

Two objection letters have been submitted to Stirling Council by KCC in December 2021 expressing concerns firstly for a proposal to build an intensive dairy cattle building and secondly about the altered plans for an Anaerobic Digester at Mains of Boquhan Farm.

Letter 1: Agricultural Dairy

Concerns were raised about the application to erect an agricultural dairy building with underground slurry tanks, surface water and foul drainage and associated works to A811 junction 21/00947/FUL: (Mains of Boquhan Farm)

'Whilst not being averse to an upgrading of the dairy to modern standards, Kippen Community Council fundamentally object to this application as it is currently presented. We have set out below details, some of which are significant and may be "showstoppers" in their own right. We hope that these issues could be resolved so that the application does not have to be refused.

EIA

We note that Stirling Council has responded to the Planning Unit at the Scottish Office regarding its view on EIA screening. We are very disappointed that the planning authority is of the view that this development is not considered EIA even though it is 8 times the threshold for this type of development. It will also, due to its scale, have a significant landscape impact and potentially significant impacts on the water environment and air quality which have not yet been properly addressed. We are flummoxed that Stirling Council, whilst noting that this is an Intensive agricultural development, considers that the waste management will not change when the cows will be housed in the dairy 52 weeks of the year where the waste water and waste animal products will need to be dealt with whereas currently the cows are in the fields during the day over the spring and summer where their waste is dealt with naturally during that time. The planning authority has subsequently not considered what changes to the environment that waste management or lack of it will have, particularly the accumulation of noxious gases.

Links with the AD plant

Kippen Community Council is firmly of the view that these applications are linked. Indeed we are again flummoxed that Stirling Council is of the opinion that the Dairy is capable of being standalone when the application in the planning statement paragraph 38 states that, should the AD plant not be granted, the dairy planning application would need a considerable revision to include an additional tank for waste storage, in the location of the proposed AD tank. This would be necessarily outside the red line application area of the dairy and therefore the application would need to be withdrawn and new application submitted.

The dairy is dependent on the AD plant for waste management. We also note that the application states that the waste manure will be fed by pipeline to the AD plant, yet this pipeline is not shown and currently the waste management proposals due to this error do not seem capable of being achieved. It is also noted that the dairy includes no provision for alternative waste storage should the AD plant become inoperative at any time (a common occurrence with AD plants, particularly to remove caps of waste manure trapping in gasses within the tanks). Cows will continue to produce waste with it nowhere to be managed.

Scale of waste production and operations

Using SEPA's own guidance notes, it is possible to approximate the scale of waste manure that would be produced which would be anything between 3 500 and 9 000t per annum This excludes urine and waste water from the internal operations. This tallies with the need for a tank of a similar size to the AD proposed ones which would be needed to accommodate at least 22 weeks of waste.

This does not tally with the proposed input of waste to the AD plant which proposes 500t per annum. A considerable shortfall. This needs urgent clarification.

It should be noted there is no slurry tank (nor silage storage for that matter) in the application. Current facilities would not be sufficient for the additional cattle.

Odour and air quality

There are no measures to mitigate against odour and air quality impacts. There are sensitive properties as defined by SEPA close by as well as at least 2 proposed residences within sensitive distances where AQ should be considered.

Intensive dairies have been the subject of recent research both nationally and in Europe. We are particularly concerned about the production of methane, ammonia and hydrogen sulphide. These are all dangerous gases which need significant management. This may itself be a showstopper to the application.

Landscape assessment

The landscape assessment has concentrated on views at low level. We acknowledge that these will be low effect and impact. However, the landscape character will change considerably from a pastoral one to an industrial one. The LVIA has not considered views from higher ground nor those from popular leisure routes. In particular the views from the Old Military Road have not been considered. This route very popular with locals and tourists alike for cycling and walking is designated a Heritage Path and thus has greater sensitivity. The dairy will be very visible at various points along it at various places where people stop to admire the view. The impact will be significant, all the more so with the proposed solar panels on the roof of the dairy.

The landscape impact if shown to be high by assessment may itself be a show stopper and grounds for refusal.

Drinking water issues

Kippen already has an issue with water supply, a Scottish water tank on the Fintry Road being supplied more regularly recently in the normal/ dry weather with a lower rainfall. A lower water pressure is often experienced by residents when water use has intensified. The application does not state how much water usage would change but again because cows will be housed indoors all the time including during drier summer months it would be expected to increase particularly during drier months. Scottish Water should be consulted on this application and if necessary, the proposal should include sufficient water storage or arrangements to source water from other means.

It is noted that the proposal is sited on a designated aquifer for drinking water. There has been no risk assessment for public drinking water supplies (required by SEPA) or indeed for any private water supplies in the area.

Highway access

Access to the site does not meet modern standards. It should be 12.5m radii not 10m as proposed (it is currently 8.5m) to prevent lorries having to swing out into oncoming traffic when turning left into the site.

Ecology

It is noted like the extended phase 1 ecological survey for the AD plant, this survey is only of the application area and ditches of ecological merit just outside the site have been excluded. Given the ecology of the area includes aquatic protected species these should be surveyed.

Flood alleviation Swales

These have been situated in the area proposed for landscaping of the AD plant. The Swales would be compromised by such planting. In addition, the Swales are not designed to hold 2x the flood events as recommended in the SUD's guidance for low permeability land and therefore not large enough.'

Letter 2: Anaerobic Digester

This was submitted in light of the substantial alterations that have been made to the proposal for the installation of an anaerobic digester facility for the production of biomethane at Mains of Boquhan Farm (21/00686/FUL).

'We note that the application has been changed, which affect some of Kippen Community Council's objections to the proposal.

Specifically, we note that the digestate storage has been removed from the functional floodplain. We also note that the access has been amended to allow traffic to turn right leaving the site in effect continuing the status quo with some but not complete improvement to the access. These improvements are welcome.

We note that the flood alleviation ponds have been relocated into the application area, however we note that they are still not being enough to accommodate 2 x a high rainfall events in succession as per the guidance in the SUDS manual for low permeability land.

We also note that some landscaping has been proposed but also note that this appears to be very much an afterthought and is located on top of the proposed location of the SUDs for the adjoining new application for the dairy and in the flood zone which would not be conducive to a good success rate in maintaining the trees.

We note that an application for an intensive dairy has been submitted adjoining and overlapping this application by the applicant. It is the community council's view that these applications both are linked and should be both subject to EIA regulations. As linked operations it may be that this application *could* fulfil the proximity principle for waste management, but only if the scale of proposal increased. Currently the proposal is only to throughput 500t of manure per annum which does not stack up with the obvious quantities of manure that will be produced by the intensive dairy where the cattle would be indoors 52 weeks of the year and their waste requiring managing.

We are disappointed that the applicant has not submitted additional information as requested previously regarding carbon sequestration and how when the methane being used for fuel, this can be considered as meeting policy. In order to meet Policies 4 and 4.3 and 6.1, more details are still required around the decarbonisation claims of the application; how carbon would be sequestered and how the proposal meets these policies.

The main issues still outstanding that the Community Council maintains an objection for are: -

1) The feed input is still not within a building which can maintain a negative pressure to reduce odour. We note that SEPA are currently objecting and the applicant's responses to their questions which clearly show that the applicants have not considered odour. The implication of SEPA's questioning of how old the whey is concerning. Quite simply if any condition requiring whey to be of no more than x days old would meet the 5 tests for planning conditions and therefore be unenforceable. The only way to address this is to take a reasonable worst-case scenario, acknowledging that this is a food waste and take steps to prevent odour release. This can realistically only be done by ensuring the feed input is in a building. We also note like SEPA, that the applicants have so far failed to follow their guidance.

2)As stated above the relocated to flood alleviation ponds are not big enough

3) The phase 1 extended ecological survey does still not extend out of the application area to include the nearby ditches of ecological merit.

4) The access is still less than the standard 12.5m radii which means that traffic Turing left into the site would still have to swing out into oncoming traffic to get enough swing to enter the site. This is the cause of many near misses at this access.

5) The proposed landscaping is in the flood zone and so likely to fail. In addition, it also appears to be in the dairy flood alleviation swale.

6) In addition to these points, the Community Council would like to comment on the landscape assessment. This application would change the landscape character of the area from a pastoral landscape that the Carse is so famous for to an industrial one. The LVIA is currently incomplete because it has failed to show the impact of the proposal on views from higher ground particularly from the Old Military Road, a leisure route popular with cyclists and walkers (tourists and locals alike) that is designated a Heritage Path. This is likely to be a significant effect which could be considered moderate / high given the popularity of the path and the impact of the change to the landscape which the proposed landscaping will do little to mitigate.

7) The lack of information on the sequestration of carbon as detailed above.

8) Our second objection regarding air quality still stands as submitted.'