND ACCESS STATEMENT

8.1 A combined Design and Access Statement has been prepared for the two elements of this planning application, that for the Energy Resource Centre and for the Community Recreational Facilities. The Design and Access Statement is appended at D.

9. CASE FOR THE DEVELOPMENT

9.1 The accompanying Environmental Statement details the assessed impact resulting from the proposed development and, where appropriate, the mitigation proposed. In essence, there will be little impact including in landscape and visual terms given the position of the ERC in the context of the main factory site. The main planning issue, therefore, is the fact that the ERC would be developed on a green field site within the green belt as would the new access link to Cheadle Road. The ERC part of this application proposal is "inappropriate" development in planning terms as it lies within the green belt and therefore very special circumstances must be demonstrated if an exception to green belt control is to be made.

Green Belt Issue

9.2 The starting point for considering this issue is the fact that the Beresford's site has been allocated and planning permission given for industrial development. While the site of the proposed CRF and access road go beyond the permitted area of development, the majority of the land is covered by that consent and is brownfield land. However, the area of land allocated for industry and for which consent has been given is not sufficient to enable the Company to build the proposed ERC. Specifically, while it could develop elements of the ERC, such as the bio-diesel production unit, on Beresford's there is not sufficient room to build the renewable energy plant or replacement stores for current off-site storage and would not result in an integrated approach with the resulting benefits, including the cessation of the use of the Staffordshire Farmers site and the demolition of the buildings on the site and its return to a rural use.

9.3 Consequently, the proposal is in effect a land swap of the area of land at Beresford's, together with the small field to the rear to allow for the revised access with Cheadle Road, for a community development in return for development on land immediately adjoining the factory and at the same time offering the complete removal of existing built form and an urban use from the Staffordshire Farmers site which also lies within

the green belt. The net affect is that there will be little change to the amount of development within the green belt within this locality but the development which will occur will be less prominent to general public view than that which currently exists (Staffordshire Farmers). Moreover, the local community will obtain much needed recreational facilities and a more open and less intrusive form of development on the Beresford's site which visually will be more acceptable as well as having less impact in terms of activity upon adjoining residential occupiers resulting from the decision not to develop the Beresford's site for industrial purposes and also to divert the western end of Felthouse Lane to a new junction with Cheadle Road.

9.4 The two core elements of the ERC proposal, that is the bio-diesel production unit and the renewable energy generating plant, are too large to go on the Beresford's site. The whole locality is covered by green belt designation and, therefore, any alternative location outside of the green belt would have to be set well away from the existing main factory site. While, theoretically, such plants could be developed elsewhere this would be at very significant cost not only in financial terms but also in terms of sustainability and the needs of operating the main factory site and plant – integration would be not be possible and the scheme would not proceed elsewhere.

9.5 The tallow to be used in the bio-diesel unit is produced at the factory. The intention is to pump tallow produced by the Company directly to the new bio-diesel unit as part of an integrated approach to the handling and processing of animal by-products and the use of the end products. It is also the intention that derivatives from bio-diesel production and some of the bio-fuel created will be utilised by Pointons themselves either to supplement fuel (refined tallow) used in the power generating plant or within their own very large transport fleet (133 trailers and 61 tractor units). Developing this part of the proposal off-site would not only remove it from all the other elements of the proposal and the adjoining the main factory site, but also continue very considerable and unnecessary transport movements.

9.6 Similarly, with respect to the renewable energy generating plant, Pointons is an enormous utiliser of energy, both in the form of steam and electricity. Indeed, it is

because their current combined power generating capacity is in excess of 50MW that the Company is now regulated by the Environment Agency as the competent authority, and not by the local authority, as a Part A(1) prescribed operation rather than as a primarily Part A(2) activity under the Pollution Prevention and Control Regulations, 2000. Pointons need the energy which will be generated by the proposed new plant and rather than importing "brown" energy it will generate its own "green" energy from its own produced fuel. Again, this will reduce and remove the off-site shipments as an additional benefit to the requirement for additional and substitute power generating capacity.

9.7 These are very special circumstances relating to a rare plant in an industry which is of particular national importance. As the rendering industry is the main means by which animal by-products are processed, there is a direct cost implication for abattoirs, meat processors and ultimately farmers and consequently consumers of all meat or dairy products (and leather and woollen goods as well) if the industry cannot work efficiently or effect what will potentially become significant savings in costs which can then be passed on as lower charges for the processing of raw animal by-products. Conversely, higher costs resulting from an inability to implement cost saving developments or only implement them in such a way which will not allow sufficient or significant reduction in costs, and a subsequent failure to be able to compete in this small industry which is still dominated by a very large operator as referred to in the Monopolies and Mergers Commission Report will ultimately not be in the interest of consumers, farmers, abattoirs and processors. The events surrounding the (temporary) cessation in April 2006 of the use of tallow as a fuel in some renderers' plants, which resulted from the Government's opinion of tallow being a waste when used as a fuel, and which resulted in a £40 per tonne increase in charges for dealing with some grades of animal by products, are illustrative of the potential catastrophic effect upon the meat industry and thus farmers and consumers where efficiencies or changes can have a significant effect on the charges to the meat industry.

9.8 In respect of the proposed new stores, for Category 1/2 and Category 3 material, together with the secure store for packaged food, these are all necessary adjuncts to

the operation of the main factory site. There is simply insufficient storage space for packaged food which was to have been brought within the remit of the Regulations for animal by-products but was temporarily stayed following representations from the supermarkets in particular; however, the need for the processing of out of date foodstuffs and particularly those which contain meat products which potentially presents an animal health as well as human health food risk remains and it is the intention that much greater application of the Regulations will be effected shortly. There is a need, therefore, for greater storage capacity of such foodstuffs which needs to be a secure store as potentially out of date packaged food may be attractive for some to acquire, re-date or repackage and sell on to an unsuspecting public, as was the case only three years ago in respect of the activities of a criminal group who reprocessed out of date poultry products.

9.9 In respect of the Category 1/2 store, this is in substitute for a present off-site temporary store within the green belt and there is a need for this to be repatriated to the site which will itself reduce the amount of heavy goods movements on and off the premises. Similarly in respect of the Category 3 store, this is in substitute for a couple of off-site stores where there are quadruple handling movements arising from the need for initial storage, subsequent bagging and testing, temporary re-storage awaiting results of testing and then weighing (which happens at the main factory site) before despatch to customers. This is extremely wasteful and unsustainable but only arises because of the lack of storage space for products generated on the main factory site. These are very special circumstances which are directly related to the current operation of the plant and the need for adjunct facilities arising from the current operation of this large industrial plant which happens to be within the green belt. This also applies to the proposed vehicle and plant maintenance facility – the existing one on the main factory site is woefully inadequate and provision of the new facility will not only provide modern facilities for maintenance on the site but also assist in ensuring that trailers and tractor units can be stationed within the main factory site rather than partly off-site at present which arises not only because of the timing restrictions on the use of Felthouse Lane by HGV's but also the lack of space in and around the existing vehicle maintenance building on the main site.

9.10 It is concluded, therefore, that there are very special circumstances for an exception to be made to green belt control and Policies N1 and N2 of the Local Plan. However, there is the additional aspect referred to earlier of the consequential effect that the Staffordshire Farmers site will no longer be required which will then enable all the buildings on that site to be demolished and the site returned to an open rural or forestry use. That is, of course, also dependent upon the implementation of the revised access from Felthouse Lane on to Cheadle Road and also the lifting of the current Section 52 embargo on HGV movements between the hours of midnight and 6am. However, this will result in what is currently an industrially developed site, and one which is unattractive, which lies within the green belt, and which is a potential source of noise and disturbance to people during unsocial hours, being declared redundant, with all use and activities stopped and the site returned to an appropriate, greenfield/forestry rural use more befitting the green belt. This is also a very special circumstance to weigh in the balance.

9.11 Referred to above are the consequential reductions in HGV movements resulting from this proposed development and that factor, which is referred to in more detail in the Transport Section, is also a very special circumstance to weigh in this balance to make an exception to green belt restrictions.

9.12 In as far as the CRF development and new access road encroach beyond the presently allocated and permitted industrial site of Beresford's is concerned, open recreational facilities are not "inappropriate" development within the green belt. Neither is the construction of a road necessarily "inappropriate" even though it can be an urbanising feature. However, the development of the CRF is an integral part of this overall proposal, as is the new access road link to Cheadle Road off Felthouse Lane. Without the new link access road there would be not only no improvement in the current very substandard junction and potential highway safety detriment of the present Felthouse Lane/Cheadle Road junction but also there would be no opportunity to resolve the current Section 52 restriction on part of Felthouse Lane and thus the inability to repatriate trailers and storage from the Staffordshire Farmers site to the main site or ERC – these are vehicles and trailers that arrive late, or be dispatched early, and

which currently have to wait on the Staffordshire Farmers site to avoid the time embargo. This is a package of proposals and the new access link is an integral part of them and which forms part of the very special circumstances for the scheme as a whole and the use of a green field within the green belt.

Transport

9.13 A full Transport Statement has been produced by Singleton Clamp and Partners, Consulting Engineers and Transportation Planners, and which forms part of the planning application submission. This demonstrates that there will be little impact of the proposed development during the normal peak hours and that the proposed development is acceptable in highway terms.

9.14 More specifically, the Transport Statement highlights the benefits of the proposed new access road which though the junction would not fully accord with the sight line requirements for a new junction of a minor road with a major road as referred to, is only a very little short of those specified standards. However, it represents a significant improvement upon the current situation with the very poor sight lines and wholly inadequate junction radii of the existing of Felthouse Lane with Cheadle Road. Consequently, it is concluded that the new access as proposed is sufficient and should be acceptable. However, it is also noted that it would be possible to marginally extend the proposed junction into the currently carriageway of Cheadle Road by realigning the kerb line to achieve the full sight line standards while still maintaining the standard carriageway width for a road of the status and importance of the A520, Cheadle Road. This is an issue for discussion between the appointed consultants and the highway authority, Staffordshire County Council, but the principles are accepted and any issue which remains is a matter of detailed design.

9.15 While the report details there will be minimal additional traffic during the normal peak hours, this is primarily as a result of the shift pattern of operation at the factory, which will be extended to the ERC operation. Some 50 or so new jobs are to be created over a period of 3 years commencing with the opening of the new facility and

that will generate around 64 additional car movements per day. Appended at F is a technical note produced by Singleton Clamp and Partners which illustrates this and the assumptions made – the figures are expressed as weekly movements, however. That traffic will be spread across the three shift system, 7 days a week and will not, therefore, conflict with peak hour traffic movements.

9.16 The appended technical note also provides details of the assessed reduction in heavy goods vehicle movements. Some additional movements will result from the possible need in the short term to import some Category 1 tallow. However, as illustrated in the table at 4.2 of that document and reproduced below, there are very considerable reductions in movements of off-site transhipment to stores. The overall effect is that there is a considerable net reduction in the movements of heavy goods vehicles. As referred to in the section concerning the green belt issue, this considerable reduction in HGV movements is a material consideration and a very special circumstance which adds to the balance to be weighed in favour of making an exception to green belt control. In due course, the impact of the ERC development should reduce HGV movements further, with the recovery of heat and use as power from the renewable energy generating plant in substitute for some of the existing power plants and resulting reduction in tallow importation.

Reason for HGV Traffic Reduction/Increase	Associated Weekly Traffic Movements (Two-Way)
Net increase in Tallow Import (400T where 1 HGV holds 25T)	+32 HGVs
Reduction due to Energy Plant Consumption	-50 HGVs
Reduction in Category 3 Meat and Bone Meal Traffic Movements (removal of off-site storage/treatment due to new development)	-54 HGVs
Packaged Pet Food (removal of off-site storage due to new development)	-30 HGVs
Reduction in Need to Store Trailers Off-site (due to existing Section 52 Agreement on Felthouse Lane)	-76 HGVs
Reduction in Movements to Countryside Store Associated with Castle Cement	-84 HGVs
Total HGV Reduction :	-262 HGVs

The Landscape Impact

9.17 The Appleton Group, Landscape Architects, have produced a full report assessing the visual and landscape impact of the proposed development, notably the ERC development which consists of substantial built form whereas the CRF is predominantly open and largely on the site allocated for development. Their report forms part of the planning application submission as well as the ES. A more detailed review is provided within the ES but in terms of the relevant policy considerations, the report illustrates how the proposed development (ERC) on the proposed site will be seen within the context of the existing main factory site and the much larger buildings of that site and assimilated into the wider landscape. Further, considerable landscaping is proposed within the boundary of the application site which will consist both of bunding and landscaping. As illustrated in the cross sections plan (drawing 1192-11C Rev A) and the illustrations provided by The Appleton Group, these will have a significant effect in mitigating the impact of the proposed development. The overall conclusion is that while the proposed development is large and fairly extensive, it is not unacceptable in landscape or visual impact terms given its context,

location and design which includes stepping down the site in a terraced form and integral planting and bunding around the ERC site.

9.18 The Appleton Group have also prepared, at the request of the applicant, a Landscape Masterplan. That document, a copy of which is appended at F, illustrates further planting proposed on the field to the north east of the ERC site, as referred to earlier. While that area of land is outside of the application site, the Company has previously undertaken extensive planting (41,000 trees) on land outside and beyond the perimeter of the main factory site in recognition of their responsibilities to not only mitigate the visual impact of the factory but also to husband land appropriately. It is the intention, therefore, of the applicant Company to carryout further landscaping and tree planting which will incorporate the proposals now contained within the Landscape Masterplan, including tree planting on the field beyond the ERC site as referred to.

9.19 The Landscape Masterplan also refers to the wider proposals for landscaping, as illustrated on the submitted plans, in respect of the proposed CRF and access road. As will be noted, there is extensive bunding proposed and tree planting thereon. Not only will this be part of the balancing of cut and fill in creating the levels for the ERC, but it will also provide an appropriate setting for the CRF and also the necessary embankment area for the new access road link to Cheadle Road. The present derelict Beresford's site will be regenerated and the landscaping proposals are an integral part of that though they are presently in structural rather detailed form. It is expected, therefore, that a suitable scheme and detailed planting and maintenance for the proposed areas of landscaping and planting which form part of the development will be the subject of appropriate conditions, consultation and discussions with the Council.

Ecological Impact

9.20 Habitat surveys have been undertaken by Environmental Research and Advisory Partnership and their detailed report forms part of the submission and ES. A detailed review of the impact in ecological terms is provided within the ES.

9.21 The report details the results of the various surveys which, due to the time span in preparing the application proposals, has enabled two surveys to be conducted which has encompassed the bird nesting season, and also surveys for the presence of Great Crested Newts which are a European protected species; as is noted, a single Great Crested Newt was found at a pond some 250m away from the ERC site which does not at this stage create any particular issue in respect of the proposed development. A bat survey was also undertaken which found no presence of roosting bats within any of the buildings or trees which will need to be removed as part of the proposed development of the ERC and CRF, though it was noted that the present intermittent line of trees along the hedge line in the middle of the ERC site is likely to be a foraging route for bats, and mitigation proposals are given.

9.22 The report also details the investigation of flora and consequent fauna, and notes the degraded pasture land of the ERC site and un-notable status of the vegetation on that land and also on that of the Beresford's site and as proposed to be extended as the CRF site. The important hedgerow, in terms of the Hedgerow Regulations, adjoining Felthouse Lane is noted though the only reason for its importance is the presence of four or more woody species. That hedgerow will remain as part of the proposals for the CRF.

9.23 Overall, the report concludes that there is very little adverse impact which will result from the proposals which are the subject of this application and what impact there is can be suitably mitigated. Those mitigation proposals form an integral part of the current application for extensive new tree planting and appropriate use of native species, continuous lengths of planting, and as part detailed landscaping scheme, under planting as well. Consequently, in terms of ecological impact and Policies in the Natural Environment section of the Local Plan, this is an acceptable proposal which does not conflict with policies and accords with Government advice in respect of bio-diversity and the protection and enhancement of the countryside.

Flood Risk Assessment

9.24 A full Flood Risk Assessment has been undertaken by Shepherd Gilmour, Consulting Engineers. Their report also forms part of the ES. The report has reviewed both the zoning of the areas of the proposed development in assessing the likelihood and risk of flooding and also the consequences of the proposed development in terms of surface water run-off and how that surface water can be dealt with in the event of extreme storm events.

9.25 Both areas of land proposed for development as part of this application fall within the Environment Agency's Flood Risk Zone 1. Consequently, there is no requirement under the terms of PPS25 for a sequential test to be conducted as to the appropriateness of the development of these sites in relation to others. These sites are in areas and on land where the risk of flood is at its minimum in terms of the Environment Agency's assessment. Consequently, the report concentrates on the effect of the proposed development, which is primarily on greenfield land and exclusively so in respect of the ERC, upon the risk of flooding off-site in the event of extreme weather conditions given the nature of the proposed development and extensive areas of built form and hard surfaces.

9.26 The report notes the need to ensure that water released from the green field site does not exceed 6 litres per second per hectare and, consequently, in assessing the effect of an extreme weather event and the amount of water which would be generated, the report concludes that there will be a need for Sustainable Urban Drainage Systems to be incorporated to capture water and release it in a phased way. It is also noted, however, that it is the intention of the Company to farm water from the roofs of buildings for use within the main factory site which will, therefore, reduce the effect of an extreme storm event. The report and Addendum 2 concludes that appropriate SUDS can be incorporated, including creating a pond within land to the north east of the ERC, which is at a lower level, and utilising that field as a "wetland" which would lend itself to greater bio-diversity and without detriment or risk of off-site flooding.

Eventual routing of storm water overflow would be to the river utilising a pipe installed by Pointons which flows from the main factory site to the River Churnet.

9.27 Porosity testing has shown that soakaways will not successfully deal with surface water from the CRF and the link-road but a suitable Sustainable Drainage Scheme involving the creation of swales adjoining the link-road and an online pond with water eventually going to a nearby watercourse at "Greenfield run-off rate" is proposed as an appropriate means of dealing with excess run-off.

9.28 It is concluded, therefore, there are no issues arising from either a direct flood risk or the result of surface water run-off, even in an extreme weather event, which cannot be overcome by suitable design of suds either on or off-site, including the use of natural soakaways and water retention and flood routing attenuation.

Light Pollution

9.29 A report has been prepared by Clancy Consulting on the potential for light pollution. That report also forms part of the ES and full details are given within the Statement.

9.30 A balance has to be struck between the need for lighting, in particular in respect of safety, when operating of a night time or non-daylight hours (in the winter) and the forms of light pollution that creates. However, it is essentially a matter of design and the report of Clancy Consulting concludes that an appropriate scheme can be designed which will minimise the effects of various forms of light pollution and, with appropriate use of materials as well – eg non reflective hard surfacing which will reduce sky-glow, will minimise pollution resulting from lighting and retain it within what are accepted standards.

Air Quality

9.31 Air quality, including the emission of malodours, is a potentially major issue for any rendering plant or plant associated with the rendering industry. A full air quality and

dispersal modelling report has been prepared by Enstec Services and which forms part of the ES with full details within that Statement. The report assessed a number of proposals and heights of chimney – that which forms part of the planning application (30m in height – the width, which includes lagging, is primarily determined by the output of emissions) is a result of the assessment to ensure adequate dispersion of emissions, and has in turn formed part of the proposal which has been subject to Landscape and Visual Impact Assessment.

9.32 The air quality report demonstrates that the emissions from the generation of electricity as proposed would be well below the air quality standards set by the European Union and UK Government. The report also demonstrates that the cumulative impact of emissions from the proposed development and the existing plant will also be well within the standards. In order to assess abnormal running conditions, and in particular the running of part of the main factory boilers/oxidisers on 1% sulphur medium fuel oil in the absence of 0.1% sulphur tallow for example, theoretical test runs of the air dispersal model have been run and which demonstrate the ability to operate the proposed new ERC development with existing plant in various scenarios and which still maintains overall operations within the specified air quality standards.

9.33 The report, therefore, demonstrates that there will be no adverse impact upon air quality resulting from the development of the proposed renewable energy electricity generation unit. In accordance with PPS23 the control of pollution should be left to regulation under the Pollution Prevention and Control Regulations, but this report provides the appropriate assessment that the development will not result in a loss of amenity due to air quality or odour problems. It should be noted that the main factory has been issued with a PPC Permit by the Environment Agency which includes for a development of the type and scale of ERC now proposed; there is therefore a controlling mechanism already in place to ensure compliance and maintenance of Best Available Technique and the prevention, or where necessary minimisation, of pollution of all types including emissions to air.

Noise Assessment

9.34 A noise assessment has been prepared which draws surveys undertaken this year and also ambient noise surveys undertaken in 2006 in connection with the IPPC Permit Application. The report, which is detailed in the accompanying ES, concludes that there will be no adverse impact upon sensitive receptors from the proposed Community Recreational Facilities, the activities from the use of the Energy Resource Centre or from vehicles using the proposed new link-road access onto Cheadle Road.

Contaminated Land Investigation and Assessment

9.35 Following physical investigation of the soils on and surrounding the Beresford's garage site, which is the only area known to previously have been developed, it has been noted that hydrocarbons have been found in some samples that there is little sign of migration and that the presence of heavy metals, except for one element at one bore hole sample, is within the acceptable levels for commercial/industrial use. While the report is noted as "Preliminary", it is considered adequate if the uses proposed will be non-intrusive and for open uses or construction of a roadway as is proposed in this instance over this part of the site. If excavation works are required then a wider survey may be necessary and removal of contaminated material to an appropriate disposal facility licensed to take such material.

Section 106 Agreement

9.36 As noted in the introduction and overview, the Company's intention is to vacate the Staffordshire Farmers site, end all use of it as a store and operating depot, demolish the storage properties – the dwelling and single storey offices will be retained – and return that area of land to a rural use which befits its green belt status. Not only will this effect a very considerable visual improvement in removing not only the built form but what is currently a very dilapidated site, including hard surfacing, but also the extensive activity much of which occurs at unsocial hours. These are further very

special circumstances to weigh in allowing exception to strict green belt control as the cessation of the activity on the Staffordshire Farmers site and removal of the buildings and return of the land to a rural use is dependent upon the approval of the scheme for the ERC and access road.

9.37 However, the proposal to end the use of Staffordshire Farmers does not need to form part of the formal planning application as the demolition does not constitute development for which planning permission is required – it is an accepted form of demolition. Consequently, it has been determined that the appropriate method of dealing with this matter is via a Section 106 Unilateral Undertaking or Agreement with the Council. It is expected, however, that it will need to be an Agreement as parts of the proposal will require the agreement of the Council to the removal of the present Section 52 restriction, enacted in 1984, which prevents the movement of HGV's along Felthouse Lane between the hours of 12 midnight and 6am. That Section 52 Agreement was concluded between the Council and the Company as then constituted (Gilbert's Animal By-Products Limited) in order to protect the amenity of local people because heavy goods vehicles were passing along Felthouse Land and in particular the lower end of its passed the various properties fronting that road and the adjoining road off Woodlands Avenue. The formation of the proposed new access link to Cheadle Road will divert all HGV movements and thus remove noise and activity away from that road while at the same time the incorporation of extensive bunding and the position of the single property, 411 Cheadle Road, closest to the proposed new junction will be protected and not impaired by the revised access proposal.

9.38 As part of this overall proposal, therefore, it is the intention to enter into detailed discussions with the officers of the Council to agree a suitable Section 106 Agreement to cover the cessation of the use of the Staffordshire Farmers site, the demolition of the properties and removal of the hardstanding, and the return of the site to a rural use (either agricultural or forestry), the lifting of the Section 52 Agreement and also one further aspect which concerns the linking of the development of the CRF with that of the ERC. In this last respect, some concerns have been expressed in the past, and

notably by some local people, that if planning permission is granted for the proposed development then the CRF could be left behind and not implemented and the Company only developing the ERC part of the scheme. Consequently, it is accepted and agreed that a Section 106 Agreement with the Council will include a requirement for the phased implementation of the Community Recreational Facilities and restrictions on the development of the Energy Resource Centre so that the one will not proceed without the other.

CRF element of S106

9.39 Draft Heads of Terms for a Section 106 Agreement are appended at G. In respect of the CRF, the proposed arrangement follows on from further contact with the Council and an indication that the full responsibility for funding, provision, continued maintenance and control of the recreational facilities should be provided for and without the assistance or involvement of the Council.

9.40 The proposed arrangements for the Community Recreational Facilities are:

- John Pointon and Sons Limited (JPS) to establish a Company limited by guarantee
- Obtain charitable status, which will then allow the future Company to avail itself of potential grant aid from such bodies as the FA
- JPS to construct or cause the construction of the CRF as proposed including the phasing
- John Pointon and Sons Limited to convey the land encompassed within the Community Recreational Facilities' area to the Company
- Within a specified time following establishment of the Company, which itself will be established within a specified period of the grant of planning permission for the scheme (ERC and CRF), JPS to provide an endowment to the Company for the future maintenance, operation and administration of the CRF

9.41 The phasing of construction of facilities is also referred to in the Draft Heads of Terms which has sought to take account of the need for practical consideration of cut and fill operations and works at the ERC, facilitating construction of the link-road (which will require considerable fill material) and associated bunds and restrictions on commencements of work on certain elements of the ERC, or their occupation, before specified facilities within the CRF are provided. A further provision is to ensure that there is access to the facilities of the CRF by members of the public; it is expected that some local teams, notably football teams, will want to use the football pitch on a regular basis but that should not preclude the ability of other members of the public, including ad hoc teams, from making use of the facilities.

9.42 The Section 106 Draft Heads of Terms also provides for the lifting of the Section 52 Agreement, which currently restricts the use of Felthouse Lane by HGV vehicles to the period of 6am to 12 midnight, the removal of the Staffordshire Farmers' buildings and use and the restoration of that site to forestry, and also the repair of and offer for the listed building to be used as a police and first responders' base.

Listed Building

9.43 This has been referred to earlier and is the subject of a separate planning application and accompanied listed building consent. However, its refurbishment and reuse as proposed is a result of the overall proposals forming this submission and the reuse of this listed building is a further very special circumstance to weigh in the balance in granting the exception to green belt control.

10. CONCLUSIONS

10.1 This Planning Statement details the planning background and relevant considerations for the determination of the proposed development. In particular, this Statement reviews the reasons for the proposed development and the inter-related two elements and the regulatory and Government policy background which is restrictive but also an encouraging and guiding impetus to the scheme.

10.2 The Energy Resource Centre consists of the two significant proposals of a bio-diesel production plant and renewable energy generating unit, the latter raising 20MW of power, together with new on-site storage facilities, to replace off-site ones, and vehicle and plant maintenance workshops. The bio-diesel and electricity generating plant fully accord with Government policy to reduce dependence upon fossil fuels and thus cut carbon emissions, and also the Government's long attested policy to make best use of waste including using it to generate electricity or power. Government planning policy specifically encompasses these wider national policies within PPS 22 – Renewable Energy, and PPS 10 – Planning for Sustainable Waste Management.

10.3 PPS 22 indicates the location of renewable energy projects may not be flexible and possible to direct to elsewhere and that a sequential test approach is not required. Moreover, Government policy is that significant weight to such proposals should be given, including in the green belt while noting that very special circumstances will need to be demonstrated for inappropriate development. PPS10 indicates that waste should be dealt with as close to its source as possible as part of a sustainable approach to such developments.

10.4 The application proposal is aimed specifically at making best use of products which might otherwise be underused or treated as a waste (PPS10) and falls squarely within the Government's policies for renewable energy projects (PPS22). The location of the ERC, and specifically the bio-diesel and electricity generation plant, are determined by the present location of the rendering plant which lies within the green belt. Tallow from the rendering plant will be pumped directly to the two proposed

new plants with electricity generated by the new plant being fed back to the rendering factory and fuel for the electricity generating plant supplemented with residual products from bio-diesel production and even bio-diesel itself on occasion when demand requires or market conditions dictate. It is not, therefore, possible to relocate these proposals elsewhere than at the location where they can be directly fed with materials and their end "products" utilised directly. It is considered that this is a particular and significant very special circumstance and a direct example of the issue raised by Government in its advice on location, including location within the green belt, as contained within PPS22, notwithstanding the restrictive Policy F8 of the Local Plan.

10.5 This report details the other very special circumstances, including the reduction in HGV movements which would itself reduce carbon emissions. In that sense, therefore, this is a sustainable approach to development which will reduce the need for travel, specifically, the transportation of goods.

10.6 In respect of the proposed meal storage buildings, these are to replace some off-site stores. In the case of the packaged food, which is arising from the regulatory changes for such material to be treated as animal by-products and is subsequently treated in the rendering plant, this is proposed to meet the demands for secure storage. Bringing these facilities on site will, again, reduce traffic movement and also, in one instance, remove a temporary and unauthorised use of a property elsewhere. Again, these are very special circumstances to justify this proposal.

10.7 The Community Recreational Facilities form an integral part of the overall development proposed in the planning application. While these largely involve the use of land which has been previously developed, and allocated for industrial development and granted planning permission for that purpose, the proposed recreational facilities constitute an open use and, in as far as there is encroachment beyond the allocated and permitted site into the green belt, it is a use which is not "inappropriate" in green belt terms as it is a use which maintains the openness of the green belt and is specifically referred to as an exception in the nationally applied

policy and in the Staffordshire Moorlands Local Plan. The provision of new recreational facilities accords with Local Plan Policy, providing a children's play area and specific recreational facilities, including playing pitches.

10.8 Finally, the proposed change to the junction of Felthouse Lane with Cheadle Road, and the diversion of the western end of the road to a new junction with the A520, will be a significant improvement upon the existing junction which is in the interests of highway safety. It will also segregate traffic to and from the factory from that going to the residential area to the south of Felthouse Lane and also the proposed Community Recreational Facilities and, with the removal of the present Section 52 restriction on HGV movements at certain times which the new road link will facilitate, the requirement for use of the Staffordshire Farmer's site will no longer exist and that site will be razed to the ground and returned to an agricultural or forestry rural use. This latter proposal, together with the proposals for the Beresford's site, will also effect a considerable visual and environmental improvement in the immediate locality, including the associated highway improvement and reduction in traffic movements.

10.9 The accompanying Environmental Statement details the assessment of potential significant effects upon the environment and demonstrates that there is either no adverse effect, or in the case of HGV movements a positive effect with fewer movements resulting from the development, or where there is some adverse effect that it is not serious and that mitigation will mollify the adverse impact so that the scheme is acceptable.

10.10 While this is a unique scheme, and one which involves a substantial development in the green belt, it is a rational proposal for development which fully accords with Government policies, makes best use of resources while reducing waste and tackles the causes of climate change by substituting renewable energy for that based upon fossil fuels, provides much needed community recreational facilities and will effect improvements in highway safety and the removal of unsightly buildings and activity from a prominent green belt location. The very special circumstances in this instance

outweigh the restrictive policies against development in the green belt such that planning permission should be allowed as proposed.

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