
FELTHOUSE FARM

J POINTON AND SONS LTD

PLANNING STATEMENT

MARCH 2021

REFERENCE: 1302/J200065

PREPARED BY: BEN KETTLE BSC(HONS) MSC MCD MRTPI

REVIEW BY: BEN WHARFE BSC(HONS) MRICS

1	INTRODUCTION	1
2	OPERATION OF THE 2015 ORDER	3
3	THE SITE AND CONTEXT	5
4	RENEWABLE ENERGY CONTEXT	10
5	PROPOSAL	16
6	ASSESSMENT AGAINST THE LEGISLATION	19
7	CONCLUSION	21

1 INTRODUCTION

1.1 This planning statement has been prepared on behalf of John Pointon and Sons. It accompanies a prior approval notification for a forestry building under Class E, Part 6 of Schedule 2 of the General Permitted Development Order 2015 (as amended)(herein referred to as *the Order*).

1.2 The notification site is Felthouse Farm, Cheadle Road, Staffordshire Moorlands, Cheddleton, ST13 7BG, as shown in the image below.

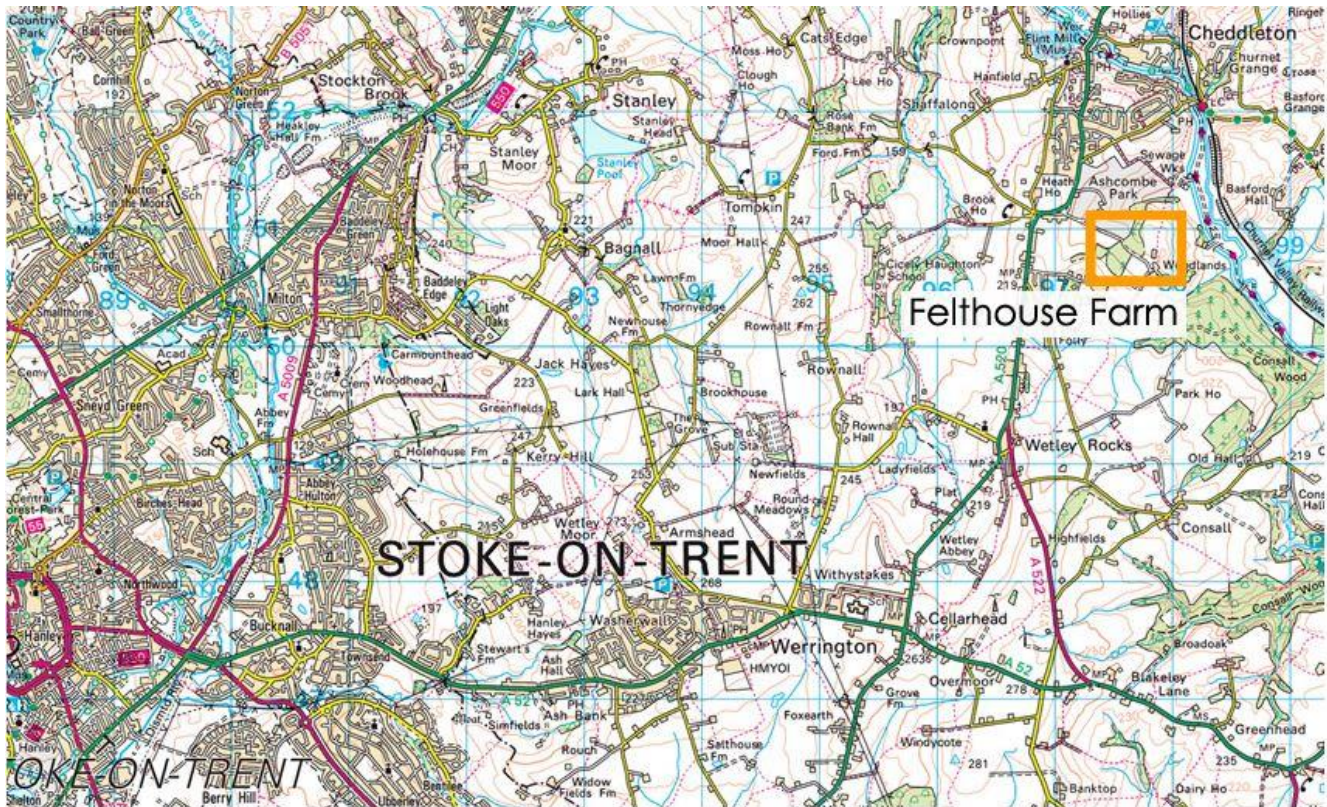


Figure 1: Site Location

1.3 John Pointon and Sons are a farming family best known for their successful animal by-product and protein business. However, this business was developed alongside its traditional farming and estate activities. The protein arm of the company was sold to ABP Food Group in early 2020.

1.4 The family's estate is retained and has a range of enterprises across its 540 hectares holding. The estate is made up of several holdings, with the vast majority being owner-occupied. A significant part of the holding, 121 hectares, is woodland; they seek to increase and improve the forestry operation to enable a biomass enterprise. The biomass enterprise will allow them to take the raw woodland material, dry and process it, and be sold to consumers to produce renewable energy.

1.5 There are no existing, suitable and available buildings that the enterprise can use for the storage and drying components required for the biomass enterprise. Felthouse Farm is the most appropriate location for a new building of the required size; it is centrally located, has good access and has existing buildings of similar size. The proposed shed has been positioned so that it is adjacent to an existing building. Felthouse Farm has the capacity and potential to facilitate the long term evolution of the enterprise to maintain its viability and ongoing contribution to the rural economy.

1.6 This statement provides the site context, the details of the proposal and an assessment against the requirements of the Order.

2 OPERATION OF THE 2015 ORDER

THE ORDER

2.1 Section 57(1) of the Town and Country Planning Act 1990 provides that planning permission may be granted by a development order without the need for an application to be made. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2 Part 6 Class E permits the following development:

E. The carrying out on land used for the purposes of forestry, including afforestation, of development reasonably necessary for those purposes consisting of—

(a) works for the erection, extension or alteration of a building;

(b) the formation, alteration or maintenance of private ways;

(c) operations on that land, or on land held or occupied with that land, to obtain the materials required for the formation, alteration or maintenance of such ways;

(d) other operations (not including engineering or mining operations).

2.2 Part E.1 sets out development not permitted by the Order.

2.3 Part E.2 sets out the conditions relating to the grant of planning permission by the Order which includes the process for a determination on whether the prior approval of the authority will be required as to the siting, design and external appearance of the building.

2.4 The operation of the Order was examined in *Murrell v Secretary of State* [2010] EWCA Civ 1367 in his judgement on the appeal Lord Justice Richards highlighted that ‘*where land meets the criteria of the GPDO the principle of development could not be contested*’. He also stated that the prior approval process should be: *simple to operate and does not need to be accompanied by anything more than a written description of the proposed development and of the materials to be used and a plan indicating the site, together with the required fee.*

2.5 Part E.3 provides an interpretation of Class E, and E.3(2) states:

For the purposes of Class E, development that is reasonably necessary for the purposes of forestry includes works for the erection, extension or alteration of a building for housing a biomass boiler or an anaerobic digestion system; for storage of fuel for or waste from that boiler or system; or for housing a hydro-turbine.

FORESTRY

2.6 There is no definition of forestry within the Order or a statutory or judicial definition. Martin Goodall is a planning solicitor with over 40 years of experience and author of *The Essential Guide to The Use of Land and Buildings under the Planning Acts 2020*. Within the guide he states:

‘There is no statutory or judicial definition of forestry, and so it is necessary to resort to the dictionary definition, which is simply ‘the science or practice of planting, managing and caring for forests.’ The dictionary definition of forest is ‘an area covered chiefly with trees and undergrowth’ but it can be reasonably assumed that for the purposes of planning law, the practice of planting, managing and caring for woodland is also accepted as being within any reasonable definition of forestry for this purpose. The reference to afforestation, which is included in the uses of land exempted by section 55(2)(e) from constituting development under that Act, would reasonably extend to the planting and establishment of woodland’.

2.7 The context of the applicant’s estate is set out below. When considering the dictionary definition, the landholding and operations are considered to fall within ‘forestry’.

3 THE SITE AND CONTEXT

THE ESTATE

3.1 The applicant operates a diverse estate with a mixture of livestock, arable, woodland, shooting and biomass enterprises. This is a large landholding where the majority of the land is owner-occupied. It is considered rare to have such a large holding and diverse estate all managed in hand. The broader context of farming has seen rationalisation of smaller farmsteads with no successors being subsumed into fewer larger farms. The Pointon's seek to make a significant investment in their estate enterprises to ensure the viability and longevity of the operation.

3.2 A visual snapshot of the enterprise is possible from the group's Facebook page (facebook.com/jcmestate), as shown below.

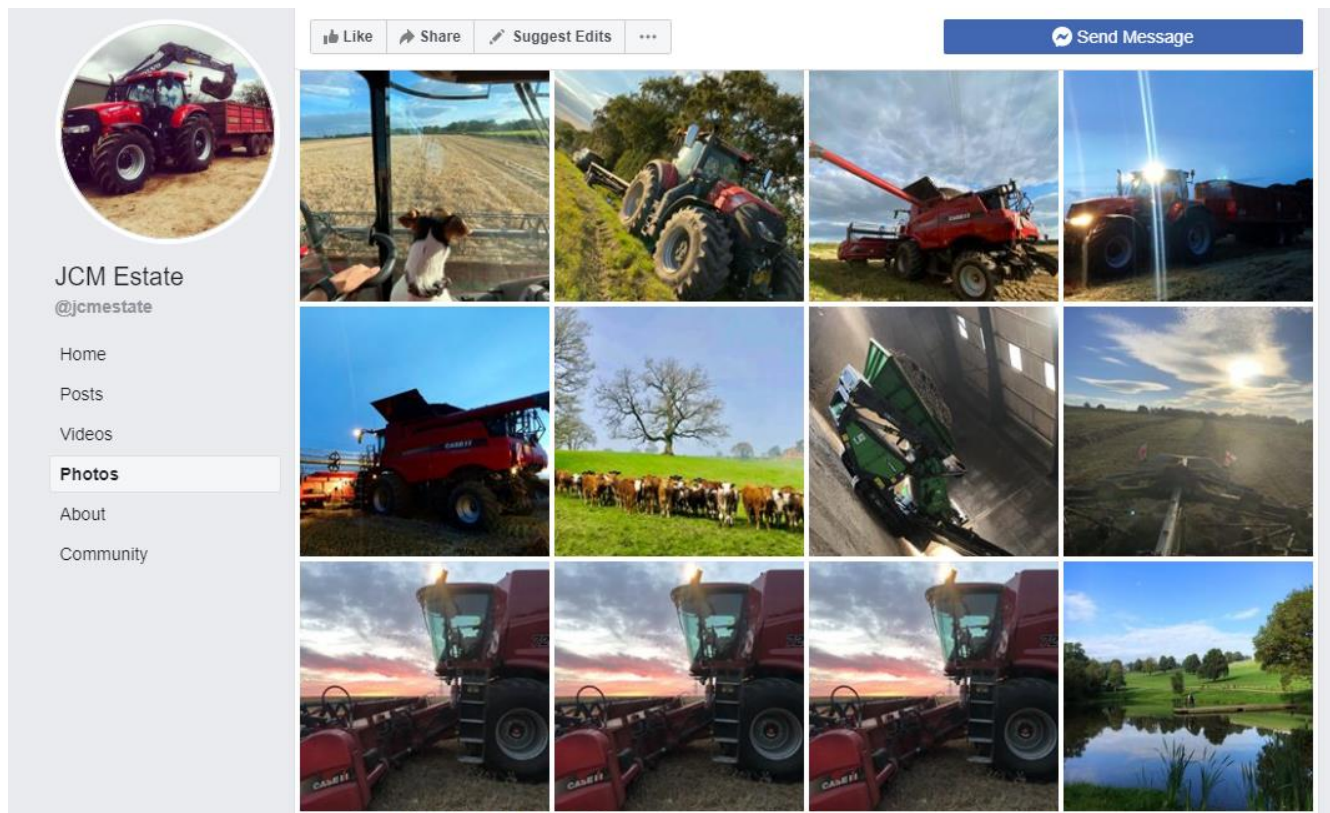


Figure 2: Facebook page images

3.3 Figure three shows the extent of the holding farmed by the applicant. It is a significant block of land covering over 540 hectares. 121 hectares is woodland for which this notification relates.

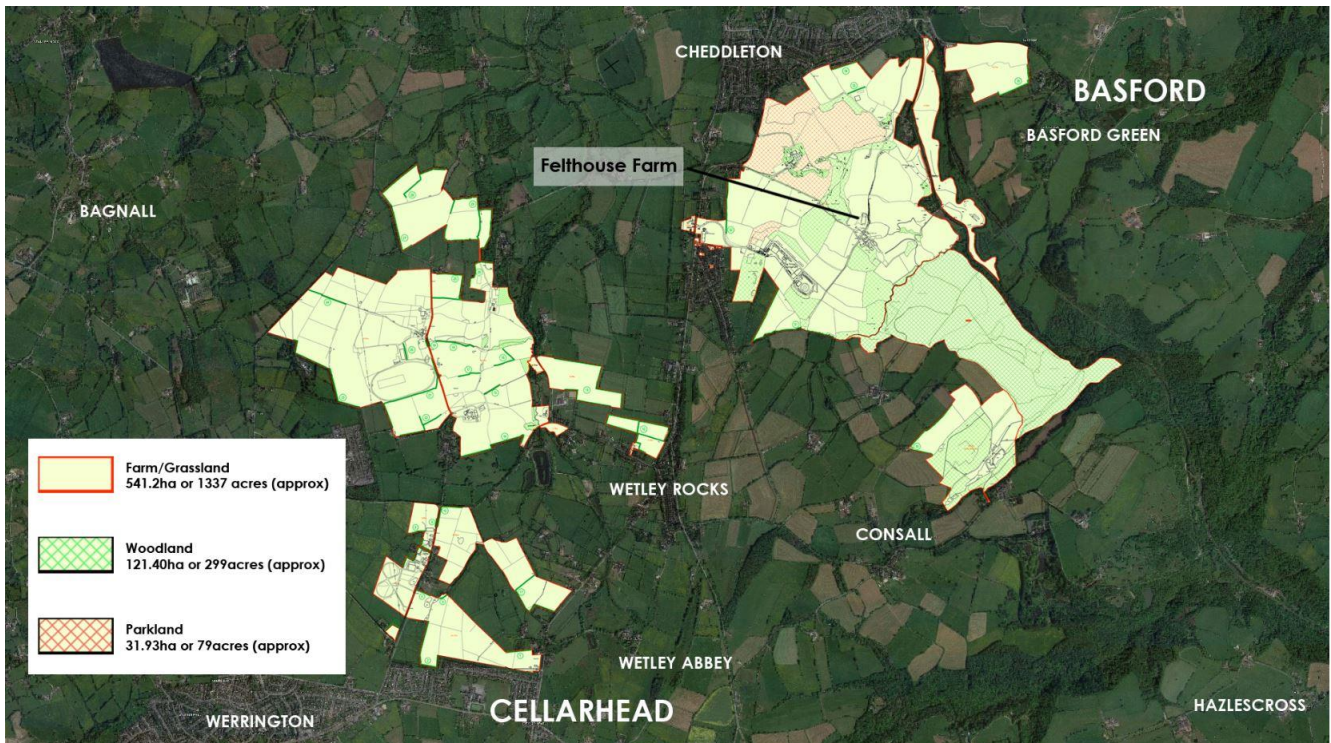


Figure 3: Farmed land

FELTHOUSE FARM

3.4 Felthouse Farm is located in the centre of the eastern block of land. Figure 4, below shows the general position of the site to the east of the A520 (Cheadle Road) and west of the river Churnet. The Cheddleton footpath 39 runs through the site.

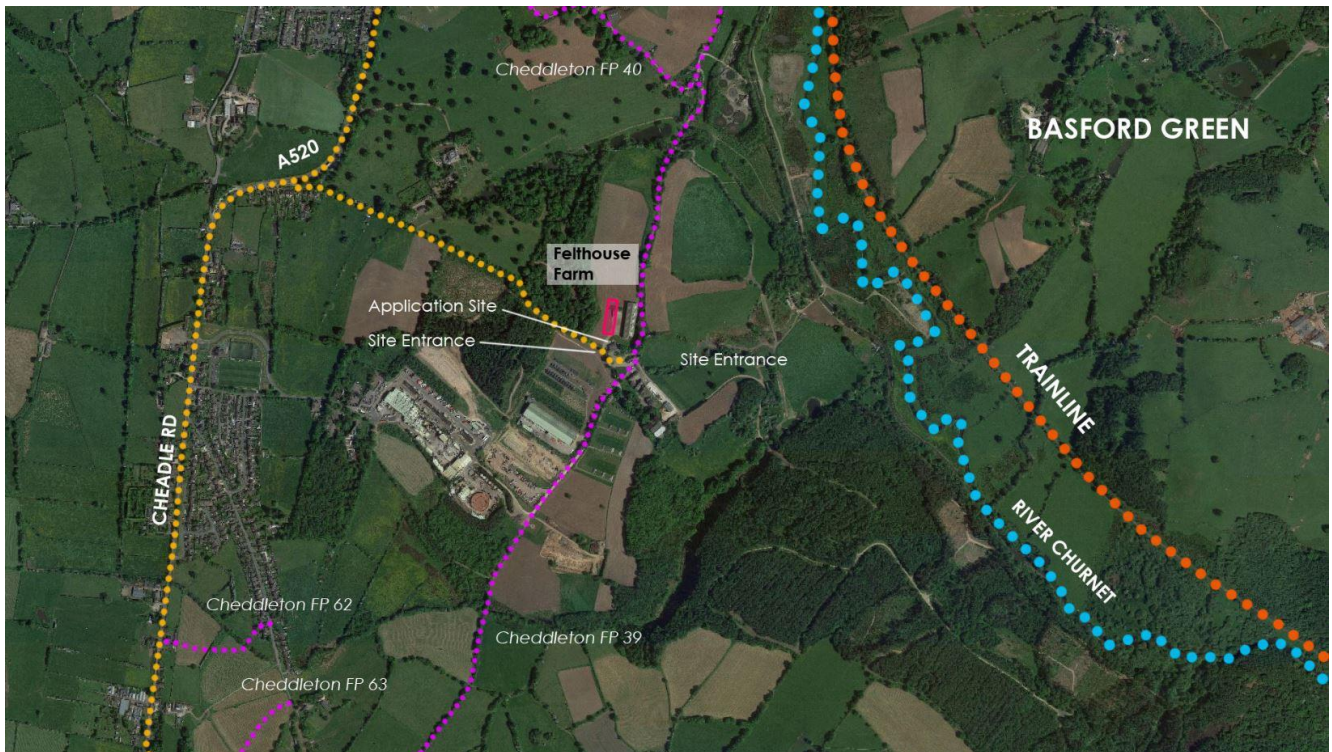


Figure 4: Wider site context

3.5 Felthouse Farm is closely related to the existing block of woodland that will contribute to the proposed biomass enterprise. Being centrally located makes it a suitable geographical site for the proposed building. Moreover, Felthouse Farm has many existing buildings that will allow the new development to sit within the cluster. Larger buildings occupy the site to the south used by Advanced Proteins, the division of ABP that purchased John Pointon & Sons protein business.

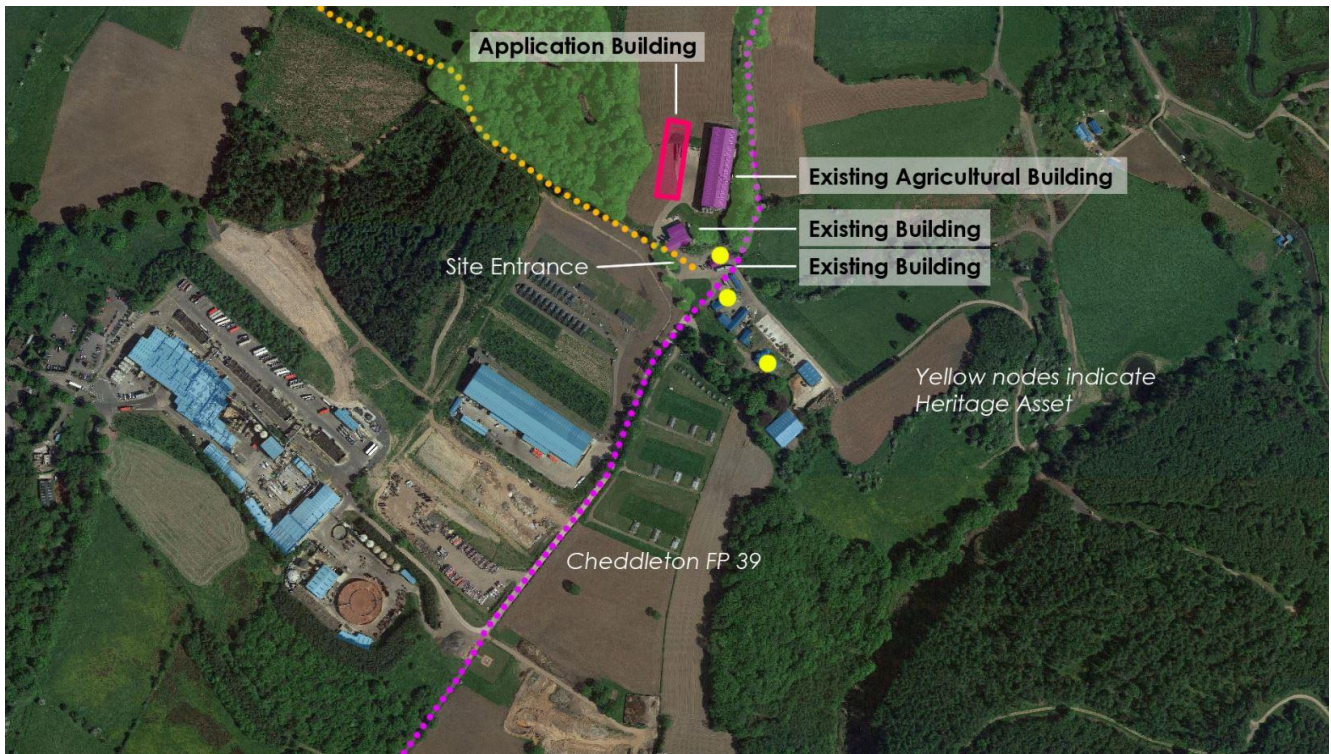


Figure 5: Site layout and context

3.6 The existing farm buildings are marked in the dark blue and purple. The light blue shaded buildings (south-west of the image) are those part of Advance Proteins.

3.7 Felthouse Farm benefits from several large, existing agricultural sheds, that form part of the agricultural landscape. The collection of heritage assets identified on the image above are Grade II listed buildings within the Felthouse Farm complex. The setting of these buildings is agricultural, and a number of existing, large buildings make up the current setting. The area of land subject of the application is on a lower level than these buildings, therefore, views are naturally limited by the topography. The mature planting and existing portal framed buildings further screen the proposed site from the heritage assets.

3.8 A viewpoint assessment has been undertaken from several public vantage points along Cheddleton FP 39. The assessment is in appendix 1 and is considered to demonstrate that the building fits within the surrounding context.

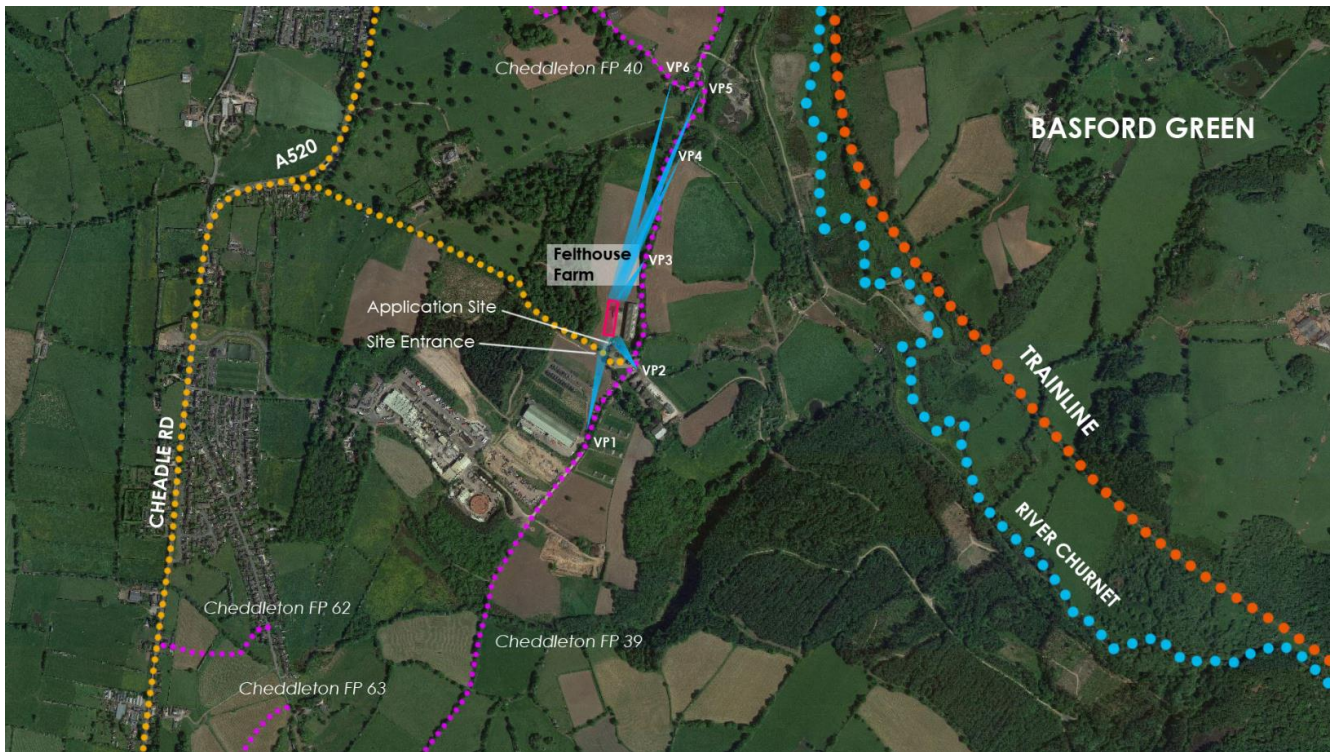


Figure 6: Viewpoint assessment

4 RENEWABLE ENERGY CONTEXT

RENEWABLE ENERGY

4.1 The world's climate is changing, and it is widely understood that the reliance on fossil fuels needs to shift. The development and implementation of renewable energy sources are one of the ways it can be addressed. Using sustainable fuel sources for heat and power is one way to tackle climate change; it is a hot topic in many strategy and policy papers. Bringing the technology forward requires investment and the appetite to enter the growing market.

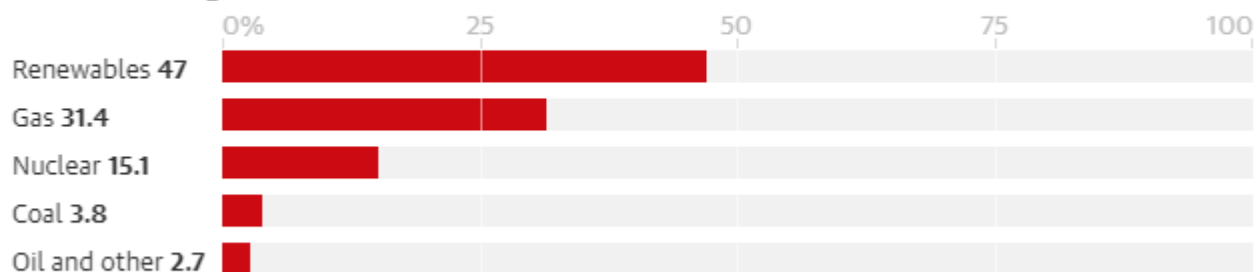


Figure 7: Renewable energy (Dreamstime.com)

4.2 In June 2020, the Guardian¹ reported that almost half of Britain's electricity in the first quarter of 2020 was through renewables (figure 8). The figure eclipsed the previous record of 39% from the first quarter of 2019. The data included figures from wind farms, solar, hydro and bioenergy – i.e., burning wood chip instead of coal.

¹ <https://www.theguardian.com/business/2020/jun/25/renewable-energy-breaks-uk-record-in-first-quarter-of-2020>

Renewable energy made up almost half the UK's electricity generation in the first quarter



Guardian graphic | Source: Department for Business, Energy & Industrial Strategy

Figure 8: Visual of 2020 Q1 electricity generation

4.3 Data from the Government's National Statistics² shows the upward trend in renewable energy. Figure 9 shows the renewable electricity generation for quarter two in 2019 and 2020, demonstrating an increase in capacity. Furthermore, it shows the specific increase in electricity generated from bioenergy.

2

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/920621/Renewables_September_2020.pdf

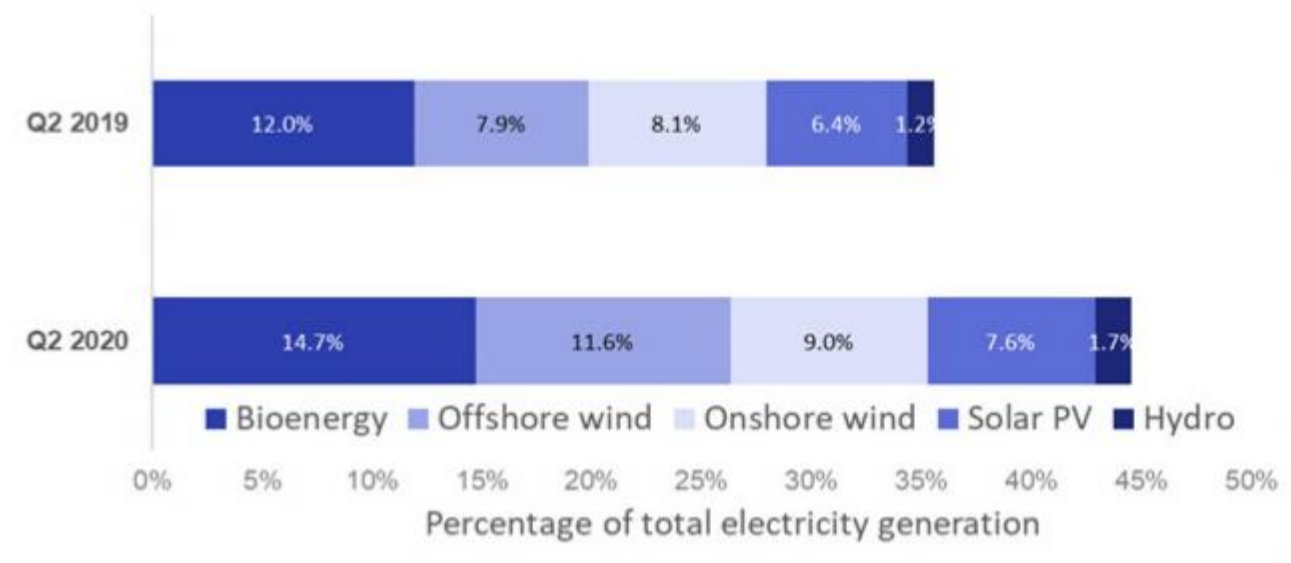


Figure 9: Quarter 2 renewable electricity generation

4.4 Figure 10 shows the upward trend in the generation of electricity by renewable sources. Note the steady bioenergy production pattern as it is not as reliant on changing seasons such as for wind and solar PV. The Renewable Energy Association suggested in 2019 that bioenergy could produce 16% of the UK's electricity by 2032³ and the International Renewable Energy Agency suggests that 60% of global renewable energy could be provided by biomass by 2030⁴.

³ <https://www.edie.net/news/10/Bioenergy-a-no-regrets-solution-to-reaching-future-UK-carbon-targets-report-says/>

⁴ <https://www.circularonline.co.uk/news/biomass-could-provide-60-of-global-renewable-energy-by-2030/>

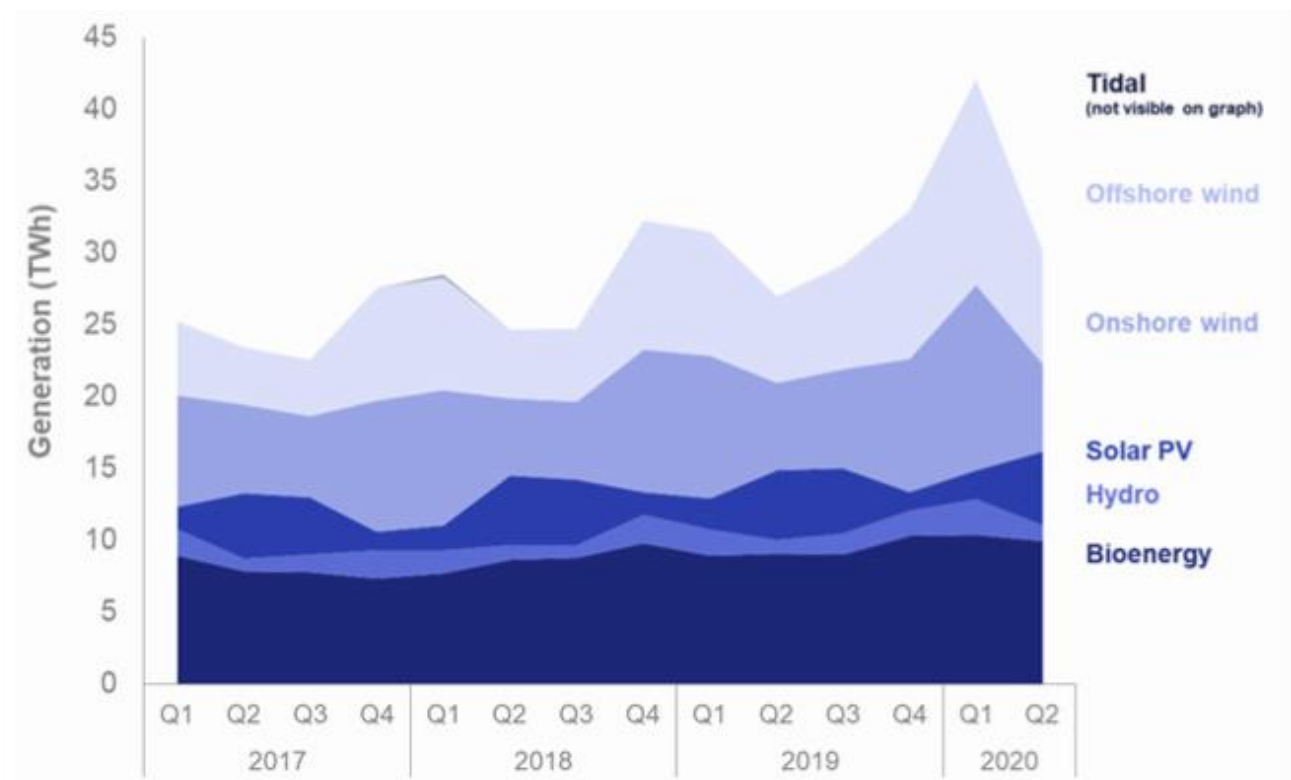
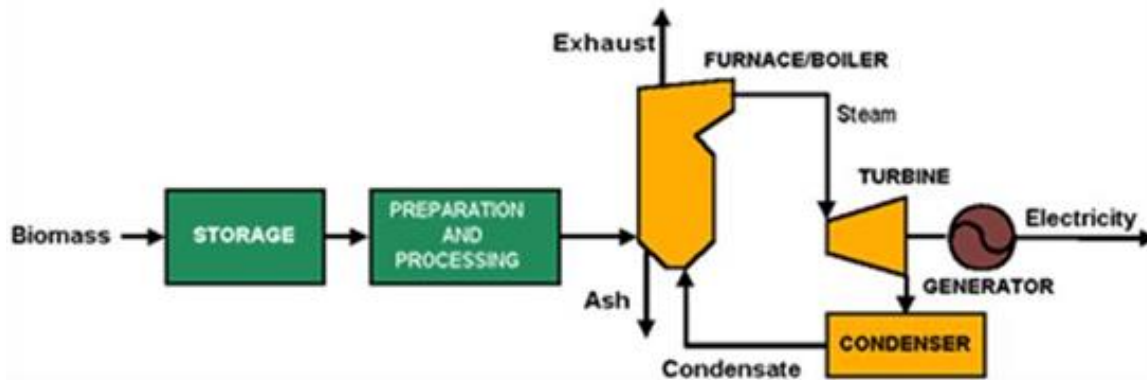


Figure 10: Renewable electricity trends 2017-2020

BIOMASS FROM TIMBER

4.5 Biomass from wood uses the plant material for energy production, electricity or heat. Biomass is classified as a renewable energy source in the EU due to the cycling of CO₂ back into new crops. Raw timber from logs cannot be processed efficiently by a wide range of users, such as the domestic setting. Therefore, processing raw forestry materials is required to make it suitable for efficient use.

Direct Combustion / Steam Turbine System



In a direct combustion system, processed biomass is the boiler fuel that produces steam to operate a steam turbine and generator to make electricity.

Figure 11: End to end biomass production

4.6 Figure 11 shows the end to end process of biomass production and how it is used to generate electricity. The processes highlighted in green would produce a suitable size and dry biomass material, which can then be provided to the end-users for their biomass boilers. One common product type is wood pellets, used in a biomass boiler as shown in the image below.



Figure 12: Biomass pellets

4.7 Finally, figure 13 provides visual representation of how the biomass system is used in a domestic setting. It is much the same as a typical gas or oil-fired system, but through replacing the fuel source with renewable biomass pellets.

How Biomass Boilers work

A Biomass Boiler works just like an oil or LPG boiler – it burns fuel to heat your water and your home. It will produce just as much heat as an equivalent oil or gas boiler but use a much cheaper, carbon-neutral fuel; such as wood pellets which are fed automatically into your boiler. Replacing your existing boiler is a straight-forward process and your new carbon-efficient boiler will require very little maintenance.

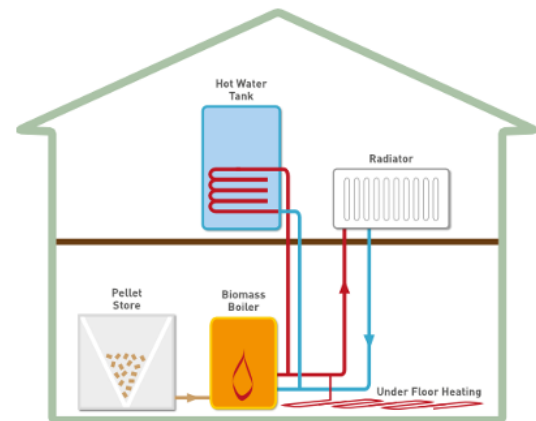


Figure 13: Domestic biomass installation (Energymyway.co.uk)

5 PROPOSAL

THE PROPOSED BUILDING AND PURPOSE

5.1 The proposed building is required to provide storage of 'wet' organic matter, an area to accommodate drying floors, and a store for the dry organic matter. The building's proposed layout provides space for the timber to be moved from each part of the building by large machinery such as telehandlers, tractors with front loaders and trailers. The images below show an example of a drying store used for woodchip and the proposed building layout.



Figure 14: Woodchip drying floor extant example

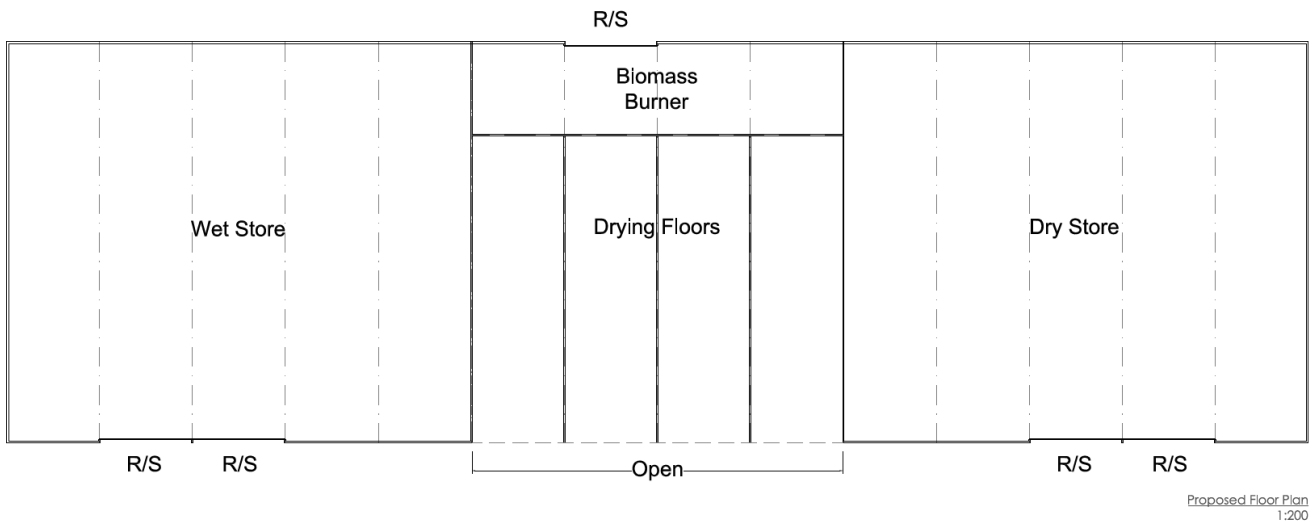


Figure 15: Proposed floor plan

5.2 The building measures 85.3m x 26.3m in footprint, 7.6m to the eaves and 11.1m to the ridge. The building is clad on all sides above concrete panel walls, finished with a profiled sheet roof. Large openings are distributed across the building to provide easy access into it, while the eaves and ridge height facilitate the movement of large vehicles inside when moving/stacking the organic material.

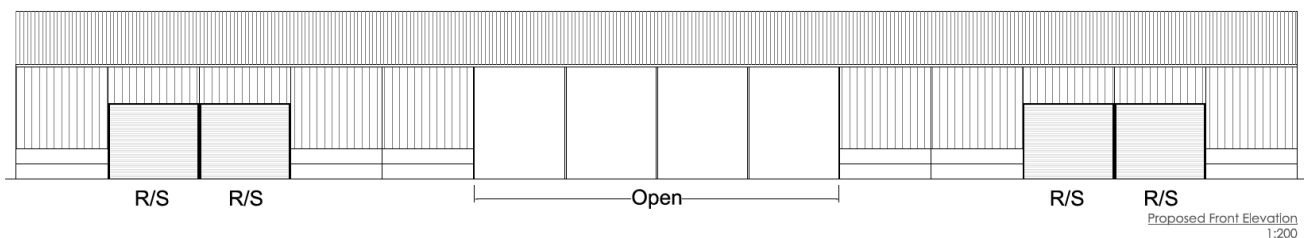


Figure 16: Proposed front elevation

SITE LAYOUT

5.3 The building is located immediately adjacent to the existing building on this part of the site, as shown in the image below. The siting minimises its impact on the wider area.



Figure 17: Proposed building location

6 ASSESSMENT AGAINST THE LEGISLATION

6.1 Part 6 Class E of the Order sets out the limitations of development permitted by the Order. A response to each of the restrictions is provided below.

6.2 Development is not permitted by Class E if:

PARA	THE ORDER	RESPONSE
E.1(a)	it would consist of or include the provision or alteration of a dwelling;	COMPLIES
E.1(b)	the height of any building or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres in height;	COMPLIES
E.1(c)	any part of the development would be within 25 metres of the metalled portion of a trunk road or classified road; or	COMPLIES
E.1(d)	any building for storing fuel for, or waste from, a biomass boiler or an anaerobic digestion system would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land which is occupied together with that building for the purposes of forestry.	COMPLIES

REASONABLY NECESSARY

6.3 The estate has a significant landholding and needs to establish suitable new buildings to enable the sustained development of the different enterprises. The production of renewable energy is on the rise; the woodland held by the farm can make a significant contribution to the production of biomass. The new building will enable the business to grow to maintain its viability; it will provide a modern, purpose-built facility. The site at Felthouse Farm is the preferred location within the estate holding to site the building, so it fits comfortably next to existing development of the same scale.

PRIOR APPROVAL

6.4 The Conditions of the Order at Part A.2 set out the prior notification procedure and require that:

'the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building...'

SITING, DESIGN AND EXTERNAL APPEARANCE

6.5 The proposed building sits in a natural depression on the land and adjacent to the existing barn, benefitting from the current hardstanding areas and landscape screening. It is considered the most logical position for a new building of the enterprise's required size. The proposed building is a steel portal frame with external profile sheet cladding consistent with the wider area's existing agricultural development. The character and appearance of the building is agricultural, it is therefore, compatible within an agricultural landscape.

6.6 The viewpoint assessment (appendix 1) demonstrates that the building can sit comfortably within the site and will be seen as part of the existing agricultural context. Views of it will be possible from the public right of way; however, the experience of this part of the right of way is currently dominated by the existing agricultural development. The proposed building will not materially alter the experience or views.

6.7 Three grade II listed buildings are within the broader Felthouse Farm complex. The distance and siting of the building alongside existing agricultural development, while being set at a much lower level, are not considered to impact the listed buildings' setting. The buildings design is deemed to be appropriate for the setting and in keeping with the surrounding landscape.

6.8 It is considered that the siting and design of the building is acceptable and should not require the prior approval of the Local Planning Authority.

7 CONCLUSION

7.1 The Pointon's estate operates across a broad holding. They seek to diversify and grow their existing forestry operation by establishing a purpose-built, modern building to produce biomass from their woodland. The woodland extends to 121 hectares.

7.2 The application site meets the criteria within the legislation for forestry permitted development rights. It is considered that it is not possible to state that the proposed building is not reasonably necessary for the requirements of managing 121 hectares of woodland. The proposed development, therefore, meets the criteria of the Order.

7.3 The proposed building is required to allow the enterprise to establish itself within a relatively new industry. It is located immediately adjacent to part of the woodland and an existing building, making full use of the site while minimising impact. The site makes maximum use of the existing natural vegetation to screen the building to ensure the building becomes an integral part of the landscape with an appropriate appearance and setting.

7.4 In conclusion, it is respectfully suggested that no further consultation on matters requiring prior approval should be necessary. The proposed development is considered to meet the criteria of the 2015 Order, therefore, planning permission should accrue.

Appendix 1 Imagery and viewpoints
