

JUNE 2017

PLANNING STATEMENT

**SECTION 73 APPLICATION TO
VARY CONDITION 3 OF PLANNING
PERMISSION NO. 085439/001**

**GODWINS FACTORY - SOUTH,
BURTLE ROAD, WESTHAY,
GLASTONBURY.**

**PREPARED FOR
E.J. GODWIN (PEAT INDUSTRIES) LTD.
BY**

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**SECTION 73 APPLICATION TO VARY CONDITION 3 OF
PLANNING PERMISSION NO. 085439/001**

PLANNING STATEMENT

1. Introduction

- 1.1. The application site comprises an existing industrial building located on the Somerset Levels, on the southern side of Burtle Road, between the villages of Westhay and Burtle, around 7 km to the west of the town of Glastonbury (see Figures 1 & 2). The industrial building is centred on ST 418424 and located within the E.J. Godwin (Peat Industries) Ltd. (“Godwins”) factory site – south.
- 1.2. Godwins manufactures growing media, soil improvers and bark products on factory sites both north and south of Burtle Road and has done so since prior to 1947. The existing industrial building subject to this Section 73 Application was erected in late 1996 under Planning Permission No. 085439/001 dated 17 September 1996 and issued by Mendip District Council (MDC). The permission authorised the *Erection of replacement industrial building* to replace the previous building which had been in place since prior to 1951.
- 1.3. Condition 3 of Planning Permission No. 085439/001 requires that *The use of the building hereby permitted shall be limited to the storage and packaging of horticultural products deriving from peat*.
- 1.4. Immediately following the issue of Planning Permission No. 085439/001, Godwins agent wrote and informed MDC that in addition to peat products the company also dealt with *soil conditioners, forest products and peat alternatives*. The MDC Planning Services Manager responded in a letter dated 16 October 1996 and stated that the uses outlined *would fall within the tone of Condition 3 and therefore the current operation is authorised under this permission and no further action is necessary in connection with the use of the building*.
- 1.5. The existing industrial building has therefore been used for the storage and manufacture of horticultural products (comprised of growing media, soil improvers and bark) derived from peat, forest products and peat alternatives since the building was completed in late 1996. More recently, developments in peat reduction have lead to very close synergies between the growing media production and the wood product industry supplying agriculture/horticulture and biomass fuel. For the two years the application site has been used for a combination of these purposes.
- 1.6. MDC acknowledges the industrial history of the application site and the wider Godwins factory, both north and south of Burtle Road, but has requested that the current use is regularised. This could be achieved through a CLEUD Application, but it is considered that it is simpler to make a Section 73 Application to vary Condition 3 of Planning Permission No. 085439/001.
- 1.7. It is therefore proposed to vary Condition 3 of Planning Permission No. 085439/001 to read *The use of the building permitted by Planning Permission No.*

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085439/001 dated 17 September 1996 shall be limited to the storage, processing and manufacture of horticultural products, and to the storage, processing and manufacture of wood products for animal bedding and biomass’.

- 1.8. Terraqueous Ltd. has been commissioned to prepare this Planning Statement as part of the Section 73 Application. This document considers the background, existing use, land use policy position and environmental issues raised by the application.

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Figure 1: Site Location

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Figure 2: Application Site

2. Background

2.1. E.J. Godwin (Peat Industries) Ltd.

- 2.1.1. Godwins is a family business that is now in the sixth generation of management and originally cut peat for use as fuel. The company was incorporated in 1936 when the horticultural side of the business first commenced. During World War II the ‘dig for Britain’ campaign increased the use of horticultural peat and Somerset was the most important source of peat in the south of England.
- 2.1.2. The development of the ‘John Innes formula’ composts further increased the importance of peat in horticulture and after the war Godwins was at the forefront of the mechanisation of the Somerset industry. The company now manufactures a range of growing media, soil improvers and bark products supplied to both the retail and professional sectors. Customers include national accounts such as wholesalers, supermarkets and DIY chains, along with nurseries and garden centres.
- 2.1.3. The Godwins factory site is located on Burtle Road, between the villages of Westhay and Burtle, around 7 km to the west of the town of Glastonbury. The factory site is located both north and south of Burtle Road and is used for the manufacture of growing media, soil improver and bark products for sale to the horticultural market. The Godwins factory has existed in the present location since before World War II.
- 2.1.4. The manufacture of growing media (widely known outside the industry as ‘compost’) and soil improver used to rely largely on peat, combined with additives such as fertiliser and lime. The industry in Somerset grew up on the peat deposits to the west of Glastonbury and blended sedge peat harvested locally with imported *Sphagnum* peat. This was largely sourced from Ireland, but has also been imported from the Baltic, Scandinavia and Russia.
- 2.1.5. Over time reliance on peat has reduced, however, owing to concerns over the environmental impact of peat extraction and in response to Government peat reduction targets. In addition to peat the industry now uses a wide range of substrates in the manufacturing process, including wood fines, wood fibre, bark, bark fines, composted green waste and coir.

2.2. Peat Reduction Policy

- 2.2.1. MPG 13 was published in July 1995 and covered England & Wales only, but set the target of achieving a 40% non-peat content in UK growing media and soil conditioner sales by 2005. This target was achieved. The UK Biodiversity Action Plan subsequently set an ‘*aspirational target*’ for the industry to be 90% peat free by 2010, which was not achieved.
- 2.2.2. Despite the failure to meet the 2010 target, the government published the 2011 Natural Environment White Paper which set targets for the use of peat in England to be voluntarily phased out in the amateur market by 2020

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and in professional horticulture by 2030. This policy was based equally on both the long acknowledged value of peatland habitats and the relatively recently recognised value of peat as a carbon sink.

- 2.2.3. The 2016 report ‘Tracking Peat usage in Growing Media Production’ was published by the ‘The Agriculture & Horticulture Development Board’ (the “AHDB”) and provides growing media market data for 2015.
- 2.2.4. The 2016 report is the latest available and analyses the data for 2015. This shows that in 2015 the total market for growing media was 3.84 million cubic metres, comprised of 2.71 million cubic metres supplied to the retail market and for professional use.
- 2.2.5. The product supplied to the retail market was 52.9% peat, whilst the next largest constituent was wood based products at 21.1%. Composted green waste comprised just 11.9%. The professional market was comprised of 53.9% peat and 20.7% coir, with wood-based products at 8.3% of the total volume.
- 2.2.6. Peat use has therefore reduced to around 50% of the total market, with wood-based products the most important peat substitute in the retail sector and coir the most important non-peat substrate in the professional market. If current trends in peat reduction continue the 2011 Natural Environment White Paper targets for the use of peat in England to be voluntarily phased out by 2020/2030 will not be met, but significant progress has been made.

2.3. The District of Mendip

- 2.3.1. The Mendip District ‘Local Plan 2006 – 2029 Part I: Strategy and Policies’ (the “MDLPPI”) was adopted on 15 December 2014 and paragraph 2.2 notes that *‘Mendip is a rural district, covering an area of 738 square kilometres. The district contains five principal towns: Frome, Glastonbury, Shepton Mallet, Street and Wells’ and ‘there are in excess of 100 smaller rural settlements, varying in size from the largest villages like Coleford and Chilcompton (population circa 2,000) through to the smallest of hamlets which may consist of a dozen or so houses. In 2006... the district had an estimated population of 108,300 with around two thirds living in the five main centres’.*
- 2.3.2. Paragraph 2.11 of the MDLPPI notes that environment of Mendip is diverse. As noted previously, the application site is located on the Somerset Levels and MDLPPI paragraph 2.14 describes the area as *‘a low lying plain modified by man over centuries to create grazing land drained by interlocking ditches, known as rhyes. A significant proportion of the Levels and Moors is designated as an EU Special Protection Area (SPA), primarily on account of its birdlife interest. The area is also internationally recognised for discoveries of prehistoric remains that lie preserved in the peat’.*
- 2.3.3. Paragraph 2.17 goes on to note that this area is *‘at high risk of fluvial flooding... In the future, acknowledging climate change effects, flood risk areas will be more prone to incident and pressure on drainage systems in areas where flood risk is less prevalent may still result in localised inundation’.*

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2.3.4. MDLPPI paragraph 2.33 notes that *'the economy of Mendip is made up predominantly of micro and small companies and is now largely service based having seen many of its traditional industries decline or move away from the area over the last 20 to 30 years'*. With respect to the structure of employment, it goes on to say that *'the greatest number of jobs are now in distribution, retailing, construction, health, education and business services (such as property management, information technology and professional services). Traditional manufacturing industry has markedly declined which has required some reskilling of the workforce. Nevertheless, unemployment is low with a rate below the regional and national averages'*.

2.3.5. Furthermore, paragraph 2.34 highlights that *'another clear observation is that the local economy is a lower skilled, lower paid one, although it should be noted that this is common to economies across the South West... Mendip wages are consistent with Somerset averages, about 5% lower than SW averages and 15-20% below the UK average'*.

2.4. Highways Network

2.4.1. The Westhay –Burtle Road separates the Godwins factory site north and south. This is an unnumbered 'Class 3 Road' that runs from the Westhay – Shapwick Road in the east (which connects the B3151 at Westhay with the A39). The B3151 and the A39 allow access to the wider highways network, but the majority of outgoing traffic leaving the Godwins factory site north and south travels west through Burtle and on to Highbridge in order to access the A38 and the M5 motorway. This is in accordance with a legal agreement entered into by Godwins a number of years ago as a requirement of a planning permission issued by Somerset County Council.

2.5. Highways Access

2.5.1. There are two accesses to the Westhay – Burtle Road from the Godwins – factory site south. These afford reasonable visibility in either direction, which is restricted to a degree by the bends in the road and by protected trees (see below).

2.6. Rights of Way

2.6.1. No public rights of way cross the application site itself or the Godwins factory site – south. Public Footpath WS6/8 runs along a track approximately 120 metres to the south-east of the Godwins factory site – south. This Public Footpath runs in a north-westerly direction to the track and then along the track to connect to Burtle Road. A short distance to the east Public Footpath WS6/1 runs in a north-easterly direction towards Honeygar Farm.

2.7. Landscape

2.7.1. Paragraph 6.24 of the MLPPI notes that *'Mendip district has rich and varied landscapes. The district's name arises from the prominence of the Mendip Hills which run across the northern edge of the district, part of which are designated as an Area of Outstanding Natural Beauty (AONB). However, the transition from this upland area down to the equally distinctive Somerset Levels and Moors on the western side of the*

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district creates a wealth of visually and culturally significant landforms, most prominently represented by Glastonbury Tor’.

2.7.2. The area surrounding the Godwins factory site is typical of the surrounding section of the Somerset Levels, which has been extensively modified by peat extraction and restoration works. Agriculture is the dominant land use, with relatively small fields the pattern of which was established by enclosure, are typically under grass or used for growing maize. There are also significant areas of former peat working, primarily restored to open water and reedbed, but with limited areas still subject to extraction and even more limited areas of remaining bare peat.

2.7.3. The original land surface is typically around 2.50 to 3.00 metres AOD and flat but views are limited, even from the village of Westhay which lies between the 5 and 10 metre contours some 1 km to the east of the Godwins factory site. The primary reason for this is the extension scrub woodland that has developed within and at the margins of former peat workings, combined with larger more established trees at field margins and within shelterbelts.

2.7.4. As a result of the degree of screening the Godwins factory site has limited landscape impact for a development of that scale. In summer, when vegetation is in leaf it is well screened, but it should be noted that it is more visible during the winter months when the vegetation is less dense and the peat stockpiles tend to be larger.

2.8. Protected Trees & Other Vegetation

2.8.1. The Godwins factory site – south is partially surrounded by a band of mature oak trees. It is understood that these are in part protected by a Tree Preservation Order (TPO) which covers a band of trees along the south-eastern, south-western and part of the north-eastern boundaries of the original field. It should be noted that this TPO is not shown on the MLPPI Policies Map, but that source should not be regarded as definitive as other TPOs in the vicinity are incorrectly mapped. Many of the oak trees are now at the end of their natural life and are in poor condition. A number have fallen in recent years, some remain standing but appear dead, whilst others appear to be dying.

2.9. Conservation Designations & Protected Species

2.9.1. Paragraph 6.34 of the MLPPI states that *‘Mendip has a biologically diverse natural environment, with many examples of internationally and nationally scarce species and habitats’*. Paragraph 6.35 notes that *‘of the highest ecological value are three internationally important Natura 2000 sites, the Somerset Levels and Moors Special Protection Area (SPA) designated under Article 4 of the 1979 EC Birds Directive and two Special Areas of Conservation (SAC) designated under the 1992 EC Habitats Directive (Mells Valley SAC, Mendip Woodlands SAC and North Somerset and Mendip Bats SAC) which relate to bat populations. The Somerset Levels and Moors is also designated as an internationally important wetland under the Ramsar Convention’*.

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- 2.9.2. Reference to the Natural England ‘Magic’ system shows that the land to the west and south-west of the Godwins factory site - south is designated as part of ‘Westhay Heath’ Special Scientific Interest (SSSI). In turn, Westhay Heath SSSI is part of the Somerset Levels & Moors Special Protection Area (SPA). The designated area is largely comprised of restored peat workings and is partially owned by Godwins. The relevant conservation designations are shown in Figure 3.
- 2.9.3. MLPPI paragraph 6.36 states that *‘Mendip has a large number of locally designated Local Wildlife Sites – over 400 of these exist across the district. The Local Wildlife Sites system is designed to complement the network of nationally and internationally designated sites in the county. Selection is based on assessing a site’s ecological importance in a local context, in terms of the habitats and species the sites support. Those Local Wildlife Sites present in Mendip can be found on the Policies Map and many form part of the Somerset Ecological Network.’*
- 2.9.4. Reference to the MLPPI Policies Map shows that the nearest Local Wildlife Site is located approximately 550 metres to the north-west of the Godwins factory site – south. In many respects this is puzzling as the area subject to the designation is a peat extraction site owned and operated by Godwins, which has been subject to peat extraction since the early 1990’s.
- 2.9.5. There are no known protected species within the Godwins factory site – south. The scope for such species to be present is considered limited as the site is comprised of an existing industrial building and hardstanding, and has been in industrial use for many years.

2.10. Heritage Assets

- 2.10.1. There are no known listed buildings in the vicinity of the Godwins factory site. Scheduled Ancient Monument SAM 511 is located on the northern side of Burtle Road, approximately 20 metres north of the Godwins factory site – north. SAM 511 is a section of a prehistoric timber trackway discovered as a result of peat extraction and subject to a protection scheme approved by Somerset County Council.
- 2.10.2. Reference to the MLPPI Policies Map shows that a second Scheduled Ancient Monument is located approximately 200 metres to the north-west of the Godwins factory site – south. The designated site is an entire field through which the same prehistoric timber trackway is thought to run.

2.11. Drainage

- 2.11.1. Surface water drainage from the Godwins factory site – south is by means of underground drainage pipes which accept water from the existing industrial building and surface run-off from the existing hardstanding. A proportion of this drainage water will infiltrate into the ground and the remainder discharges to land to the south, west and east. Owing to the surface levels no run-off flows to the north across Burtle Road.

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- 2.11.2. No foul drainage is located within the Godwins factory site – south. Foul drainage within the Godwins factory site – north of by means of a septic tank.
- 2.11.3. Drainage is co-ordinated at a regional level by the Environment Agency (EA) which is responsible for maintaining water quality and flood alleviation. Across the Somerset Levels Internal Drainage Boards (IDBs) are responsible for land drainage and control the ‘View Ditch’ network, which feeds into the EA watercourses. Water within EA watercourses and the View Ditch network is held at a target level known as the ‘pen level’. The application site lies within the area covered by the ‘Axe Brue IDB’.
- 2.11.4. Statutory drainage provision in the vicinity of the Godwins factory site – south is shown in Figure 4. Drainage of the Godwins factory site – south along with the adjacent land is in a southerly direction towards the South Drain.
- 2.11.5. The closest IDB View Ditch is the Heath Rhyne. The Heath Rhyne flows in a north-westerly direction and connects to the Black Ditch, also an IDB View Ditch, around 1 km to the north-west of the Godwins factory site. The Black Ditch flows in a southerly direction and connects to the South Drain.
- 2.11.6. The South Drain is an EA Main River. Theoretical pen level in the vicinity of the Godwins factory site is that of the South Drain upstream of the Gold Corner pumping station and in theory summer and winter pen levels are 1.65 and 1.40 metres AOD respectively. The River Brue, which is also an EA Main River, is located around 1 km to the north of the Godwins factory site.

2.12. Flood Risk

- 2.12.1. Paragraph 6.183 of the MDLPPI notes that *‘flooding is an issue with varying levels of severity across the district and large expanses of floodplain exist on and around the Somerset Levels and Moors. The Mendip Strategic Flood Risk Assessment (SFRA) indicates that significant flooding is mainly caused by overtopping of river banks whilst less severe flooding is predominantly from surface water run-off and blockages of drains and culverts. Other sources of flooding such as groundwater or tidal impacts are less significant. Approximately 6% of properties within the district are located in areas at risk of flooding or within a short distance of known flooding incidents’*.
- 2.12.2. Reference to the EA ‘Flood Map for Planning’ shows that the existing industrial building within the Godwins factory site – south and the immediately adjacent hardstanding are located within ‘Flood Zone 2’. This is defined by the EA as land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding.
- 2.12.3. Very small sections of the hardstanding are within Flood Zone 1, but the majority of the remainder of the hardstanding and much of the surrounding land to the south of Burtle Road are identified as within Flood Zone 3. This

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is defined by the EA as land having a 1 in 100 or greater annual probability of river flooding; or Land having a 1 in 200 or greater annual probability of sea flooding.

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Figure 3: Conservation Status

Figure 4: Statutory Drainage Provision

3. Planning Status

3.1. Growing Media Manufacture – Planning Status

3.1.1. Following a number of successful CLEUD applications submitted by members of the Somerset industry it has been accepted that the manufacture of growing media, soil improver and bark products is a 'B2 General Industrial' use. CLEUD certificates confirming that this is the case include:

- Eclipse Works, Aschott Road, Meare – CLEUD No. 030963/004 dated 3 November 2004 and issued by Mendip District Council.
- Godwins Factory – North, Burtle Road, Westhay – CLEUD No. 042103/004 dated 21 April 2005 and issued by Somerset County Council.
- Green Meadows Works, Back River Drove, Sharpham - CLEUD No. 118588/000 dated 10 November 2005 and issued by Mendip District Council.
- Church Farm Factory, Station Road, Ashcott – CLEUD No. 1-01-06-007 dated 24 November 2006 and issued by Sedgemoor District Council.

3.2. Godwins Factory Site – South: Planning History

3.2.1. Aerial photographs show that a factory and hardstanding has existed on the Godwins factory site – south site since at least 1947. Copies of the following are provided in Appendix 1:

- | | |
|-----------------------------|------------|
| • National Monuments Record | 23/01/1947 |
| • National Monuments Record | 22/04/1951 |
| • National Monuments Record | 28/10/1960 |
| • National Monuments Record | 09/06/1969 |
| • Prestige Air | 1974 |
| • Prestige Air | 1978 |
| • Prestige Air | 1982 |
| • Infoterra | 15/05/1992 |
| • Simmons Aerofilms | 16/06/1994 |
| • Natural England | 1995 |
| • Skyscene | 07/02/2001 |

3.2.2. The photographs show that from 1951 to 1996 fundamentally the same building existed on the Godwins factory site – south, but this was extended over time as the business developed. Furthermore, the photographs show that there was a hardstanding around that building used in connection with the manufacturing process. On the photographs raw materials, pallets, finished product, machinery, HGVs and parked cars can clearly be seen.

3.3. Application Site: Planning History

3.3.1. There is no record that the building which stood on the application site from prior to 1951 until 1996 had planning permission, but there can be no

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doubt (based on the aerial photographs and the evidence presented in the 2005 CLEUD Application for the Godwins factory site – north) of the following:

- Both the 1951 to 1996 building itself and the B2 General Industrial use of the building had become established long before 1996.
- The B2 General Industrial/B8 Storage use of the hardstanding surrounding the 1951 to 1996 building had become established long before 1996.

3.3.2. On 17 September 1996 MDC granted Planning Permission No. 085439/001 for ‘Erection of Replacement Factory Building’ on the Godwins factory site – south (see Appendix 2). This building comprises the application site.

3.3.3. Condition 3 of Permission No. 085439/001 requires that *‘The use of the building hereby permitted shall be limited to the storage and packaging of horticultural products deriving from peat’.*

3.3.4. Godwins’ agent wrote to MDC on 20 September 1996 (see Appendix 3) with respect to Condition 3 and noted the following:

‘We note that the use of the building now permitted shall be limited to storage and packaging of horticultural products derived from peat and in fact our clients deal not only with peat products but soil conditioners, forest bark and peat alternatives. In the circumstances we consider that the words “deriving from peat” should be deleted from the condition.’

3.3.5. The MDC Planning Services Manager responded in a letter dated 16 October 1996 (see Appendix 4) and stated that:

‘The only way that Condition 3 could be altered in the manner you suggested would be through the submission of a new planning application. I think that this is unnecessary in this instance as the use of the building as outlined in your letter, would fall within the general tone of Condition 3 and therefore the current operation is authorised under this planning permission and no further action is necessary in connection with the use of the building.’

3.3.6. In short, therefore, the MDC Planning Services Manager confirmed in writing that the use of the building for the manufacture and storage of horticultural products (comprised of growing media, soil improvers and bark) derived from peat, forest products and peat alternatives was within the ambit of the planning permission. The new building was constructed in late 1996 and was used for the specified purpose from that time onwards.

3.4. Lawfulness of Use

3.4.1. Use of the building for the manufacture and storage of horticultural products since 1996 has been carried out in accordance with the written consent of an MDC Planning Services Manager. It is doubtful the MDC

Planning Services Manager was technically in a position to give that consent, but that is now irrelevant.

3.4.2. Either the written consent of the MDC Planning Services Manager is valid and use of the building for the manufacture and storage of horticultural products (comprised of growing media, soil improvers and bark) derived from peat, forest products and peat alternatives is lawful, or the written consent of the MDC Planning Services Manager carries no weight in law. If the latter is the case then it is clear that use for the specified purpose has become established by long use and could, as a matter of course, be confirmed by a CLEUD application. If a CLEUD were issued this would, as with the Godwins Factory - North site, confirm both the lawfulness of the existing use and the B2 status of the building.

3.5. Current Use

3.5.1. The growing media market has moved on since the 1996 building which comprises the application site was constructed and, as set out above, Government targets for peat reduction have become more ambitious. The volume of peat used in the manufacture of growing media and soil improvers has decreased and, regardless of the achievability of the voluntary phase-out targets set, will certainly decrease further.

3.5.2. As noted above, Godwins has responded to these policy and market developments by increasing the proportion of non-peat substrates used in the manufacturing process. Where possible this has been achieved by processing raw materials within the factory area. Doing so maximises control over the process, increases efficiency, reduces cost, minimises transport movements and maximises local employment. For example, in 1996 a bark processing operation was established within the Godwins factory site – north. This processes raw bark to create chipped bark and bark fines for use in growing media production.

3.5.3. Godwins is of the view that as peat reduction continues the future of the growing media/soil improver industry lies with increased use of wood/bark based products. These have significant advantages over other peat alternatives such as composted green waste and coir, and this view has driven Godwins strategy in recent years. Godwins view in this respect is supported by the AHDB growing media market figures for 2015 provided in the preceding section.

3.5.4. The synergy between the wood and horticultural industries is such that development of integrated processing facilities is inevitable. For example, Godwins has recently invested in a mobile wood chipper able to create either horticultural grade chip/fines or biomass grade wood chip. Godwins must therefore either develop integrated facilities within the factory site or become increasingly reliant on purchasing suitable raw materials from third parties.

3.5.5. In view of these synergies, in June 2015 Godwins entered a strategic partnership with Chipmunk (South West) Ltd. (“Chipmunk”), a company

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which manufactures and supplies wood based products including wood shavings, wood fibre, wood chip and biomass. Chipmunk therefore leases the industrial building and part of the factory site – south hardstanding from Godwins. Chipmunk supplies raw materials to Godwins for use in the production of growing media, soil improver and bark products, and continues to supply a wider customer base with similar products for use in agriculture/horticulture and as biomass.

- 3.5.6. In June 2015 Chipmunk located a wood planer was located on the Godwins factory site – south at the southern end of the existing industrial building that comprises the application site. This uses logs to produce wood shavings for animal bedding and raw bark, which is transferred to the Godwins bark processing operation. The wood shavings are currently transported elsewhere for baling. Previously, when the planer was located elsewhere the raw bark was imported to the Godwins factory site – north by HGV, now it is simply transferred across the road by tractor and trailer.
- 3.5.7. In September 2015 the partnership developed further and a wood fibre plant was added on the Godwins factory site – south on the hardstanding adjacent to existing industrial building that comprises the application site. This plant produces wood fibre from wood chips, and both raw wood chips and processed wood fibre are stored in the existing industrial building. Wood fibre is used both in the production of growing media and as animal bedding.
- 3.5.8. In December 2015 a further step in the joint venture saw the installation of biomass boilers in the existing industrial building that comprises the application site and driers on the existing hardstanding adjacent to the building. The boilers and driers, which are almost silent in operation, combine to reduce the moisture content of wood chip.
- 3.5.9. Wood chip is used in the Godwins bark/mulch raw material stream for the manufacture of growing media, soil improver and bark products, used as a feed stock to the wood fibre plant and sold for heat/power generation (as well as used to fuel the on-site boilers themselves). Drying the wood chip reduces the weight of outgoing product, which therefore increases the volume of material that can be accommodated on each HGV whilst remaining under the maximum legal weight limit, and improves the quality of the wood chip.
- 3.5.10. As noted above, such is the synergy between the wood and growing media industries that it is inevitable that processed material from the equipment installed by Chipmunk within the Godwins factory site - south will be supplied to both markets, depending on the time of year and the level of demand.

3.6. Current Application

- 3.6.1. The planning status set out above is directly relevant to the determination of the current application, and in particular the land use and environmental

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policy context set out in the following sections. It is therefore helpful to clearly set out the position at this stage.

- 3.6.2. The current application is to vary a condition of an existing planning permission. At present Condition 3 of Planning Permission No. 085439/001 requires that the use of the approved industrial building is limited to *'the storage and packaging of horticultural products deriving from peat'*. It is proposed that this is varied to limit the use to *'the storage, processing and manufacture of horticultural products, and to the storage, processing and manufacture of wood products for animal bedding and biomass'*.
- 3.6.3. As explained in Section 3, in 1996 the MDC Planning Services Manager confirmed in writing that the use of the building for the manufacture and storage of horticultural products (comprised of growing media, soil improvers and bark) derived from peat, forest products and peat alternatives was within the ambit of the planning permission. The new building was constructed in late 1996 and was used for the specified purpose from that time onwards.
- 3.6.4. The variation to Condition 3 sought by the current application effectively achieves two things. Firstly, it updates Condition 3 to the use originally sought and clarified as within the ambit of the permission by the MDC Planning Services Manager in 1996.
- 3.6.5. Secondly, the proposed variation explicitly allows storage, processing and manufacture of wood products for animal bedding and biomass which are the allied uses of wood closely related to use for horticultural production (and prevents other uses such as the manufacture of kitchens which are not related to the current use). Storage, processing and manufacture of wood products for horticultural use is of course authorised by the first part of the revised wording.
- 3.6.6. Approval of the current application will have no material impact on the nature of the operation as the plant and machinery and the nature of the operations are essentially the same regardless of whether the building is used for *'the storage and packaging of horticultural products deriving from peat'* (as clarified by the MDC Planning Services Manager in 1996) or *'the storage, processing and manufacture of horticultural products, and to the storage, processing and manufacture of wood products for animal bedding and biomass'*.
- 3.6.7. For the avoidance of doubt in this respect, the current proposal to vary Condition 3 does not authorise any extension to the building or the installation of any plant or machinery, other than to the extent that any such extension or installation is already permitted by the existing planning permission and/or any relevant General Permitted Development Order. Where necessary separate applications will be submitted for any such extension or installation and any potential impact will be considered as part of the relevant application.

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3.6.8. As a result, the following analysis is on the basis that approval of the current proposal will, in itself, result in no change to:

- The size of the building or the surrounding hardstanding.
- The type of machinery used within the building and on the surrounding hardstanding.
- The hours during of operation within the building and on the surrounding hardstanding.
- The volume of material processed within the building and on the surrounding hardstanding.
- The degree of illumination within the building and on the surrounding hardstanding.

4. Land Use Planning Policy

4.1. The National Planning Policy Framework & National Planning Practice Guidance

4.1.1. The National Planning Policy Framework (NPPF) was published in March 2012 and took immediate effect. Paragraph 14 states that *‘At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking’*.

4.1.2. NPPF paragraph 7 identifies the three dimensions of sustainable development as economic, social and environmental. These dimensions require the planning system to perform the following roles:

- *‘an economic role: contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- *a social role: supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being;*
- *an environmental role: contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.’*

4.1.3. With respect to determining planning applications paragraph 14 makes clear that for Local Planning Authorities (LPAs) *‘this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted’.*

4.1.4. Paragraph 17 of the NPPF states that *‘within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking’*.

4.1.5. The twelve principles set out under paragraph 17 include the requirements that planning *‘should:*

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- *not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;*
- *proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;*
- *take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*
- *support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);*
- *contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework’.*

4.1.6. Under the heading ‘building a strong, competitive economy’ NPPF paragraph 18 states that ‘the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future’.

4.1.7. Paragraph 19 of the NPPF states that ‘the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system’.

4.1.8. Under the heading ‘supporting a prosperous rural economy’ NPPF paragraph 28 requires that:

‘Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- *support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;*
- *promote the development and diversification of agricultural and other land-based rural businesses;*
- *support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and*

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- *promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.’*

4.1.9. Paragraph 118 of the NPPF states that:

‘When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- *if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- *proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site’s notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;*
- *development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;*
- *opportunities to incorporate biodiversity in and around developments should be encouraged;*
- *planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and*
- *the following wildlife sites should be given the same protection as European sites:*
 - *potential Special Protection Areas and possible Special Areas of Conservation;*
 - *listed or proposed Ramsar sites; and*
 - *sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites’.*

4.1.10. Paragraph 119 of the NPPF states that *‘the presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined’.*

4.1.11. Paragraph 123 of the NPPF deals with noise and states that:

‘Planning policies and decisions should aim to:

- *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*
- *recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and*

- *identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.*

4.1.12. Under the topic of minerals policy paragraph 143 of the NPPF states that *‘in preparing Local Plans, local planning authorities should...identify and include policies for extraction of mineral resource of local and national importance in their area, but should not identify new sites or extensions to existing sites for peat extraction’.*

4.1.13. Similarly, paragraph 144 states that *‘when determining planning applications, local planning authorities should... not grant planning permission for peat extraction from new or extended sites’.*

4.1.14. NPPF paragraph 196 states that *‘The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions’.*

4.1.15. Paragraph 197 adds the requirement that *‘In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development’.*

4.1.16. Where Local Plans were adopted prior to 2004, due weight should be given to existing adopted policies according to the degree of consistency with the NPPF. In short, therefore, until an adopted Local Plan is in place previously adopted policies that conflict with the NPPF are of little or no relevance.

4.1.17. The weight to be given to policies in emerging Local Plans will depend on the stage of plan preparation reached, the extent of unresolved objections and the degree of consistency with the NPPF.

4.1.18. Following publication the NPPF was subsequently supported by the Government National Planning Practice Guidance (NPPG). This provides further guidance and context to the policies set out in the NPPF and is updated on a regular basis. Whilst the NPPG does not specifically address the development proposed, a number of the topics covered by the NPPF such as the natural environment, noise etc. are potentially relevant to the proposal. Where the content of the NPPG adds to adopted policy it is therefore noted in the relevant part of the analysis that follows this section.

4.2. Adopted County Policy - Minerals

4.2.1. The Somerset Minerals Plan (the ‘SMLP’) regulates mineral development within the County. This was adopted on 18 February 2015 and is compliant with the NPPF.

4.2.2. SMLP ‘Policy SD1: Presumption in favour of sustainable development’ states that:

‘When considering mineral development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in

the National Planning Policy Framework. It will always work proactively with applicants and local communities to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *Specific policies in that Framework indicate that development should be restricted.'*

4.2.3. Policy with respect to peat extraction is set out in Section 8 of the SMLP and under the heading 'national policy direction' notes the following:

'8.8 Central government and various environmental organisations have been encouraging the development of reduced-peat and peat-free products and providing information to the growing media users on the damaging effects of peat extraction, in particular on carbon storage and biodiversity.

8.9 Government's Natural Environment White Paper makes a commitment for English amateur gardening to be peat-free by 2020 and professional horticulture to be peat-free by 2030, by introducing voluntary phase-out targets.

8.10 The White Paper also announced the creation of a task force, with an initial remit to explore how to overcome barriers to further reducing peat use in horticulture. Since then the Task Force has broadened its remit to reflect its long-term goals and adopted a new title: the Sustainable Growing Media Task Force.

8.11 The Sustainable Growing Media Task Force Report published in mid 2012 discussed whether peat can be responsibly sourced, concluding that: "there are some sources of peat that a pragmatist would say are not caught up in the initial problem (of depleting biodiversity) and deserve bespoke attention and narrative." This was named the "Somerset question" and questions whether "extraction of peat that converts farmland into biodiverse wetlands and other habitats should be exempt from the pressure to avoid all peat?"

8.12 Publication of the Task Force Report came after publication of the NPPF, which states that new applications for peat extraction should not be granted and in preparing local plans Mineral Planning Authorities should not identify new sites or extensions to new sites for peat extraction.'

4.2.4. SMLP paragraph 8.15 goes on to confirm that 'Somerset County Council supports the direction of national policy as stated in the NPPF'.

4.2.5. Turning to the impact of the transport of peat it is worth noting the content of SMLP paragraphs 8.37 to 8.43 in full. These read as follows:

8.37 The County Council is mindful of the potential implications of preserving and protecting the county's peatlands. If peat demand continues while Somerset's reserves dwindle in line with national policy, peat imports from Ireland and Baltic nations could increase to replace local peat, thereby exporting environmental and archaeological damage and potentially increasing vehicle movements in Somerset. The Mineral Planning Authority has no direct control over this issue.

8.38 Peat reserves and imports can only be monitored accurately with the support of the industry. Peat imports nationally have made up around 68% of peat used in England/UK according to the most recently available statistics.

8.39 As previously mentioned a light moss peat is imported to Somerset, mostly from Ireland, which mixes well with the denser local sedge peat to produce a well balanced growing medium. There are also non-peat lighteners used, but they can be more variable in quality and potentially harder to source than moss peat. All imports, peat and non-peat, will result in increased transport impacts on local communities. Imported peat will also increase the carbon footprint of the county.

8.40 Several of the peat factory sites have a planning status that allows them to operate independently of any peat extraction permission. The future use of these sites will not be under the control of the County Council, unless it relates to a minerals or waste activity. Planning control for development other than minerals extraction or waste management and associated buildings and plant is a District Council issue and is dealt with by Mendip and Sedgemoor District Councils for the areas concerned.

8.41 The majority of the factories processing growing media products have Class B2 land use allowing the factories, after peat use has finished, to be used for general industrial activities, including some waste activities such as wood chipping. These permissions are not connected to a minerals permission, are not time limited, and do not have restrictions on stockpiling or lorry movements for example. Ideally a growing media industry based on imported materials would move to more suitably located sites with better road connections. The economic reality is that this is unlikely to happen in the near future. However, some former processing sites have closed and been redeveloped for uses more in keeping with the quiet nature of the area.

8.42 In discussion with the relevant District Councils, Somerset County Council will promote and support potential after-uses of factory sites that provide positive enhancement to the local area and will not create unacceptable environmental impacts if possible. Growing media processing sites will be encouraged, where possible, to relocate to more suitable locations closer to good transport links.

8.43 Whilst there are limited opportunities to reduce transport impacts at factory sites unassociated with minerals permissions, transport impacts can be reviewed and conditions reconsidered linked to minerals permissions at their periodic reviews, which occur every 15 years or as/when required. Concerns have been raised that in light of the government's aim for all horticulture to be peat-free by 2030, the rate of peat extraction in the UK could increase to ensure all existing reserves are extracted before this date. Policy DM9 helps to control this issue.'

4.2.6. The development management policies in SMLP Sections 13 to 21 and 24 all begin with the phrases 'planning permission for mineral development',

‘proposals for mineral development’ and ‘planning permission will be granted for mineral development’. None of these policies are therefore relevant to the current application.

4.2.7. Section 22 of the SMLP deals with ‘disposal of solid mineral wastes’ and SMLP Section 23 with production limits for new minerals development’. Again, both are therefore irrelevant to the current application.

4.3. Developing County Policy - Minerals

4.3.1. In March 2017 Somerset County Council (“SCC”) published a new Minerals and Waste Development Scheme (MWDS) which sets out the plan documents that SCC expects to prepare over the next few years. Developing policy is therefore at a very early stage with no draft policies yet developed, and therefore carries no weight in planning terms.

4.4. County Policy - General

4.4.1. The Somerset & Exmoor National Park Structure Plan (“SESP”) was originally adopted on 20 April 2000. Along with the Regional Spatial Strategy all policies except for Policy 6 (Bristol/Bath Green Belt) were revoked by Government on 20 May 2013. The content of that document is therefore irrelevant to the determination of the current application.

4.5. Adopted District Policy

4.5.1. Vision & Objectives

4.5.2. The Mendip District ‘Local Plan 2006 – 2029 Part I: Strategy and Policies’ (the “MDLPPI”) was adopted on 15 December 2014.

4.5.3. Section 3 of the MDLPPI identifies the Vision for Mendip until 2029 as:

In 2029, Mendip remains a rural, multi-centred district of great diversity. Although still strongly influenced by larger centres outside the district for jobs, shopping and leisure, Mendip’s market towns have continued to improve their services, facilities and amenities, enabling a higher proportion of peoples’ needs to be met locally. In more rural parts of the district, access to basic goods and services has been secured with a number of villages offering an increasingly wide range of facilities to their surrounding communities. New development, primarily focused in the towns, has made efficient use of land but has been used to reinforce the distinctive character of each place.

In Frome and Wells, promoting a better balance between homes and jobs has been achieved. In Frome, economic development has been stimulated to improve opportunities for local employment, reducing the outflow of the workforce to Bath or places in the west of Wiltshire. Furthermore, the appeal of its town centre has been dramatically improved by major redevelopment which makes the most of the natural and cultural assets of the town. In Wells, a greater proportion of new housing has been designed to provide for working people, particularly those on lower incomes who are less able to access housing, despite having work in the city. In both of these places, new development has been sensitive to their landscape setting and cultural heritage. In Shepton Mallet, the potential of the town

has been unlocked. Its heritage, trained workforce and central geographical position have been harnessed to generate higher incomes, provide community facilities and stimulate new vitality in the town centre. The close proximity of Street and Glastonbury has been exploited through sustainable transport links, enabling local people to gain the best of their complementary offers in terms of housing, employment, shopping and community facilities.

The diversification of the local economy is continuing, with high speed broadband access helping to counteract the limitations of the local transport network. New and improved education and vocational training facilities have improved the skills of the workforce, encouraging new and dynamic businesses on well designed sites in the towns. These factors have also facilitated a rural renaissance, allowing small office/workshop based businesses and a new generation of local food producers, making use of older farm buildings and other structures, to employ local people in better paid roles. New rural housing has been primarily focused on the villages with the best range of services and facilities. Demand responsive rural transport services and sustainable transport links are also being developed to improve accessibility for rural residents to their nearest town.

The sensitive landscapes and environments of the Mendip Hills and Somerset Levels remain critical assets for wildlife and informal recreation, but alongside cultural attractions like Glastonbury Tor and Wells Cathedral, also attract tourism which is important to the local economy.'

4.5.4. Strategic objectives identified by the MDLPPI include, under the heading 'To diversify and strengthen the local economy':

- 1. Deliver suitable employment land and premises at the towns to enable forecast job growth potential to be realised, with additional provision in Frome to promote a better balance of jobs and economically active people.*
- 2. Deliver a mixture of modern and flexible employment premises with an emphasis on supporting existing local firms, flexible/incubator space to support the establishment and growth of small businesses and office space that reinforces the vibrancy of our town centres.*
- 3. Retain jobs on redundant employment sites through mixed use re-development.'*
- 4. Support proposals which improve and extend tourism across the district.'*

4.5.5. Strategic objectives identified by the MDLPPI also include, under the heading 'To maintain and enhance the quality of the local environment and contribute to international climate change goals':

- 20. Create well designed places that are safe and responsive to their surroundings, whether built, natural or cultural, whilst maintaining and enhancing the historic environment.*
- 21. Deliver new development that makes efficient use of land, using sustainable methods of construction and utilising technologies that minimises their environmental running costs.*
- 22. Protect sensitive wildlife habitats and valued landscapes from development and enhance biodiversity and local scenery through an integrated network of green spaces, corridors and protected areas.*
- 23. Recognise and manage development in light of emerging climate change impacts with particular regard to the location of new development away from areas of flood risk and developments that would increase the risk of flooding elsewhere.'*

4.5.6. The relevant elements of MLPPI ‘Core Policy 1: Mendip Spatial Strategy’ require that:

‘All new development is expected to contribute positively towards delivering components of the Vision for the district and the associated strategic objectives.

1. To enable the most sustainable pattern of growth for Mendip district...

c. Development in the open countryside will be strictly controlled but may exceptionally be permitted in line with the provisions set out in Core Policy 4: Sustaining Rural Communities.

3. In identifying land for development the Local Plan’s emphasis is on maximising the re-use of appropriate previously developed sites and other land within existing settlement limits as defined on the Policies Map, and then at the most sustainable locations on the edge of the identified settlements. Any proposed development outside the development limits, will be strictly controlled and will only be permitted where it benefits economic activity or extends the range of facilities available to the local communities.

4. Development is required to provide infrastructure in accordance with the infrastructure needs for each town as defined in Core Policies 6-10, the accompanying Infrastructure Delivery Plan or other needs as they arise. Infrastructure to be secured from development within rural communities will be defined as part of the Site Allocations DPD process.’

4.5.7. Economy

4.5.8. MLPPI ‘Core Policy 3: Supporting Business Development and Growth’ includes the requirements that:

‘1. Proposals for economic development will be supported where they:

- accord with the Spatial Strategy defined in Core Policy 1 and, in rural areas, the principles set out in Core Policy 4;*
- encourage a diverse, robust, thriving and resilient local economy;*
- enhance the image of the area as a business location;*
- limit the growth in demand for private transport and are accessible by sustainable transport modes;*
- offer higher quality job opportunities to local people or improve the skills of the resident work force;*
- consider options for the use of local contractors and supply chains in the construction and subsequent running of the enterprise.*

3. The Council will support proposals which extend the attraction of the area to visitors.

The Council is keen to ensure that the path to securing planning consent, especially for business development, is as smooth as possible. The most effective means of achieving a swift decision is for applicants and agents, or business owners themselves, to contact the Council well before a development scheme begins to be conceived. This will allow relevant matters to be explored and clear advice given about the level of supporting information

that may be required in making an application. Furthermore, where relevant, third party advice from other organisations (e.g. Highway Authority, Environmental Protection) can be secured in good time. This early engagement will enable any subsequent planning application to be more easily determined.'

4.5.9. Rural Development

4.5.10. Section 4 of the MLPPI deals with rural development policy under the heading '*Sustaining communities in rural Mendip*' and paragraph 4.74 notes that '*Mendip is a predominantly rural district and the Local Plan needs to give a clear view of the development principles which will apply across this varied area. Distilled from the Vision for Mendip and associated objectives in section 3, the priorities for rural development can be summarised as:*

- *Protection of the open countryside for its intrinsic value and as a resource for a range of uses including wildlife, agriculture, tourism and recreation.*
- *Provision of housing to meet specific local needs including affordable housing to enable people to live and work locally or stay in communities where they have a clear local connection.*
- *Delivering most development in places where people can access services and facilities using a choice of means of transport.*
- *Supporting the rural economy, although ensuring that the scale of development is appropriate to the rural setting.*
- *Protection of essential community infrastructure and ensuring that it is extended where development imposes undue burdens upon it'.*

4.5.11. Paragraph 4.83 of the MLPPI notes that '*rural Mendip is an extensive area with a range of economic development opportunities that are able to be exploited. Agriculture, quarrying and tourism are key examples, however there are a plethora of small businesses, of a scale appropriate in a rural setting, which generate wealth and employment*', but goes on to caution that '*as policies in this Plan and within national policy make clear, the desirability of unfettered development in the countryside must not undermine its intrinsic value*'. The paragraph further notes that '*in line with Core Policy 3, the Council will support the emergence and growth of rural enterprises and clause 4 of the policy below sets out additional specific policy relating to rural economic development*'.

4.5.12. This background is carried forward into 'Core Policy 4: Sustaining Rural Communities' which requires that:

'Rural settlements and the wider rural area will be sustained by:

1. *Making planned provision for housing within the Primary and Secondary Villages having regard to identified constraints and at a scale commensurate with the existing housing stock in line with Core Policies 1 and 2.*
2. *Identifying and delivering opportunities for the provision of rural affordable housing, secured for the benefit of the community in perpetuity, where there is evidence of local need as set out in Development Policies 11 and 12.*

3. *Making allowance for occupational dwellings in rural locations, where there is a proven and essential functional need, to support agricultural, forestry and other rural-based enterprises set out in Development Policy 13.*

4. *Supporting proposals for development of the rural economy as set out in Core Policy 2 which,*

- a. deliver modest clusters of flexible premises able to meet the needs of the rural economy in the Primary Villages identified in Core Policy 1, or*
- b. enable the establishment, expansion and diversification of business in a manner and of a scale which is appropriate to the location and constraints upon it, or*
- c. involve the conversion of existing buildings for an economic use as considered under Development Policy 22.*

5. *Support for viable schemes which extend the range of community infrastructure allowing local people to secure more of their everyday needs locally.*

6. *Ensuring that where development imposes burdens which exceed the capacity of existing facilities, new development is phased for delivery in line with improvements to the relevant infrastructure.*

7. *Safeguarding community facilities and commercial premises, or premises formerly used for such purposes, in line with Development Policy 17.'*

4.5.13. Landscape

4.5.14. Turning to relevant development policies, 'Policy DP4: Mendip's Landscapes' reads as follows:

'Mendip district is defined by its landscapes. Proposals for development that would, individually or cumulatively, significantly degrade the quality of the local landscape will not be supported. Any decision-making will take into account efforts made by applicants to avoid, minimise and/or mitigate negative impacts and the need for the proposal to take place in that location.

The following criteria will be applied in relation to particular landscape designations present in the district:

1. *Within the nationally designated Areas of Outstanding Natural Beauty (AONBs) shown on the Policies Map the conservation and enhancement of the natural beauty, wildlife and cultural heritage will be the primary consideration in the determination of development proposals. New developments will be supported where:*

- they foster the social or economic well-being of the communities within the designated area or promote the understanding and enjoyment of the special qualities of the AONB - provided that such development is compatible with the wider purpose for which the area was designated, and*
- the site concerned, having regard to alternative options, offers the most appropriate means to limit or mitigate against any negative visual impact on the immediate locality and longer distance panoramic views, and*
- the design and appearance of the proposal is responsive to its context and where visible within the wider landscape makes a positive contribution that reinforces the character of the AONB.*

Proposals in areas adjacent to the AONB will, depending upon their prominence in the wider landscape, be expected to demonstrate that their location and form do not compromise the setting of the designated area.

2. Proposals for development which lie within or which would affect the setting of Special Landscape Features (as defined on the Policies Map) will be determined with regard to their impacts upon their specific qualities as described in the 2012 “Assessment of Special Landscape Features.”

3. Outside of designated landscape areas, proposals should demonstrate that their siting and design are compatible with the pattern of natural and man-made features of the Landscape Character Areas, including cultural and historical associations, as detailed in the “Landscape Assessment of Mendip District.”

4. Proposals affecting Regionally Important Geological and Geomorphological Sites (RIGS) should seek to ensure that the integrity of the area designated is not compromised.’

4.5.15. Ecology & Biodiversity

4.5.16. MLPPI paragraph 6.38 states that *‘the long standing approach of safeguarding designated areas has preserved particular habitat areas, however intensified use of land around these areas, for example, has increasingly isolated these areas...’* and *‘...preserving existing fragments of habitats and isolated protected sites alone will not be sufficient to conserve biodiversity’*. Paragraph 6.39 goes on to say that *‘the new approach advocated in the NPPF calls for the establishment of an ecological network. An ecological network is a connected group of natural and semi-natural habitats which are large enough and sufficiently joined-up to enable the survival of viable populations of flora and fauna species. Ecological networks are managed with the objective of conserving biodiversity, and maintaining and restoring ecological function in the natural environment’*.

4.5.17. Paragraph 6.40 discusses ‘Somerset’s Ecological Network’, which is *‘a plan of existing and potential strategically important ecological infrastructure located across the county. It identifies existing as well as new opportunities for biodiversity, and the linkages required to ensure connectivity between these elements’*. Paragraph 6.42 goes on to say that *‘sustainable development in the district will avoid direct and indirect impacts to Somerset’s Ecological Network. Through sensitive site location and master-planning, sustainable development will not lead to the loss, damage, deterioration or disturbance of Core Areas, Corridors or Stepping Stones, and will generate a net gain for biodiversity by enhancing Restoration Areas and Buffer Zones’*.

4.5.18. Paragraph 6.43 identifies that, despite this approach, *‘development pressures will continue to generate applications that will impact directly or indirectly (i.e. in terms of loss, damage, deterioration or disturbance of such features) upon biodiversity resources. Such development, whether affecting designated areas as part of the Somerset Ecological Network or not, is not sustainable. The default position is that biodiversity resources should be safeguarded from development. However, there will be circumstances where the development will be deemed necessary resulting in impacts on biodiversity. Exceptions will only be made on a “no net loss basis”...’*

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4.5.19. In short, paragraph 6.44 explains that this means that *‘in order to achieve ‘no net loss’ of biodiversity in the district as a result of future development, where a proposal is considered to have the potential to cause an adverse effect on protected sites, species or habitat, mitigation and/or compensation measures, including offsetting, will be sought’.*

4.5.20. This approach is carried forward into ‘Policy DP5: Biodiversity and Ecological Networks’, which reads as follows:

‘The Council will use the local planning process to protect, enhance and restore Somerset’s Ecological Network within Mendip.’

1. All development proposals must ensure the protection, conservation and, where possible, enhancement of internationally, nationally or locally designated natural habitat areas and species.

2. Proposals with the potential to cause adverse impacts on protected and/or priority sites, species or habitats are unlikely to be sustainable and will be resisted. Exceptions will only be made where:

a) the impacts cannot be reasonably avoided,

b) offsetting/ compensation for the impacts can be secured,

c) other considerations of public interest clearly outweigh the impacts, in line with relevant legislation.

Offsets as mitigation or compensation required under criterion b) will be calculated using Somerset County Council’s Biodiversity Offsetting methodology.’

4.5.21. Environmental Protection

4.5.22. MLPPI paragraph 6.65 states that *‘new development must aim to ensure that the environment is not exposed to pollution and that it does not impose burdens on natural systems or human health that would be detrimental to their wellbeing’.* Air quality, water supply and treatment, light pollution and noise are discussed in the paragraphs that follow, all of which is drawn together in ‘Policy DP8: Environmental Protection’ which requires the following:

‘All development proposals should minimise, and where possible reduce, all emissions and other forms of pollution.’

1. Development (either cumulatively or individually) will be required to demonstrate that it does not give rise to unacceptable adverse environmental impacts on:

- *ambient noise levels;*
- *air quality;*
- *the quality of water resources, whether surface river or groundwater;*
- *biodiversity;*
- *light pollution;*
- *land quality and ground stability;*
- *residential amenity; and*
- *public health and safety.*

2. *Development proposals must include an assessment appropriate to the type and extent of impact and any associated risks to the satisfaction of the relevant environmental body. Any proposed solutions or mitigation measures should comply with relevant EU and British Standards, Environment Agency guidance and national limits or guidelines and take account of any locally adopted standards and supplementary guidance.*

3. *Development proposals, particularly those in a rural setting and especially those in designated Areas of Outstanding Natural Beauty (AONBs), should make all reasonable efforts to minimise noise and light pollution impacts.*

4. *Development proposals which are on or adjacent to land which may have been subject to contamination or impact from existing sources of noise will need to demonstrate that measures can be taken effectively to mitigate the impacts on public health, environmental quality, the built environment and amenity. Proposals will only be permitted where the impact and risks are, or can be mitigated appropriately for the proposed use. Appropriate mitigation and remediation will be secured through planning conditions on the development.*

5. *Development will not be permitted within Sewage Treatment Works Consultation Zones unless it is demonstrated that the environment provided for future users will not be adversely affected.'*

4.5.23. Transport

4.5.24. Paragraph 6.77 of MLPPI A primary planning consideration is to ensure that development proposals are well located and achieve a suitable connection to the highway or other rights of way that are safe for pedestrians, cyclists and occupants of vehicles. Equally important is the need to ensure that the functioning of the road network is not prejudiced by poor planning which can lead to increased risks in terms of road safety, air pollution and impacts on the ability of non car users.

4.5.25. 'Policy DP9: Transport Impact of New Development' therefore states that:

'1. Where appropriate, development proposals must demonstrate how they will improve or maximise the use of sustainable forms of transport (particularly by means other than the private car), and shall include, where relevant, the submission of Travel Plans and/or Transport Assessments.

2. Development proposals will be supported where they:

- a) make safe and satisfactory provision for*
 - i. access by all means of travel (particularly by means other than the private car);*
 - ii. emergency vehicles;*
 - iii. servicing; and*
 - iv. parking of motor vehicles and cycles, addressing the needs of all including those with a disability.*

- b) avoid causing traffic or environmental problems within the wider transport network or generating any requirement for transport improvements which would harm the character or locality; and*
- c) avoid direct access on to a National Primary or County Route where the proposals are outside designated Development Limits, unless access via a National primary or County Route location is essential for the type of development proposed and mitigation on and off site is fully undertaken as part of the development to the satisfaction of the Highway Authority.'*

4.5.26. Flood Risk

4.5.27. Paragraph 6.184 of the MLPPI states that *'National policy is that development should be directed to Flood Zone 1 (the area of lowest risk) wherever possible and then sequentially to Flood Zones 2 and 3. The Council will expect development proposals to comply with the policies in the NPPF and supporting practice guidance. Where proposals require flooding or drainage infrastructure to be provided as part of the development, this will be sought in accordance with Development Policy 19. It is expected that flooding and drainage infrastructure should be addressed as part of the masterplanning work on key sites and future growth areas identified in this Plan'*.

4.5.28. Paragraph 6.185 goes on to say that *'all development proposals should refer to the latest available information on flood risk (from rivers or surface water flooding) provided on the Environment Agency website. Proposals should also take into account any local standing advice produced by the Environment Agency. This will be used by the Council to assess the need for a specific Flood Risk Assessment. Early engagement with the Environment Agency is encouraged where flood risk is identified. A Flood Risk Assessment should demonstrate that all sources of flood risk have been considered (e.g. relevant evidence from recent flood events and locations identified in the SFRA; account has been taken of future climate change as set out in the NPPF; and appropriate measures have been incorporated into the proposal to reduce flood impacts elsewhere'*.

4.5.29. Specific issues relating to the Somerset Levels & Moors are discussed in paragraph 6.186, as in these areas *'activity exists in the knowledge that flooding remains a threat. New development is therefore strongly resisted for this reason. Following recent flood events on the Somerset Levels, an action plan has been produced by the Somerset County Council and DEFRA which commits to developing a strategy on how flood risk can be managed sustainably on the Levels and Moors over the next 20 years. This will be taken into account in any development proposals in this area'*.

4.5.30. This background is carried forward into 'Development Policy 23: Managing Flood Risk' which states that:

'1. Development will follow a sequential approach to flood risk management, giving priority to the development of sites with the lowest risk of flooding. The development of sites with a sequentially greater risk of flooding will only be considered where essential for regeneration or where necessary to meet specific local requirements.

2. Development in areas at risk of flooding will be expected to:

- a) be resilient to flooding through design and layout; and*
- b) incorporate sensitively designed mitigation measures, which may take the form of on-site flood defence works and/or a contribution towards, or a commitment to undertake,*

such off-site measures as may be necessary, in order to ensure that the development remains safe from flooding over its lifetime, taking into account the predicted impact of climate change.

3. All development will also be expected to incorporate appropriate water management measures to reduce surface water run-off and ensure that it does not increase flood risks elsewhere. This should include the use of sustainable urban drainage systems (SUDS).'

4.6. Developing District Policy

4.6.1. According to the MDC website, a pre-submission draft of Local Plan Part II is likely to be agreed in September 2017 with formal consultation and submission by the end of 2017. To date only an initial consultation has been carried out, which posed a number of consultation questions rather than providing draft policies for consideration.

4.6.2. Under the heading 'Employment and Commercial Development' the initial consultation stated that *'the Local Plan Part II will need to identify additional land and opportunities for office and industrial uses to support projected job growth and business needs in the District. Adopted Core Policy 3 sets out the need for additional floorspace in the main towns. It also supports the retention and enhancement of sites and premises in the rural area. More detail is given in the individual town chapters. A limited number of employment and mixed-use sites have been put forward in the Housing and Land Availability Assessment which are included in the town and village chapters. The Council is seeking further submissions of employment land in this consultation, particularly where it addresses a local need or highlights the potential to improve existing stock.'*

4.6.3. It also noted that *'given the pressure for redevelopment of employment stock and changing business needs, the Council envisages it will update its audit of the quality of existing employment land and premises, as well as evidence on the need for additional sites, during the preparation of the Local Plan Part II.'*

4.6.4. The initial consultation also stated that *'the retention and growth of local business in villages is also a priority and there is a specific question on local employment in the village chapters. Supported by national planning policies, the Part I Plan directs any new retail development to the town centres. No specific need for additional sites for food stores or out-of-town centre retailing is proposed. However, there may be gaps in local provision and neighbourhood facilities which are likely to be needed in planning strategic sites.'*

5. Land Use Planning Policy Analysis

5.1. National Planning Policy

- 5.1.1. The current proposal is to vary Condition 3 of Planning Permission No. 085439/001 to read *'The use of the building permitted by Planning Permission No. 085439/001 dated 17 September 1996 shall be limited to the storage, processing and manufacture of horticultural products, and to the storage, processing and manufacture of wood products for agriculture/ horticulture and biomass'*.
- 5.1.2. For the reasons set out in Section 3.6 of this document, approval of the current application will have no material impact on the nature of the operation as the plant and machinery and the nature of the operations are essentially the same regardless of whether the building is used for *'the storage and packaging of horticultural products deriving from peat'* (as clarified by the MDC Planning Services Manager in 1996) or *'the storage, processing and manufacture of horticultural products, and to the storage, processing and manufacture of wood products for animal bedding and biomass'*.
- 5.1.3. As noted previously in Section 2, the land to the west and south-west of the Godwins factory site - south is designated as part of 'Westhay Heath' Special Scientific Interest (SSSI). In turn, Westhay Heath SSSI is part of the Somerset Levels & Moors Special Protection Area (SPA) and as a result the current application must be considered under the 'Habitats Regulations'. This is relevant as paragraph 119 of the NPPF states that *'the presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined'*.
- 5.1.4. As a first step, MDC will have to screen the current application to identify the likely impacts of the application and assess if those impacts are likely to have a significant impact on the designated European site (in this case the Somerset Levels & Moors SPA). If the screening determines that the impacts identified are likely to have a significant impact on the designated European site then an 'Appropriate Assessment' will be required.
- 5.1.5. For the reasons set out in the following section, the current application is considered to have no impact on 'Ecology, Protected Species & Designated Sites' and to be compliant with MDLPPI policy DP5. It is therefore considered that the screening of the current application will determine that approval of the current application will not have a significant impact on the designated European site and as a result Appropriate Assessment will therefore not be required. On that basis, the NPPF presumption in favour of sustainable development is therefore applicable to the current application.
- 5.1.6. NPPF paragraph 7 identifies the three dimensions of sustainable development as economic, social and environmental sustainability, and the current application contributes to all three dimensions.

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- 5.1.7. The economic role of supporting local business is self-evident, but through the provision of manufacturing employment in a rural area the current application supports local communities and therefore social sustainability. By supporting peat reduction the current application also contributes to environmental sustainability policy objectives (see below).
- 5.1.8. Of the twelve principles set out under paragraph 17 of the NPPF, three are particularly relevant to the current application. The first of these is the requirement that planning should *‘proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs’*.
- 5.1.9. Paragraph 19 of the NPPF goes on to say that *‘the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system’*. Furthermore NPPF paragraph 18 states that *‘the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future’*.
- 5.1.10. Aside from the presumption in favour of sustainable development, the current application is supported by a number of other policies set out in the NPPF. The principles set out under paragraph 17 of the NPPF include the requirement that planning should *‘support the transition to a low carbon future in a changing climate... and encourage the use of renewable resources (for example, by the development of renewable energy)’*.
- 5.1.11. The principles set out under paragraph 17 of the NPPF also include the requirement that planning should *‘contribute to conserving and enhancing the natural environment and reducing pollution’*.
- 5.1.12. NPPF paragraph 28 requires that *‘planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development’*.
- 5.1.13. There is therefore strong policy support for the economic and environmental sustainability aspects of the current application, which supports the local economy and contributes to a low carbon future by reducing peat use and producing biomass fuel.
- 5.1.14. Finally, and again separate as to whether the presumption in favour of sustainable development applies, the current application must be considered in the context of the requirements under paragraphs 143 and 144 of the NPPF. These require that local planning authorities *‘should not identify new sites or extensions to existing sites for peat extraction’* or *‘grant planning permission for peat extraction from new or extended sites’*. Similarly, the voluntary phase out targets for the use of peat in horticulture set out in the Natural Environment White Paper 2011 are also relevant.

5.1.15. Under the circumstances it would be perverse to refuse the current application which promotes and supports peat reduction, as to do so would be contrary to national policy, which is to reduce the use of peat in growing media production.

5.2. County Planning Policy

5.2.1. County planning policy is not directly relevant to the determination of the current application, except to the extent that it supports national planning policy with respect to peat extraction planning permissions set out in the NPPF. As noted previously, SMLP paragraph 8.15 confirms that *‘Somerset County Council supports the direction of national policy as stated in the NPPF’*.

5.2.2. The SMLP does not specifically cover peat reduction or the voluntary phase out targets set by the 2011 Natural Environment White Paper, but the SMLP makes clear that SCC is aware of the implications of a reduction in the supply of Somerset peat to the local industry. SMLP paragraph 8.37 states that *‘if peat demand continues while Somerset’s reserves dwindle in line with national policy, peat imports from Ireland and Baltic nations could increase to replace local peat, thereby exporting environmental and archaeological damage and potentially increasing vehicle movements in Somerset. The Mineral Planning Authority has no direct control over this issue’*. Paragraph 8.39 adds *‘all imports, peat and non-peat, will result in increased transport impacts on local communities. Imported peat will also increase the carbon footprint of the county’*.

5.2.3. SMLP paragraph 8.40 acknowledges that *‘several of the peat factory sites have a planning status that allows them to operate independently of any peat extraction permission’* and Planning Permission No. 085439/001 is plainly a case in point. The existing industrial building within the Godwins factory site – south can lawfully be used for *‘the storage and packaging of horticultural products deriving from peat’* regardless of the source of that peat. For the avoidance of doubt, the use could continue using 100% imported peat with no Somerset peat in the mix.

5.2.4. Paragraph 8.41 of the SMLP states that *‘ideally a growing media industry based on imported materials would move to more suitably located sites with better road connections’* but is realistic and goes on to say that *‘the economic reality is that this is unlikely to happen in the near future’*. The suggestion, in SMLP paragraph 8.42 that *‘growing media processing sites will be encouraged, where possible, to relocate to more suitable locations closer to good transport links’* is no more than an aspiration on the part of SCC. This aspiration is not supported by positive policy measures or by funding, and may well be considered contrary to the policy objectives of MDC (see below).

5.2.5. For the avoidance of doubt there is no realistic possibility that the Godwins factory site will be relocated under any circumstances that can be reasonably foreseen. The capital cost of doing so would under all foreseeable circumstances outweigh the marginal transport cost attached to importing raw materials to the existing site.

5.2.6. Again, in view of County planning policy which is to grant no new peat extraction planning permissions it would be perverse for MDC to refuse the current application which promotes and supports peat reduction as to do so would be contrary to direction of County policy, which is to reduce the use of peat in growing media production.

5.3. District Planning Policy

5.3.1. The MDLPPI Vision for Mendip, Strategic Objectives and the Core Policy 1 Spatial Strategy are largely silent on minor applications such as the current proposal, which is to vary a condition of an existing planning permission that is already well established. As a result, even the section of Core Policy 1 that states that *'c. Development in the open countryside will be strictly controlled but may exceptionally be permitted in line with the provisions set out in Core Policy 4: Sustaining Rural Communities'* is of limited relevance.

5.3.2. Nowhere, however, does the MLPPI state that existing business and employment should not be supported where sustainable applications such as the current proposal are brought forward. In fact, with respect to the Mendip economy, MLPPI 'Core Policy 3: Supporting Business Development and Growth' includes the requirement that *'proposals for economic development will be supported where they:*

- *accord with the Spatial Strategy defined in Core Policy 1 and, in rural areas, the principles set out in Core Policy 4;*
- *encourage a diverse, robust, thriving and resilient local economy;*
- *enhance the image of the area as a business location;*

5.3.3. Core Policy 1 has been discussed above, and Core Policy 4 is dealt with below. It should be noted, however, that the current proposal accords with the second and third bullet points by helping to secure the future of Godwins and allowing the company to move forward with peat reduction and lead best practice in the industry.

5.3.4. 'Core Policy 4: Sustaining Rural Communities' requires that *'Rural settlements and the wider rural area will be sustained by' a series of measures, of which the point relevant to the current application is '4. Supporting proposals for development of the rural economy... which... b) enable the establishment, expansion and diversification of business in a manner and of a scale which is appropriate to the location and constraints upon it'.*

5.3.5. The current proposal is entirely consistent with this policy objective as it will allow Godwins to continue to reduce the use of peat in growing media production and help underpin the viability of the business, whilst it will have no material impact on the nature of the operation as the plant and machinery and the nature of the operations are essentially unchanged.

5.3.6. To the extent that it is relevant to a minor application to vary a condition of an existing planning permission, the current proposal is consistent with MDLPPI land use policy.

6. Environmental Issues

6.1. Introduction

6.1.1. For the reasons set out in Section 3.5 of this document, approval of the current application will have no material impact on the nature of the operation as the plant and machinery and the nature of the operations are essentially the same regardless of whether the building is used for *‘the storage and packaging of horticultural products deriving from peat’* (as clarified by the MDC Planning Services Manager in 1996) or *‘the storage, processing and manufacture of horticultural products, and to the storage, processing and manufacture of wood products for animal bedding and biomass’*.

6.1.2. As a result, the following analysis is on the basis that approval of the current proposal will, in itself, result in no change to:

- The size of the building or the surrounding hardstanding.
- The type of machinery used within the building and on the surrounding hardstanding.
- The hours during of operation within the building and on the surrounding hardstanding.
- The volume of material processed within the building and on the surrounding hardstanding.
- The degree of illumination within the building and on the surrounding hardstanding.

6.1.3. It is therefore reasonable to conclude that approval of the current application will have no impact on the following:

- Ecology, Protected Species & Designated Sites
- Traffic, Transportation & Access
- Flood Risk, Drainage & Run-off.
- Noise
- Vibration
- Air Quality
- Odour
- Illumination
- Rights of Way
- Emissions
- Cumulative Impacts

6.1.4. As a result it is reasonable to conclude that current application is compliant with the relevant MDLPPI environmental policies identified in Section 4 (specifically, policies DP4, DP5, DP8, DP9 & DP23).

7. Conclusions

- 7.1. As set out in Section 6 of this document, the current application is compliant with National, County and District land use policy. It delivers sustainable development and is compliant with policy relating to the reduction of the use of peat in growing media production, rural economy and environmental protection.
- 7.2. Paragraph 14 of the NPPF makes clear that for Local Planning Authorities the presumption in favour of sustainable development ‘means:
- *approving development proposals that accord with the development plan without delay; and*
 - *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted’.*
- 7.3. With respect to decision making, paragraph 186 of the NPPF requires that *‘Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground’.*
- 7.4. Paragraph 187 adds the requirement that *‘Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area’.*
- 7.5. Approval of the current application will help ensure that Godwins continues to thrive and to supply the growing media market using a combination of local peat while it remains available and imported peat whilst there remains demand for peat products, combined with an ever increasing proportion of non-peat substrates. This will ensure that Godwins continues to contribute to the local economy and employment, and by maximising the proportion of raw materials processed on site is able to supply a quality product at reasonable cost.
- 7.6. The current application comprises sustainable development and is compliant with policy. Planning permission should therefore be granted without delay.

Appendix 1: Historic Site Photographs

Godwins Factory – South Section 73 Application Planning Statement

National Monuments Record 23/01/1947

Godwins Factory – South Section 73 Application Planning Statement

National Monuments Record 22/04/1951

Godwins Factory – South Section 73 Application Planning Statement

National Monuments Record 28/10/1960

Godwins Factory – South Section 73 Application Planning Statement

National Monuments Record 09/06/1969

Godwins Factory – South Section 73 Application Planning Statement

Prestige Air 1974

Godwins Factory – South Section 73 Application Planning Statement

Prestige Air 1978

Godwins Factory – South Section 73 Application Planning Statement

Prestige Air 1982

Godwins Factory – South Section 73 Application Planning Statement

Infoterra 15/05/1992

Godwins Factory – South Section 73 Application Planning Statement

Simmons Aerofilms 16/06/1994

Godwins Factory – South Section 73 Application Planning Statement

Natural England 1995

Godwins Factory – South Section 73 Application Planning Statement

Skyscene 07/02/2001

Appendix 2: Planning Permission No. 085439/001

Godwins Factory – South Section 73 Application Planning Statement

Planning Permission No. 085439/001

Appendix 3: Godwins agent letter dated 20/09/1996

Godwins Factory – South Section 73 Application Planning Statement

Godwins agent letter dated 20/09/1996

Appendix 4: MDC letter dated 16/10/1996

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MDC letter dated 16/10/1996