



Our Ref SGB/AB

Mr G Housden
Head of Planning
Ryedale District Council
Old Malton Road
Malton
North Yorkshire
YO17 7HH

3rd July 2015

Dear Mr Housden

Re: S73 Application - change to Condition 5, Gravel Pit Farm, Sand Hutton, Reference APP/Y2736/A/14/2226293

Further to the Planning Inspectorate decision notice, this letter accompanies a planning application under Section 73 of the Town and Country Planning Act 1990 to vary conditions 5 on the Inspectors decision notice.

Specifically the application seeks to allow for the input of an additional 6,500 tonnes of grass silage to be grown at Gravel Pit Farm and used in the facility.

Paragraph 23 of the Inspectors decision notice sets out the process to agree such a proposed change by way of a schedule, allowing the Council to accept the proposal having given consideration to the implications. Specifically the Inspector stated:

'This would allow the Council to either accept the change having considered the implications or decline to accept the change by informing the Appellants that it would constitute a material change in the permission.'

It is clear that the Inspector put this forward in an effort to provide both parties with a way forward without having to lodge formal applications for minor changes that he considered unnecessary in straightforward situations such as this.

The Council officers have expressed the informal view that the proposed tonnage increase, exceeds what they would be prepared to allow as a minor variation and hence have requested a formal S73 application.

Since the initial planning application, discussions with Northern Gas Networks have identified an increase in the minimum demand for gas in the area. Furthermore, detailed discussions with the providers of the technology to be used have indicated that the plant can easily accommodate an additional throughout of feedstock, without requiring any alteration to the plant design or storage requirements.



The reasoning behind Condition 5, as set out within the Authority's original decision, and subsequently supported by the Planning Inspectorate's decision notice, was to protect 'the interests of highway safety, local occupiers and to satisfy Policy SP20.' The Inspector specifically sets out the need to maintain this position in Paragraph 22, stating;

'That uncontrolled changes to the feedstock type and quantity of each would again deliver harmful changes to the transport type and quantity of each...'

In consideration of this, we have approached the Local Highway Authority and discussed the proposal with them. Although we expressed our intention to produce all the additional feed stock at Gravel Pit, they have assessed the proposal on a worst-case scenario in that all the additional tonnage is to be imported to Gravel Pit Farm. They have concluded that even if this were the case, it would not have an adverse impact upon the safety or capacity of the local highway network. To put the worst case scenario into context, 6,500t would equate to less than one additional HGV movement on the network every day. By way of supporting corroboration, I have attached the views of the Local Highway Authority.

The proposal has also been discussed with Highways England to address any perceived impacts upon the strategic highway network. Their view is that even if the additional tonnage was imported to the site that the increase in tonnage would have an insignificant impact and as such they have no objections. Again, their corroboration is attached to this letter.

The LPA will appreciate that the current farming operations involve crops being grown on the farm exported off the farm –the pattern of operation at virtually every farm in the country. If, as a result of these proposals, crops grown on the farm are being used on the farm there will be a reduction in movements on the local highway network and this is surely the most sustainable of development proposals, aligned with the 'Golden Thread' running through the Framework.

The storage of these additional feedstocks will not require any physical works to take place on site over and above those already permitted. The clamps are sized sufficiently to store the additional material in accordance with Environment Agency requirements.

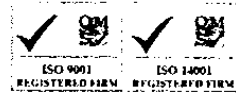
Turning to the outputs of the AD process, the additional tonnage would result in an increase in total digestate of approximately 1,625 tonnes per annum. This reason for the apparent discrepancy between the tonnage input and the digestate output is that approximately 75% of the grass silage is composed of water. For the avoidance of doubt, along with the input of the grass silage would be a corresponding reduction in the amount of raw water used in the facility.

Of this 1,625 tonnes, approximately 1,220 tonnes will be liquid and just 400 tonnes dry matter.

Again for the avoidance of doubt this material will remain on the Gravel Pit site and will be used as a locally derived organic fertiliser on the holding. It will help to reduce the demand for imported artificial fertiliser and there is more than sufficient capacity on the farm to absorb the additional digestate resulting from this proposal. This will be demonstrated in a revision to the digestate management plan submitted in response to Condition 12, should the revised grass silage tonnage be approved. To assist consideration of this request, we have attached the revision.

The key information I would highlight is that having regard to NVZ, digestate characteristics etc., the theoretical tonnage of liquid digestate that could be applied at Gravel Pit is 100,938 tonnes. Allowing for the increase of 1,220 tonnes of liquid digestate set out in the report, the total output from the AD





plant would be 37,635 tonnes. There is therefore a theoretical ability to spread a further 63,000 tonnes of digestate before environmental capacity would be reached.

For all of these reasons, the proposals are not considered to have any significant impacts upon highway safety or issues of amenity. No changes are proposed to the physical appearance of the site or plant.

If I can be of any further assistance to the Council, please do not hesitate to contact me.

Yours sincerely

Steve Barker BSc (Hons) MRTPI DMS
Managing Director
Prism Planning