

Application Number: FYR14/0163/F
Large scale major
Parish/Ward: Chatteris Town Council/Wenneye Ward
Date Received: 27 February 2014
Expiry Date: 29 May 2014
Applicant: Pretoria Energy

Proposal: Erection of an anaerobic digester plant with maize clamps involving the construction of a new access and the formation of a reservoir

Location: Land east of Greys Farm, Iretons Way, Chatteris

Site Area: 13 ha

Reason before Committee: Number of objections received

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the erection of an anaerobic digester plant, maize clamps and the formation of a surface water reservoir. The plant will produce 4Mw of energy from maize for use both on the site and export to the gas grid. The application site consists of 13ha of agricultural land and is located to the south of Fenland adjoining the boundary with East Cambs DC.

On 10th February 2014 planning permission was refused for the erection of this anaerobic digester plant on grounds of its visual impact, appearance and scale when viewed in the context of the open Fenland landscape.

Amendments have been made to the proposal to try to overcome the reasons for refusal by introducing further landscaping to mitigate against its visual impact, reducing the height of some of the plant, silage clamps wall and reservoir bunds to reduce the scale of the development and changes to the colour of the external material of plant from grey to olive green.

The amendments to the original proposal seek to overcome the reasons for refusal and Officers are content that the changes will sufficiently mitigate against its potential visual impact.

The NPPF supports the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

Local and National Policies have been considered in determining this application and all aspects of the proposal have been considered in line with relevant policies. The application is recommended for approval subject to the imposition of conditions which should ensure that the development will not have a detrimental effect on residential amenity or visual amenity.

2. HISTORY

F/YR13/0534/F	Erection of an anaerobic digester plant with maize clamps involving the construction of a new access and the formation of a reservoir	Refused 10 February 2014 Committee
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3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Section 10: Meeting the challenge of climate change, flooding and coastal change.

Section 11: Conserving and enhancing the natural environment.

Section 12: Conserving and enhancing the historic environment.

3.2 Fenland Local Plan 2014:

LP1: A Presumption in Favour of Sustainable Development

LP13: Supporting and Managing the Impact of a Growing District

LP14: Responding to climate change and managing the risk of flooding in Fenland

LP16: Delivering and protecting high quality environments across the District

LP18: The Historic Environment

LP19: The Natural Environment

3.3 Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

CS26: Mineral Safeguarding Area

CS42: Agricultural reservoirs

4. CONSULTATIONS

4.1 *Chatteris Town Council:*

Recommend refusal on the following grounds:

- Highway safety due to the large number of vehicle movements onto the highway;
- The loss of thousands of acres of grade one agricultural land to the growing of maize to feed the operating plant;
- Concerns about the odour which will be generated;
- Concerns about the possible contamination of local waterways if leaks occurred;
- Concerns about the sustainability of the plant. It is the Council's understanding that there is no evidence this will be a sustainable development.

4.2 **Witcham Parish Council:**

The Council is concerned about debris from transporting the crop to the site on the Mepal/Chatteris road. Mud and maize deposits on the highway make driving conditions extremely hazardous for much of the autumn/winter months. Aware that steps are taken to clean the road regularly but it is still an unacceptable hazard for road users.

4.3 **Mepal Parish Council:**

The Parish Council would like to request a condition on the planning permission ensuring that the site is used for this agri-industrial process, and that should it fail, alternative industrial processes will not be permitted. This should also not a precedent for further development nearby.

The Parish Council would also like to express a concern raised regarding the potential additional mud and maize that may be deposited on the surrounding roads, we would therefore be grateful if the operators could take this into consideration whilst using the roads.

Mepal Parish Council does not wish to oppose the application.

4.4 **Sutton Parish Council:**

Original comments received as follows:

1. The compound effect of additional traffic within the village and on the A142 is a concern.
2. The production of methane next door to Mepal Outdoor Centre is a concern.
3. Further information relation to odour from the site and its potential impact on local residents is required.
4. Clarification for the need for a reservoir.
5. Clarification on the safety of the storage of methane.
6. Request that a condition be imposed, if approved, to permit for agri-industrial process only and no alternative industrial processes.
7. Supports construction of new road.

Additional comments:

1. Vehicles to use the route of the A142 and not the village of Sutton.
2. Excess mud on the road at harvesting time would need to be addressed.
3. The smell which would come from the site next to the Mepal Outdoor Centre.

4.5 **County Archaeology:**

The site has been subject to a programme of archaeological work. Evidence for dispersed prehistoric activity was identified which has contributed to our understanding of the archaeological character of this important fen landscape. No further works are necessary and no objection to the planning application.

4.6 **Natural England:**

Initially objected to the proposal relating to 5 points i.e.

1. Disposal of leachate.
2. Capacity of CHP unit is not shown therefore unable to anticipate affect that atmospheric emissions from this facility could have on Ouse Washes SSSI site.
3. Queries relating to the FRA and disposal of surface water.
4. Inadequate ecological appraisal regarding the reservoir site.
5. Further information regarding use of the large reservoir.

Following receipt of further information, Natural England was able to withdraw its previous objection.

Having examined the current documents Natural England does not wish to add any additional advice.

4.7 **County Minerals & Waste:**

Confirm that comments made on the previous application remains the same.

Initial objection relating to evidence of quality of minerals on site and justification of need for the reservoir.

Additional information supplied has clarified both points and objection has now been removed. This is subject to the imposition of planning conditions relating to the removal of minerals from the site and limiting the facility to the anaerobic digestion of farm crops only.

4.8 **Public Rights of Way CCC:**

The proposed development will use Byway Open to All Traffic No 27, Chatteris (Blockmoor Drove), as access. This public byway is misidentified as a footpath in the application documentation. A public byway has public vehicular rights as well as equestrian and pedestrian rights. The design of the new junction with the roundabout and of that section of access road which will run over the byway must take this into account. I understand that the developer will be working with the Development Control Manager at Cambridgeshire County Council on this. Any works on the byway must be agreed before they commence.

If planning permission is granted we request that the following points are included as informatives.

- Byway Open to All Traffic No 27, Chatteris must remain open and unobstructed at all times (it is an offence under s 137 of the Highways Act 1980 to obstruct a public highway).
- No alteration to the byway's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971). Any works affecting the byway must have the prior consent of Cambridgeshire County Council.
- A Byway Open to All Traffic will normally be maintained by the County Council to the standard required for pedestrian and equestrian use. If a higher standard is required for access to the development then the developer will be responsible for this.
- The granting of planning permission does not entitle a developer to obstruct a public right of way (Circular 1/09 para 7.1).

4.9 **English Heritage:**

Considers that the proposal will cause some harm to the significance of the scheduled monument at Horsley Fen as a result of modern and intrusive development within its landscape setting. They advise that in determining this application FDC should weigh this harm against the public benefits of the proposal.

4.10 **Police Architectural Liaison Officer:**

Initially raised concerns relating to crime risk on and around the site. However it has been confirmed with applicant that the site will be manned 24 hours per day and a formal surveillance system will be installed aided by dusk to dawn lighting. Therefore no objection provided a suitable condition is imposed to deliver the above crime prevention measures.

4.11 **Environmental Protection (FDC):**

Environmental Health note the submitted information and have no objections to the principle of the development, the location of the proposed development is noted.

Noise: There are a number of processes involved within an AD plant that can give rise to noise; an assessment has been carried out which indicates that if noise is managed correctly then a satisfactory level can be achieved. Therefore the noise level from the site needs to be conditioned.

Odour: The Odour Impact Assessment has identified a number of sources and control measures, it is therefore advised that these control measures are conditioned to ensure that they are undertaken. It is recommended that on completion of the site, within x period of operation, that a validation report is undertaken to ensure the effectiveness of these measures and further measures if required are implemented.

The ongoing control of odour will be significantly impacted by the level of management and operational responsibility. Therefore it is recommended that the site is conditioned to provide an Odour Management Plan (OMP), subject to the approval of the Local Planning Authority.

The odour Impact Assessment has only considered the impact of odour from maize. Therefore it is recommended that this site is conditioned not to handle other materials without a further odour impact assessment and approval from the relevant Planning Authority.

Example: Nothing other than maize shall be accepted as feed stock for the digester unless a further Odour Impact Assessment has been submitted to and approved by the Local Planning Authority. Reason: Waste materials outside of these categories will alter the Odour Impact Assessment

It is recommended that the site is conditioned to undertake daily monitoring of any unsealed sources or odour, and fugitive leaks on site, and that daily monitoring is recorded in a logbook that is kept on site and available on site.

It is recommended that there is a condition, ensuring that the site operator takes steps to investigate complaints of noise or odour, and at the reasonable request from relevant officers, i.e. Planning Compliance or Environmental Health, employ a competent person to undertake a noise or odour impact assessment at their expense.

Due to the type of product being used at the site it will not fall within the Environmental Permitting regulations.

4.12 ***Environmental Protection (ECDC):***

The documents regarding noise and odour are the same as previously commented on following substantial correspondence with FDC regarding this application. If the previous conditions remain the same then it is considered that all of the previous concerns should limit the potential impact on properties within the ECDC district. Requests one further condition relating to 'no digestate or liquid emanating from offsite shall be brought onto site for storage in the reservoir unless agreed in writing with the LPA is obtained'.

4.13 **Environment Agency:**

Considers that planning permission could be granted to the proposed development as submitted, subject to planning conditions set out by the EA. Without these conditions the proposed development on this site poses an unacceptable risk to the environment and the EA would wish to object to the application.

Conditions relate to surface water disposal; pollution control; surface and foul water drainage. Also the results of infiltration tests and final design calculations of the proposed infiltration swale should be required prior to the commencement of development to ensure there will be no increase in runoff from the site post development.

4.14 **Local Highway Authority:**

The previous recommendation and conditions still apply to this resubmission as there have been no material changes from a highway point of view.

Previous comments and conditions are summarised below:

Vehicle Movements:

The applicant has confirmed that the general vehicle movements quoted in the technical reports should be double to reflect two-way trafficking. The expected level of movements is not considered unacceptable, and no further observations in this context.

What remains unclear is the level of produce delivery movements which would access the site via the by-ways/ local agricultural droves to the south and west. This would be difficult to quantify and it is reasonable to assert that a proportion of existing agricultural delivery vehicles would use the by-ways in any event (from field to storage/ storage to producer). This element does not therefore overly concern the LHA.

Reservoir Construction:

The applicant has confirmed that the proposed reservoir will generate the 'equivalent' of around 3200 two-way vehicle movements in the construction process, but states that the excavated material will be retained on site in the overall construction and landscaping process. A Construction Method Statement should be provided in the fullness of time demonstrating that this is indeed the case, secured by appropriate Grampian Condition.

However, for the avoidance of doubt, there is no objection to the export of material from the site as a whole via the A142 junction, albeit the junction and access road improvements would need to be undertaken before such processes commenced.

Public Right of Way:

The co-existence of the right of way and the new access road is acceptable. The right of way will need to be subject to increase in width and public rights dedicated over the entire new road width to ensure that future users can use both sides of the carriageway, and legally approach the A142 roundabout in an appropriate manner.

The legal process relating to increased dedication of the width of the right of way will need to be commenced and completed in conjunction with the S278 Highway Works Agreement.

Again, in terms of construction detail, where the right of way is affected, CCC will require details of the layout/ levels/ forms of construction/ drainage and lighting etc to be submitted and agreed in writing.

Access Layout and Infrastructure

The revised details for the access to the roundabout have been confirmed as acceptable by CCC Accident Investigation Team via the Road Safety Audit process.

The works at the A142 roundabout will necessitate the completion of an S278 Highway Works Agreement between the developer and CCC (and also for the works affecting the right of way), prior to the commencement of the development.

Requests appropriate conditions to ensure that all highway works are fully considered and implemented in a timely manner.

4.15 *Middle Level Commissioners:*

The Board's drain may be affected by the proposal and details regarding access for maintenance will need to be taken into account. Consent has not been sought for any encroachment within the access strip or for other items requiring the Board's consent.

Any drainage issues that require the Board's consent will be dealt with as part of the Board's post application process.

4.16 *Tree Officer FDC:*

Considers that strategically placed semi-mature specimens, close to the AD plant and designed to 'break-up' the outline of the plant should be effective.

4.17 *Landscape Partnership (Landscape consultants appointed by FDC to assess landscape impact):*

Consider that the new application provides some landscape improvements from the previous application. However, the proposed development would still have significant effects on the local landscape and within localised views, particularly from public rights of way to the west, the Mepal Outdoor Centre and northern sections along other parts of Ireton's Way. This would particularly be the case in the short to medium term until the proposed planting is established.

Additional measures should be sought prior to any approval which should be achieved through revised details being submitted.

Following receipt of amendments requested by The Landscape Partnership (TLP) it is considered that there will remain significant adverse effects in the local context of views and the landscape, until the planting has established, TLP considers that the applicant has done as much as possible to mitigate these effects.

4.18 Local Residents/businesses:

10 letters of objection re:

- Proposal is close to existing school and residential area with new extensive residential development proposed. The increase in traffic as a result of the development plus fumes incurred is totally unacceptable in what will become an extensively inhabited area. Should be on an industrial site.

- Serious worries concerning odour, flies and vermin coming from the site and increased traffic on the B1098 which joins to the A142.

- Chatteris PC has objected to the proposal so it appears there are no benefits to Chatteris or the local community. Stocking Drove is already heavily used and in need of constant repair. Reliably informed that these projects are subject to complaints of environmental pollution and this plant could cause health issues to residents.

- The development will have a visual, noise and possibly odour affect on clients using Mepal Outdoor Centre. The biodiversity study did not include impacts on the Mepal Outdoor Centre. There should be no lowering of the water level as this will have an impact on Mepal Outdoor Centre.

- The 1000 new homes approved will be closer to the AD Plant and will be susceptible to any air quality issues. Also more traffic will be generated by these additional homes and will exacerbate the problems in the area. It is considered that the Health and Safety records for this type of industry is poor and requires guarantees that procedures will be in place in case of future issues within the site. Considers that the plant is not environmentally friendly or green given the need to grow the crop, harvest it and transport it to make energy.

- Strongly oppose plan for anaerobic digester plant where the feedstock is not genuine waste. The maize required to feed this plant requires large quantities of fossil fuel to cultivate the land, fertilise the land, harvest and transport the crop. The European Commission is questioning their own policy relating to AD plants.

- No reassurances that the plant will not emit smells which will devalue property. The guarantee this plant will not start to use food waste and not just maize and is the Local Authority adequately resourced to deal with breaches and enforcement of regulations. The use of Grade 1 land is not acceptable and the buildings will be visually intrusive.

- There are residential and business units less than 500 m east of the application site and is one of the sensitive receptors identified in the Odour Management Plan. Considers that the previous reason for refusal has not been addressed by the current submission. The proposal will occupy 13 ha of prime agricultural land and irrespective of landscape screening the development will still dominate and intrude on the immediate locality. Concerns over possible odour from the plant and any future possible enforcement that may be required should issues relating to smell occur.

The development should be located more than 500 m from sensitive receptors and should be moved to a more appropriate location. Considers the application should be refused under policies E1, E8 and E20 of the FDWLP relating to size, scale and impact on residential properties together with noise, nuisance and other environmental pollution or if granted there should be an appropriate buffer zone against predicted noise and odour pollution and subject to a contribution to the upgrading of the A142 roundabout.

- This proposal will result in an industrial complex working 24/7 and belongs on a designated industrial site not in the middle of the countryside.

- Oppose application based on environmental impacts and conflict with the already approved Block Fen/Langwood Fen Master Plan. Two main concerns are smell and potential for contamination.

- Application should not succeed unless it is confirmed that supplies to the plant will not and may not travel along the A1123, the road through Sutton and the A class road from Haddenham and also produce from the plant should not use these roads.

5. SITE DESCRIPTION

- 5.1 The application site is currently open agricultural land with a site area of 13 ha. It is located immediately on the boundary of the Mepal Outdoor Centre with residential properties to the west and east. The site is mainly featureless with some landscaping mainly along the public byway which runs to the east of the site and borders the Mepal Outdoor Centre together with some frontage vegetation along the A142 which now screens the Outdoor centre and the opposite mineral workings along Block Fen Drove. The site consists of Grade 1 agricultural land where the reservoir is located and grade 2 agricultural land where the AD plant is proposed to be located.

6. PLANNING ASSESSMENT

Planning permission is being sought for the erection of an anaerobic digester (AD) plant with associated plant and machinery together with the formation of a reservoir. The application site on which the AD plant is proposed encompasses an area of 7.3 ha including the maize clamps and a further 5.9 ha for the construction of the surface water reservoir.

Amendments to proposal following refusal

Following a recent refusal on the site relating to visual impact, appearance and scale of the proposal, the application has been amended in order to try to overcome these concerns. The amendments are as follows:

3 x silage clamps each approx 200 m long x 50 m wide with a reduction in the height of the retaining walls from 3.55 m to 2.63 m.

4 x primary digester tanks reduced in height from 8.4 m to 8 m with the same diameter of 22.4m

3 x secondary digester tanks reduced in height from 12.8 m to 12.2 m with the same diameter of 33.9 m in diameter

1 x digestate storage tank reduced in height from 12.8 m to 12.2 m with the same diameter of 36.7 m diameter

1 x gas scrub unit 2.9 m high x 2.5 m wide x 14.1m long with 5.7 m high chimneys changed to olive green cladding instead of grey

1 x digestate processing/removal building reduced in height from 10.6 m to 8.5 m x 12.5m wide x 27.7m long clad in olive green cladding instead of grey

4 x feed hoppers 3.8 m height
2 x machine buildings 2.9 m high x 6.4 m wide x 6 m long
2 x EMSR buildings 2.6 m high x 6.17 m wide x 2.44 m long
2 x pump assembly buildings 2.9 m high x 6.4 m wide x 6 m long
1 x back up generator
1 x secondary feed input system
1 x gas preparation equipment
1 x CHP unit 3 m wide x 12.18 m long with an overall height of 8 m to be clad in olive green
3 x flares 9 m high
1 x site office 3.2 m high x 4 m wide x 12 m long to be clad in olive green
1 weighbridge
2 x leachate storage tanks
1 x reservoir pumping station

The amendments also involve some changes to the height of the bank crest levels around the proposed reservoir which have been reduced from 3.2 m to 2.8 m.

Landscaping around the site has also been enhanced, following a meeting with the Council's landscape consultant and has resulted in additional planting belts including an additional section of tree belt along the A142 Ireton's Way. This would form an extension of the proposed tree belt planting along the road extending the planting 40 m further north-west. Additional planting within the site will provide some enhanced screening from the site entrance and should be extended further to more effectively screen the second digester. Strengthening of the north-west hedge is included and the addition of trees at 5 m centres should provide some benefit from the north.

Overview of the process

1. Grow maize feed stock in adjacent, local and regional areas.
2. Harvest maize over 6 week period, harvesters cut and shred the whole maize plant which is transferred to tractors and trailers or directly to HGV's.
3. Adjacent and local maize transported to site during harvest period, regional maize placed in Environment Agency notified temporary field silage clamps.
4. Site silage clamp filled and covered with protective sheeting and excess air is expelled from the maize.
5. An anaerobic environment is formed within the silage clamps to stop the break down of the maize and emission of odour.
6. A basis feed stock containing digestive bacteria is placed in the primary digester tanks which are heated to 38 degrees which is provided by the onsite CHP engine unit.
7. Maize is transferred from the silage clamps into the feeder hoppers which regulate the inflow of maize into the primary digester.
8. Maize is held within the primary digester for 60 days where bacteria break down the plant matter and release methane gas which is collected.
9. After 60 days the digestate (consumed maize) is transferred to the secondary digester where it continues to release lower yields of methane gas.
10. Digestate is separated into both liquid and solid constituents.
11. Solid digestate is returned to agricultural fields by tractor and trailers, generally back-loaded onto deliveries.

12. Liquid digestate is first sent to a storage tank before being transferred to the reservoir.
13. Liquid digestate is applied to agricultural fields via an irrigation network.
14. A small proportion of the gas produced in the primary digester is used in the combined heat and power unit (CHP) to provide heat and electricity to the plant.
15. Excess electricity is sent to the National Grid Network.
16. The vast majority of the gas produced in the primary digester is cleaned and upgraded to National Grid standard and injected into the gas network.

To connect the AD plant to the local National Grid network a new gas pipeline would be installed under a separate planning application. The energy capacity of the plant is 4Mw.

The AD plant will be located in close proximity to the A142 which has good transport links. The energy generated from the plant will be used to run the operations of the plant and surplus energy (gas) will be exported to the National Grid. AD offers a sustainable system where naturally occurring bacteria break down biodegradable materials in the absence of oxygen to produce a methane rich biogas. The biogas can be converted into electricity and heat leaving a nutrient rich organic fertilizer called a digestate. The process takes place in sealed tanks.

The AD plant will process approximately 80,000 tonnes of organic material per annum in the form of maize grown locally and regionally as part of the existing crop growing operations in the area. The AD plant will extract the energy value from the crop feedstocks before returning the remaining digestate back to land to grow further crops.

Production of Maize

The plant will require an annual throughput of 80,000 tonnes of maize. 60,000 tonnes will be stored on site with a further 20,000 tonnes stored off site. The maize will be grown on farms around the Fenland area with approximately 20,000 tonnes being produced in Manea, 20,000 tonnes from local farmers in the vicinity and a further 40,000 tonnes from satellite farms in the east, north and west of the site.

The key considerations are:

- Principle of development
- Environmental impact/Minerals safeguarding
- Reservoir Construction
- Residential amenity
- Landscape and visual impact
- Noise impact
- Odour impact
- Highway/public right of way impact
- Flooding and drainage
- Archaeology
- Heritage Assets
- Ecology and biodiversity
- Other considerations

Principle of Development

The application site is located in open countryside on the boundary of Fenland District Council and East Cambs District Council. In such locations there is strict control over new development and it is generally restricted to that which is essential to the efficient operation of agriculture, horticulture, outdoor recreation and limited other uses specified within the Local Plan. In determining this application it is therefore necessary to consider whether the proposed development is acceptable in principle, in a countryside location such as this.

Policy LP14 of the Fenland Local Plan 2014 considers that renewable energy proposals will be supported and considered in the context of sustainable development and climate change. Proposals for renewable energy technology, associated infrastructure and integration of renewable technology on existing or proposed structures will be assessed both individually and cumulatively on their merits taking account of the surrounding landscape, residential and visual amenity, noise, highway safety, biodiversity conditions and high quality agricultural land.

Policy LP16 seeks to deliver and protect high quality environments throughout the district by virtue of protecting and enhancing heritage assets, biodiversity and nature features on sites. Development should mitigate against sources of noise, emissions, pollution and contamination.

All of the above issues will be individually addressed within this report.

Environmental Impact/Mineral Safeguarding

The proposal comprises approx. 7.3ha for the area of plant and maize clamps and 5.9 ha for the surface water reservoir. The reservoir is considered to fall within the remit of Part 1(b) of Schedule 2 of the EIA Regs, being "Water management projects for agriculture, including irrigation and land drainage projects", where the area exceeds 1ha. Under Circular 02/99 it is considered that projects of less than 5 ha are unlikely to require EIA unless there are other mitigating circumstances. Therefore the 5ha 'threshold' guidance is exceeded by 0.9 ha. The proposed AD plant will produce gas for the grid therefore the proposal might be considered to fall within the remit of para 3(b) of schedule 2 being "Industrial installations for carrying gas, steam and hot water" where the area exceeds 1ha. Under Circular 02/99 the advice is that EIA is more likely to be required where it is proposed to store more than 100,000 tonnes of fuel.

Environmental implications of the proposals relating to noise, smell, amenity and heritage assets have been considered in this report.

Whilst the overall site area consists of both grade 1 and grade 2 agricultural land, the area is predominantly agricultural in nature and the loss of 13 ha of land to an agriculturally related process and reservoir is not considered to be significant. The plant will produce digestate which is waste from the organic material used in the process and will be spread on surrounding fields to fertilise them thus reducing the need for chemical fertilisers. Some of the digestate will flow into the reservoir and this will need careful odour control measures.

There is a potential for odour and noise from the plant and additional traffic movements to and from the site and it will be important to ensure that all potential environmental impacts can be safely controlled through evidenced reports and surveys.

The environmental sensitivity of geographical areas likely to be affected by development must be considered in particular for sites in a 'sensitive area' as defined in the Environment Agency Regulations. The guidance indicates a 2Km buffer for SPA's, SSSI's etc and the application site is 2.3 Km/2.5Km from the Ouse Washes SSSI, SAC and SPA. The site is an area of high archaeological potential and this will be covered later in the report. The site is also partly in an area of Mineral Safeguarding for sand and gravel.

Mineral Safeguarding

The site falls partly within the Mineral Safeguarding Area for sand and gravel designated through the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011). MSA's identify areas of economically viable mineral deposits to ensure that mineral resources are adequately taken into account in all land use planning decisions.

The wider Block Fen area is known to have extensive good quality economic sand and gravel reserves and the development of an AD plant with a site area of 13 ha has potential to sterilize underlying sand and gravel reserves. The construction of a reservoir has the potential to require the removal of minerals from the land and evidence is required to prove the quality of the mineral resource and calculations regarding possible mineral removal. Two main areas of concern were identified namely, quality of minerals and need for the reservoir.

Consequently trial holes were dug on the site to establish the level of the water table depth in connection with the construction of the reservoir. The water table was established at a depth of between 1.7 m and 1.6 m below ground level. Evidence was provided that the mineral had low gravel content and was not of economic quality or quantity and that the reservoir was integral to the functioning of the plant and technology to be used.

The County Minerals Department reviewed the information supplied and accepts the explanation regarding the proven need for a reservoir and considers the development acceptable provided 2 conditions are imposed relating to the non removal of any minerals from the site and that the AD plant is used for the anaerobic digestion of farm crops only.

Reservoir Construction

The development includes the construction of a 12.5 million gallon surface water reservoir which has given rise to some concerns from the Environment Agency and the County Minerals Team. The County Minerals Team concerns have been addressed previously in this report.

The Environment Agency (EA) has raised concerns over the construction method of the reservoir in connection with the water table in the area, The reservoir will be located over a secondary aquifer and will contain liquid digestate with high pollution potential. The EA strongly recommend secondary containment comprising: a double liner; intra-liner drainage layer falling at 1 in 100 to a pumpable sump. This is necessary as the plastic frequently has small holes. Polluting liquid seeps through the holes and degrades causing gas ballooning and geomembrane failure. There should be mushroom style gas vents above the maximum water level to release any small amounts of gas. If the above is provided then there should not be a need to place a second bund around the reservoir bund.

During the detailed design stage of the reservoir the Environment Agency will review, under their suggested conditions, the pollution prevention measures that the applicant intends to use. Again these details will require submitting prior to the commencement of development on site.

Residential amenity

The main possible impacts on nearby residents relate to noise and odour. Comprehensive reports have been submitted to ensure that both noise and odour are controlled both during construction and future operations on the site at a level that will not cause a statutory nuisance to residents. There is a residential unit at Mepal Outdoor Centre approximately 470 m to the south east and further local farms approximately 450 – 500 m to the west and east of the site.

Environmental Health has recommended conditions be placed on any permission granted in order to control activities at the AD plant to protect the amenity of nearby residential properties. Whilst these conditions are discussed in more detail in subsequent sections of this report (noise and odour) it should be noted that they are put in place to protect the amenity of residential properties. These conditions also consider the potential implications of the construction phase upon residential amenity. With adequate conditions in place the amenity of nearby residents should be protected and therefore the proposal is considered acceptable in terms of noise and odour impacts.

The proposal will require an external lighting scheme and a condition will be imposed to ensure that an appropriate scheme of lighting is agreed and no light spill will have an adverse impact on neighbouring residents.

Landscape and visual impact

The site lies in open countryside and therefore it will be necessary to ensure that proposal addresses the requirement in Policy LP14 of the Fenland Local Plan to take account of surrounding landscape. Due to the scale of the proposal it is considered that there could be a significant adverse effect on the landscape and views within the local setting of the development. In order to assess this, an appropriate Landscape and Visual Assessment has been undertaken by the applicant. Visualisations within the landscape have also been provided.

Following the recent refusal on the site relating to visual impact, the Council's landscape consultants (TLP) suggested changes to the proposal including additional landscaping, changes to the height of the buildings proposed and the lowering of bunds around the clamps and reservoir. Their suggested changes have been incorporated into the proposal by way of amended plans and have resulted in the overall scale of the proposal being reduced in height to mitigate against visual impact and enhanced and additional planting which, once established, should seek to ensure that the development assimilates into the landscape and should not result in a visually intrusive development.

The Council's Arboricultural Officer considers that the landscaping proposals, including the new planting is acceptable. Whilst Fenland is generally known for extensive uninterrupted views, the planting could be seen as an extension of the 'wooded' area around the Mepal Outdoor Centre. The choice of native species including understorey species (to be managed long term as coppice) will provide increased species diversity and greater foraging opportunities for wildlife. The applicant is proposing to irrigate the tree belts with water (runoff) harvested from the site and given good supplies of water, there should be rapid growth from the trees. The details contained within the Planting and Landscape Maintenance Schedule are acceptable.

The maize clamps will cover a very large area of the site being 165 m x 210 m surrounded by retaining walls to a height of 2.63 m. The clamps are sited behind the AD plant in respect of views from the A142 would not impact greatly and whilst storage could rise to 3.8 m within the clamps these would be seen in general from distant views apart from people using the nearby public byway. This aspect of the proposal would be similar to other 'artificial' agricultural processes which are carried out in the area such as polytunnels and silage clamps.

Noise impact

Local residents have raised concerns over the potential for noise nuisance from the construction and operation of the site and relevant noise assessments have been produced. Environmental Protection considers that through conditions relating to hours of operation, site management plans and noise levels then the site should be able to meet the requirement to protect residential amenity. Whilst the predicted noise levels indicate that the noise from the site will potentially be louder than the background noise it is not considered sufficient to warrant a refusal due to the predicted level of the noise.

In conclusion Environmental Protection are satisfied with potential noise impacts mainly due to the distances involved between the plant and noise sensitive receptors and the existing road noise at the nearest residential property but all issues can be addressed with the use of suitable conditions. Environmental Protection have recommended the imposition of planning conditions in relation to both the constructional and operational phases of the development and advised that there is no reason to recommend refusal of the planning application on noise grounds. The suggested conditions also make allowances for the investigation of the source/cause of noise issues in the event that a complaint is received by the LPA.

It is considered that the imposition of this suite of conditions will minimise the potential for noise issues and addresses the noise issues raised by objectors, whilst allowing the investigation and potential mitigation of a noise complaint from neighbouring properties if the noise level is found to exceed the conditioned limit.

Odour impact

A further concern of local residents relate to the potential for odour nuisance from the plant and comprehensive odour reports have been provided. These have been assessed by Environmental Protection and also the Environment Agency and have resulted in conditions to control any potential for odour during construction and operation of the site.

In their supporting case the applicant has clearly stated that the AD plant involves a largely sealed process but accepts that the digestate is likely to give rise to some odour, albeit limited in its release. The release of odours that have the potential to be detrimental to residential amenity arise from the storage of silage on the site and the spreading of digestate onto the fields as a fertiliser. Whilst these odours are considered to be low in intensity and agricultural in nature it is considered prudent in this case to impose planning conditions to overcome any possible nuisance. These include that the feeder to the AD plant being sealed when not being filled; that the AD process shall be fully enclosed and that an investigation be made into the source of the odour if a complaint is received by the LPA.

It is considered that the information submitted by the applicant in respect of odour release is sufficient and that there are no grounds to recommend refusal of the application on the basis of odour subject to the imposition of the suggested conditions. It is recommended that on completion of the development, within a 3 month period of operation that a validation report is undertaken to ensure the effectiveness of the odour control measures and to identify if further measures are required.

The Odour Impact Assessment has only considered the impact of odour from maize and therefore it is recommended that this site is conditioned not to handle other materials without further Odour Impact Assessment and approval from the relevant planning authority.

It is also recommended that the site is conditioned to undertake daily monitoring of any unsealed sources of odour and fugitive leaks on site and that daily monitoring is recorded in a log book that is kept available on site.

The other source of potential odour is from the reservoir where the liquid digestate will be mixed with the surface water to form a diluted fertiliser. It is recommended that the reservoir should be regularly inspected, as set out in an Odour Management Plan, to ensure anaerobic conditions do not occur and is not causing a problem. The Odour Management Plan must make reference to Mepal Outdoor Centre to ensure there is no adverse impact at this site and must be agreed prior to the commencement of the development.

Highway/public right of way impact

The proposal involves the creation of a further road off the A142 and the upgrading of the existing vehicular byway No.27, Chatteris (Blockmoor Drove). This byway has public vehicular rights as well as equestrian and pedestrian rights. The design of the new junction with the roundabout and of that section of access road which will run over the byway must take this into account.

There is no objection in principle from the LHA to the co-existence of the right of way and the proposed access road. Full details of the construction of the new road over the right of way will need to be submitted and agreed in writing prior to commencement of the development.

The use of the 4th arm of the roundabout has been subject to a Stage 1 safety audit by CCC Accident Investigation Team and did not identify any fundamental issue with the proposal.

The Transport Statement figures (daily) are as follows:

17 deliveries from local sources	(34 HGV movements per day)
34 deliveries from Manea	(68 tractor movements per day)
6 export movements	(12 HGV movements per day)
3-4 staff	(6-8 movements per day)

Accordingly the total level of 2-way vehicle movements will be around 120 – 122 per 12 hours day, which is considered acceptable by the Local Highway Authority in relation to the standard of the access proposed via the A142 roundabout.

It is still unclear the level of produce delivery movements which would access the site via the by-ways/local agricultural droves to the south and west. This would be difficult to quantify and is of no major concern to the LHA.

Confirmation has been received that during the construction of the reservoir the traffic generation will be around 3,200 two-way vehicle movements however it is anticipated that all materials will remain on the site. However if any materials were removed from the site then the LHA has no objection provided all highway works are undertaken and complete prior to the commencement of construction on site. A Section 278 Highway Works Agreement will need to be entered into between the applicant and the LHA.

The development is acceptable to the LHA subject to a number of conditions to protect highway safety and to maintain highway efficiency.

Flooding and drainage

The site is located within Flood Zone 3 and within the Sutton & Mepal Internal Drainage Board area. A Flood Risk Assessment (FRA) has been prepared in accordance with the recommendations contained within the NPPF and in accordance with FDC's policy requiring FRA's to accompany planning submissions.

The Technical Guidance to the NPPF indicates flood risk vulnerability classifications and the development falls within 'less vulnerable' category where development in flood zones 1, 2 and 3 is appropriate. The aim of the sequential test is to steer new development to areas with the lowest probability of flooding. Only where there are no reasonably available sites in Flood Zone 1 or 2 should the suitability of sites in Flood Zone 3 be considered. Due to the nature and extent of land required for this development and alternative site availability, the applicant has demonstrated that this area of land has the most potential to deliver this development with good transport links.

All surface water run-off will, when complete, and during normal events, discharge into the surface water reservoir and not directly in the IDB system. Surface water from the site will be attenuated in the swales detailed in the FRA and indicated on the site layout drawings.

An overtopping/breach analysis of the reservoir will be carried out during the detailed design phase and will be in accordance with the Environment Agency's requirements and their suggested planning conditions and with the input of the IDB at that time.

A majority of the works will not be constructed within or below the groundwater table which includes the process tanks and reservoir. Some items of drainage and leachate storage tanks may be constructed below the water table but the duration and extent of any de-watering will be negligible. Water from construction excavations would be discharged to the on-site drainage swales.

Archaeology

When consulted the Historic Environment Team at Cambridgeshire County Council commented that records indicate that the site is located in a landscape of high archaeological potential. To the west are the nationally important Neolithic enclosures and bowl barrow at Horseley Fen. Both of these monuments are designated Scheduled Monuments and benefit from statutory protection. Additional non designated enclosures, linear features and barrows are located around and between the Scheduled Monuments. Ring ditches recorded to the immediate south are further evidence for the importance of this site in the Bronze Age. It is likely that heritage assets or archaeological significance will survive within the area and there is potential for nationally important heritage assets to be located within the proposed development area.

Therefore an archaeological evaluation was carried out during the application process and confirmation has been received that all the fieldwork has been completed and although providing some valuable information on the prehistoric character of the area no further archaeological fieldwork is necessary.

Heritage Assets

English Heritage has identified two scheduled monuments in the proximity of the development site, namely Neolithic enclosures at Grey's Farm, Horseley Fen (1009993) and Bowl barrow 200 m south east of Horseley Fen Farm (1011723).

The scheduled monument at Grey's Farm is located to the north of Grey's Farm and consists of below ground remains of Neolithic enclosures and represents a unique survival of this type of monument in Eastern England. The monument is partially in arable cultivation and partially preserved under pasture and can currently be appreciated within an open Fenland landscape setting.

English Heritage considers that the plant buildings, silage clamps and reservoir banks will be clearly visible from the scheduled monument and that the proposed screening will have minimal effect in mitigating the visual impact from that direction. They consider that the modern structures will be discordant and intrusive elements within a generally open and rural landscape and will detract from an appreciation of the scheduled monument in its Fenland landscape context.

Officers have taken the views of English Heritage into account and have had to balance any potential harm on the scheduled monument against the benefits of supporting renewable energy. The NPPF has a presumption in favour of sustainable development (para. 14). One of the NPPF's core planning principles is that planning should 'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'. Para. 132 of the NPPF states 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

There will be no physical damage to either Scheduled Monument – each will be preserved in situ with its archaeological and historic record left in tact. The historical landscape context and setting of each monument has changed significantly through time. The current open fenland with rectilinear post-enclosure fields, however, does provide a suitable setting for each monument.

Whilst the open landscape context of the monument will undoubtedly be affected by the change to its immediate setting, it is not considered that this will be significant. In relation to the monuments there is a significant separation distance which reduces the degree of harm added to which there is the opportunity to implement screen planting. There will, therefore, be some impact to the significance of these designated heritage assets, but, in accordance with paragraph 134 of the NPPF, this harm needs to be weighed against the public benefits of the proposal.

Ecology and biodiversity

Due to the proximity of the Ouse Washes and other 'sensitive' areas a preliminary ecological appraisal was submitted with the application. This was to provide a scoping assessment of the likely impacts the proposed scheme might have upon notable and/or protected species and habitats and where such features might be affected to identify the need for any follow up detailed/specialist surveys and/or mitigation to ameliorate the potential impacts.

The potential receptors included the Ouse Washes, Mepal Gravel Pits County Wildlife Site, Block Fen Gravel Pits County Wildlife Site, Sutton and Mepal Pumping Station Drains Wildlife Site, on site general grassland and flora, trees and shrubs, badgers, bats, water voles, brown hare, skylark and grey partridge.

The conclusions are that the site is of low biodiversity value although ground conditions, boundary hedgerows and associated individual trees could provide nesting potential for birds. Recommendations have been made as to timings for ground clearance and further surveys to be undertaken as work progresses.

There is a potential water vole habitat within a field drain bordering the site and a condition will be imposed to ensure that a 10 m buffer zone is maintained in this area to prevent adverse impact on the species.

Natural England raised several concerns over the initial report which instigated the production of further information and subsequently Natural England has withdrawn its objection. The withdrawal of Natural England's objection to the application does not necessarily mean that all natural environment issues have been adequately addressed, however they are satisfied that the specific issues they raised have been met.

This application is in close proximity to the Ouse Washes SSSI. However given the nature and scale of the proposal Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the full details of the applications.

Other considerations

To achieve a balanced decision on this proposal consideration has been given on advice from information set out by DEFRA relating to the government's action plan on its anaerobic digestion strategy. The most up to date report (August 2013) is the second annual report on progress under the AD Strategy and Action Plan which was published in June 2011. The Strategy/Action Plan is designed to deliver the Government's commitment to increase the energy from waste produced through anaerobic digestion.

The number of plants in the UK has risen to 110 up from 68 since the baseline was established as part of the AD Strategy in September 2011. More than 200 AD projects currently have received planning permission. There are two operational AD plants in England designed to inject into the gas grid.

The Government's Bioenergy Strategy lays out the framework for the support of bioenergy and the importance of robust sustainability criteria and lifecycle analyses. There are only 6 crop-only AD plants in the UK currently and Ministers continue to be concerned about the effect that the widespread use of crops as a feedstock for AD might have as the industry grows.

This proposal requires 5,000 acres of maize production in the local and regional area and whilst the land will remain in agricultural use this land will need careful crop rotation to mitigate against potential environmental risks and to maximise the sustainability of land use.

Conclusion

The amended proposal has sought to overcome the reasons for refusal by virtue of additional landscaping, the lowering of the height of the plant and cladding the plant in an olive green colour to help reduce any visual impact that may occur. The bunding around the clamps and the reservoir has also been reduced in height. It is considered that these measures will improve the appearance of the proposal, slightly reduce the scale and mitigate to some extent the visual impact.

These amendments were requested following discussions with The Landscape Partnership who consider that whilst there will remain significant adverse effect in the local context of views and the landscape until the planting has established, they consider that the applicant has done as much as possible to mitigate these effects.

Local Plan Policy LP14 provides support for renewable energy proposals subject to the assessment of the impact upon various factors. The proposal relates to the production of renewable energy by means of an anaerobic digester plant fed solely by maize. The report has clearly outlined the potential issues relating to noise, odour, highways and residential amenity and the application has addressed many of the concerns. With the use of appropriate additional conditions the Local Planning Authority is content that the development will not have any significant adverse impact on residential amenity or highway safety .

In view of the scale of the proposal, it is inevitable that there will be an impact upon the landscape and, as set out above, the proposal seeks to reduce this impact. Furthermore, there is some harm to the landscape setting of designated heritage assets. However, this harm needs to be weighed against the benefits for renewable energy and therefore the application is recommended for permission

RECOMMENDATION

Grant (subject to suitable conditions)

Please note the full list of conditions will be updated to Members prior to planning committee.

1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No works shall commence on site until the off-site highway improvement works comprising the alterations to the A142/ Block Fen roundabout and byway No.27, Chatteris, shall be laid out and constructed in accordance with a detailed engineering scheme to be submitted to and approved in writing by Local Planning Authority and such a scheme shall include layout, levels, forms of construction and surface water drainage.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

3. No works shall commence on site until a Construction Method Statement for all traffic associated with the development during the period of construction has been submitted to and approved in writing by the Local Planning Authority, and such a scheme together with proposals to control and manage traffic using the agreed route, and to ensure that no other local roads are used by construction traffic unless otherwise agreed in writing by the LPA.

Reason: In the interests of maintaining highway efficiency and safety.

4. Prior to the first occupation of the development the proposed on-site parking / loading, unloading / turning / traffic flow/protected pedestrian routes/ waiting areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with a detailed scheme to be submitted to and approved in writing by the LPA, and thereafter retained for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

5. Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction in accordance with a detailed scheme to be submitted to and approved in writing by the LPA.

Reason: In the interests of highway safety.

6. Working hours for the AD plant are limited to:

07:00 – 19:00 each day Monday – Saturday
08:00 – 13:00 Sundays and bank holidays

Unless otherwise agreed in writing with the LPA. The only activities permitted on the site outside of these hours are for access by employees and contractors for purposes of security and undertaking emergency maintenance and repairs.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 7.** Prior to commencement of development a management plan shall be submitted and agreed in writing with the Local Planning Authority (LPA) regarding mitigation measures for the construction phase – these shall include, but not be limited to, a schedule of works, plant to be used, times of use etc, and shall be adhered to at all times during the construction phase, unless otherwise agreed in writing with the Local Planning Authority (LPA).

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 8.** The use of plant and machinery during the construction phase shall be limited to 07:00 - 18:00 each day Monday - Friday and 08:00 - 13:00 on Saturdays unless prior written agreement with the LPA has been given.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with LP16 of the Fenland Local Plan

- 9.** Deliveries to the site during the construction phase shall be limited to 07:00 - 18:00 each day Monday - Friday and 08:00 - 13:00 on Saturdays unless prior written agreement with the LPA has been given.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 10.** All mobile mechanical handling equipment operated within the site that require the use of reversing alarms shall be fitted with broadband reversing alarms or similar.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 11.** Prior to commencement of development a noise management plan shall be submitted and agreed in writing with the LPA regarding mitigation measures for the operation of the site – these shall include but not be limited to, the selection of suitable plant items with regards to the proposed use and the nature of the site, and the housing, where possible, of plant within enclosures or buildings. The management plan shall be implemented and adhered to at all times, unless otherwise agreed in writing with the LPA.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 12.** All doors to the CHP (Combined Heat & Power) generators shall remain closed, except to allow ingress and egress.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

13. The rating level of noise emitted from the site shall not exceed the background noise level existing at the time of approval or 35dB(A), whichever is the higher. The noise levels shall be measured and/or calculated at the boundary of any nearby residential dwelling. The noise level shall be measured and/or calculated in accordance with BS4142.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

14. Delivery and collection times during the operational phase shall be limited to:
07:00 – 19:00 each day Monday – Saturday
08:00 – 13:00 Sundays and bank holidays

‘unless otherwise agreed to in writing by the LPA following the submission of an appropriate noise assessment’.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

15. Prior to commencement of development an odour management plan shall be submitted to and agreed in writing with the LPA regarding mitigation measures for the operation of the site – these shall include but not be limited to methods of control for each likely odour source, including the location of any storage of digestate (eg enclosed) etc, and shall be implemented and adhered to at all times during the operation of the site, unless otherwise agreed in writing with the LPA.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

16. Within 3 months of the acceptance of the first load of materials to feed the digester an Odour Validation report shall be submitted to the Local Planning Authority to demonstrate that the site is not exceeding a 98th percentile hourly mean concentration of 1.5 ouE m⁻³ at the nearest sensitive receptor locations.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

17. Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Local Authority, unless the operator has used appropriate measures, including, but not limited to, those specified in an approved odour management plan, to prevent or where that is not practicable to minimise the odour.

The underlined portion of the odour boundary condition ensures that operators will not be in breach of that condition provided they are using appropriate measures. However, even if the operator is using all appropriate measures, if the Local Authority consider the residual odour is at such a level that it is unreasonable it will be necessary for the operator to take further measures to reduce odour pollution or risk having to reduce or cease operations.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 18.** At the reasonable request of, and following a complaint to, the LPA, the operator of the development shall measure and assess at its own expense the level of noise or odour emissions from the development in accordance with methods approved in writing by the LPA prior to assessment.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 19.** The feeder to the AD plant shall be sealed when not being filled.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 20.** Liquid digestate shall be transferred by sealed pipes from the process area and stored in the reservoir where it will be passed to an irrigation main for direct application to agricultural fields. If required any surplus liquid digestate shall be stored in a sealed container and removed by tanker via a sealed pipe connection, to ensure the process is completely enclosed.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 21.** The application of any liquid digestate to the adjoining land shall be carried out in accordance with good agricultural practices.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 22.** The silage clamps shall remain closed at all times except when being filled/emptied.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 23.** Solid digestate shall be removed from the site daily.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 24.** A filter shall be used to remove excessive solids from the surface water, prior to it entering the reservoir. This filter shall be maintained in accordance with the manufacturers instructions and shall be cleaned daily.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 25.** No external lighting shall be erected or installed unless full details have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be erected and installed in accordance with the approved details and thereafter retained and maintained.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 26.** Prior to commencement of development on site, an acoustic fence shall be erected on the northern edge of the Mepal Outdoor Centre between its boundary and the new road details of which shall be submitted to and approved in writing by the Local Planning Authority. The fence shall then be maintained and retained in perpetuity.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 27.** No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- (i) A survey of the extent, scale and nature of contamination;
- (ii) An assessment of the potential risks to: human health property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
- (iii) appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details before any development takes place.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 28.** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.

Reason - To control pollution of land and controlled waters in the interests of the environment and public safety.

- 29.** Mineral shall not be removed from the site.

Reason: to comply with Policy CS26 and CS42 of the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- 30.** For the avoidance of doubt, nothing other than maize shall be accepted as feed stock for the digester unless a further Odour Impact Assessment has been submitted to and approved by the Local Planning Authority.

Reason: the application has been assessed on the basis of crop transportation and digestion only and has been considered against policies on this basis, the use of alternative products may give rise to adverse impacts which would need to be assessed.

- 31.** At all times the best practicable means shall be employed to control and minimize any possible odour resulting from the storage of raw materials or the storage of liquid digestate. Measures shall be taken to suppress odour arising from the operations hereby approved. If control measures are found by the LPA to be inadequate, causal operations shall cease until additional measures are provided and demonstrated to be adequate to limit and control the cause(s) of concern.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy LP16 of the Fenland Local Plan

- 32.** Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the LPA. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The scheme shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Secondary A Aquifer) in line with NPPF, paragraphs 109, 121) and Environment Agency Groundwater Protection Policy (GP3:2012).

- 33.** Prior to the commencement of any development, a scheme for the provision and implementation of (i) pollution control (including full details of leachate storage tanks), (ii) surface water and (iii) foul water drainage shall be submitted and agreed in writing with the LPA. The works/scheme shall be constructed and completed in accordance with the approved plans/specifications at such time(s) as may be specified in the approved scheme.

Reason: To ensure a satisfactory method of drainage and reduce the risk of pollution to the water environment in line with NPPF, paragraphs 109, 121) and Environment Agency Groundwater Protection Policy (GP3:2012).

- 34.** Should development not commence before November 2014, then a new Extended Phase 1 Habitat Survey must be carried out and submitted to the Local Planning Authority prior to the commencement of any development on the site.

Reason

To ensure compliance with the Habitats Regulations 2010 and all other general legislation which underpins nature conservation.

- 35.** Site clearance works at the site shall only take place outside the bird and hare breeding season of March to September inclusive.

If this is not possible a nesting bird survey must be undertaken by an experienced ecologist 24-48 hours prior to clearance. The report must demonstrate that no nesting birds will be affected by any clearance and this report shall be submitted to and acknowledged in writing by the Local Planning Authority prior to the works being undertaken.

Reason

To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to provide biodiversity mitigation in line with the aims of the National Planning Policy Framework.

- 36.** A check for leverets within hare forms should be undertaken prior to works commencing. If any are found they should be clearly marked and avoided until the leverets are independent of their mothers.

Reason – To ensure compliance with the Habitats Regulations 2010 and all other general legislation which underpins nature conservation.

- 37.** A 10 m buffer zone should be maintained from the edge of the field drain on the south western boundary of the site to avoid disturbance to water voles.

Reason – To ensure compliance with the Habitats Regulations 2010 and all other general legislation which underpins nature conservation.

- 38.** No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted, including details of the precise colour finish, have been submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in accordance with the approved details.

Reason - To safeguard the character and appearance of the countryside accordance with Policy LP16 of the Fenland Local Plan

- 39.** All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turving and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development.

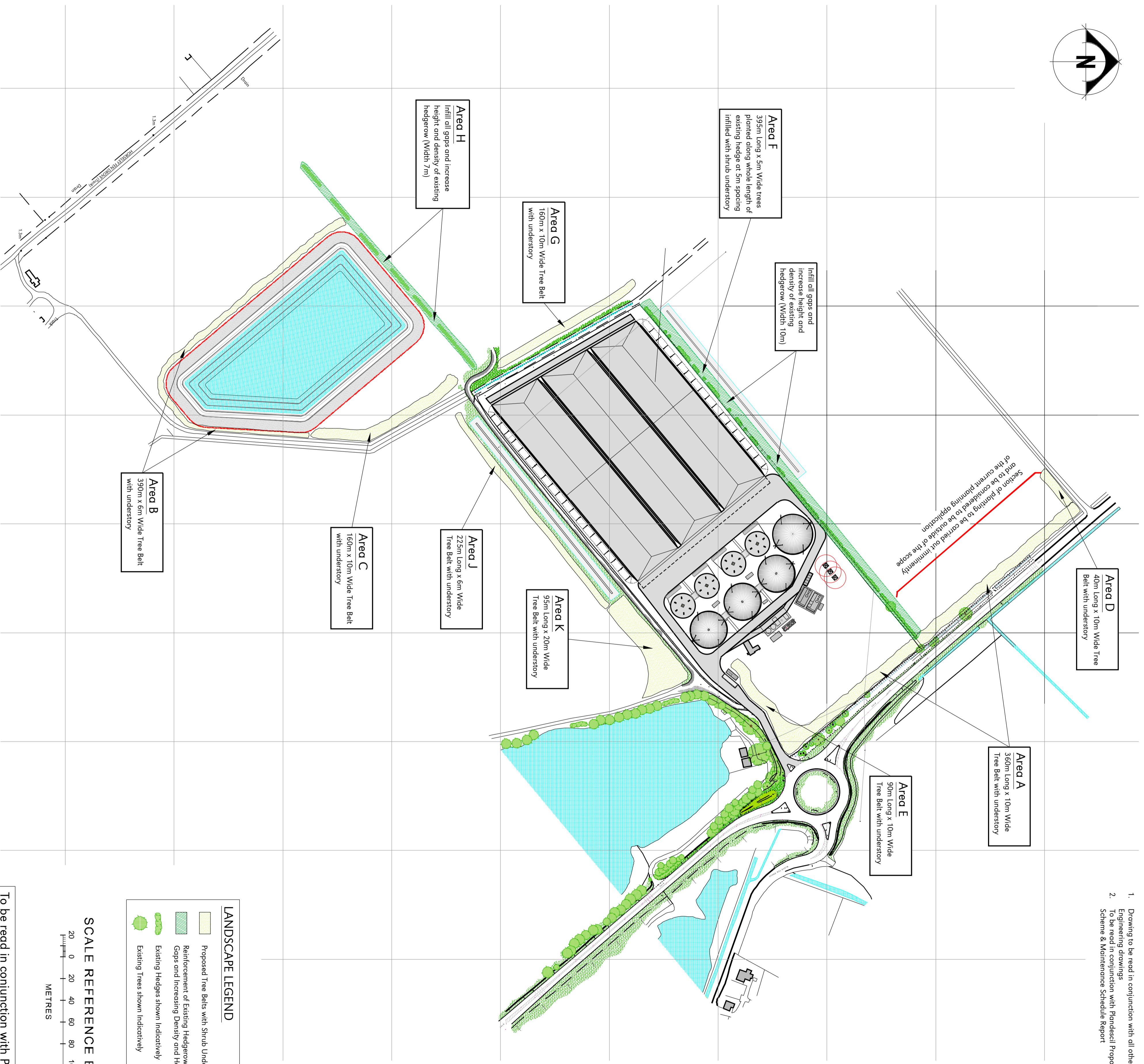
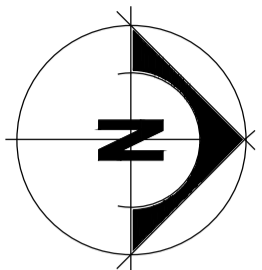
- 40.** Within a period of 40 years from the date of the first energy generation on site the development hereby permitted shall be removed from the site in its entirety and the site restored to its former condition in conjunction with an agreed decommissioning scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To allow the Local Planning Authority to re-assess the condition of the development in line with the potential lifespan of the installation.

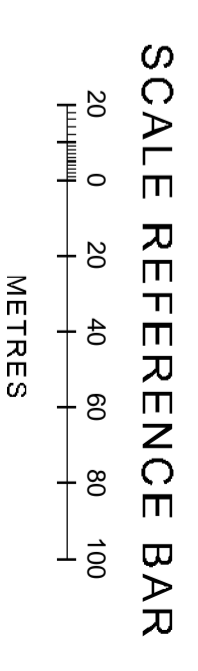
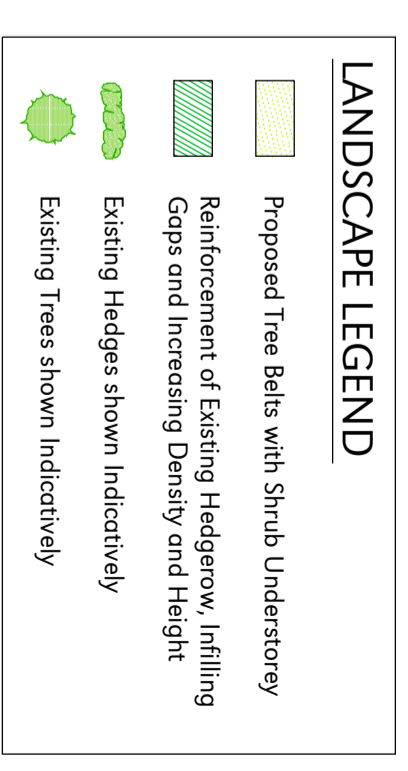
- 40.** If the development hereby permitted ceases operation for a continuous 12 month period, then unless agreed in writing by the LPA, the development will be decommissioned in accordance with a scheme to be approved by the LPA and the land returned to agriculture. The scheme shall include the management and timing of any works, a traffic management plan to address likely traffic issues during the decommissioning period, an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats and a programme of implementation. The approved scheme shall be fully implemented within 12 months of the expiry of this permission.

Reason: In the interests of the appearance of the area.

- 41.** Approved plans



- Notes:
1. Drawing to be read in conjunction with all other relevant Engineering drawings
 2. To be read in conjunction with Plandescil Proposed Landscaping Scheme & Maintenance Schedule Report



To be read in conjunction with Proposed Landscaping Scheme and Maintenance Schedule Report - April 2014

Rev	Date	Chkd	Description
D	27.04.14	PK	Landscaping Amended following meeting with Landscape Consultants
C	15.04.14	PK	Landscaping Amendments to address Local Partnership Comments
B	21.02.14	PK	Landscoping Amended to address Planning Authority Comments
A	19.12.13	PK	Second Issue
0	01.11.13	PK	First Issue

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Client
Pretoria Energy Ltd

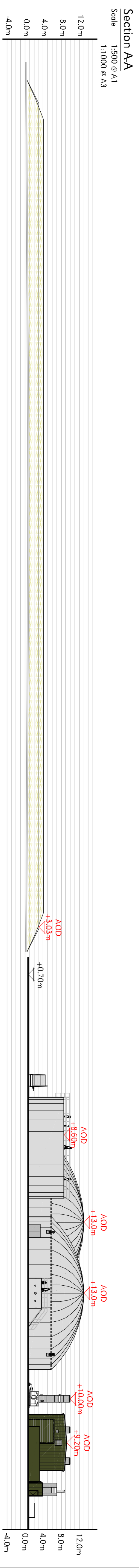
Project
**AD Plant
 Meppal, Chatteris,
 Cambridgeshire**

Drawing Title
**Proposed Landscaping
 Scheme**

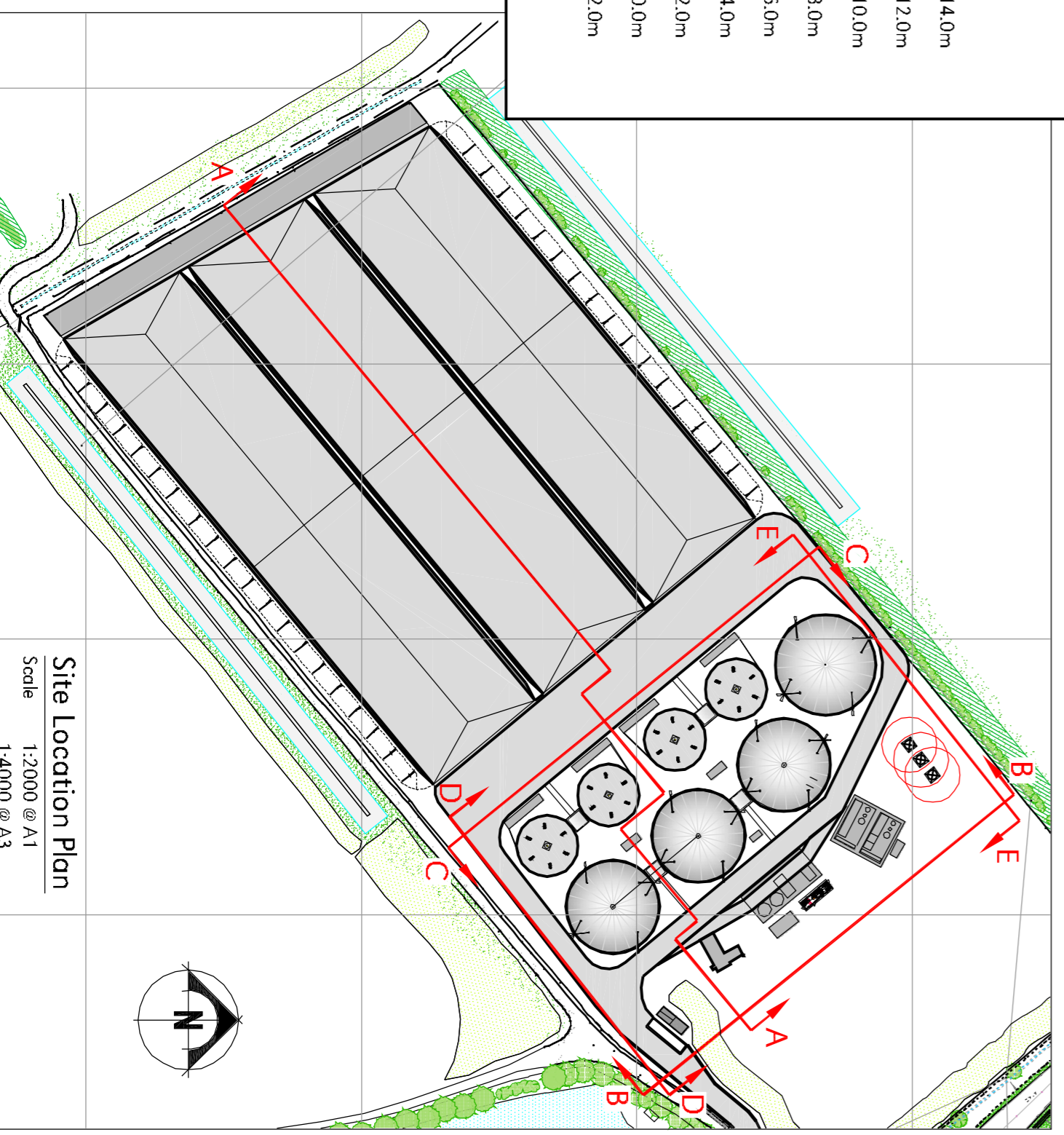
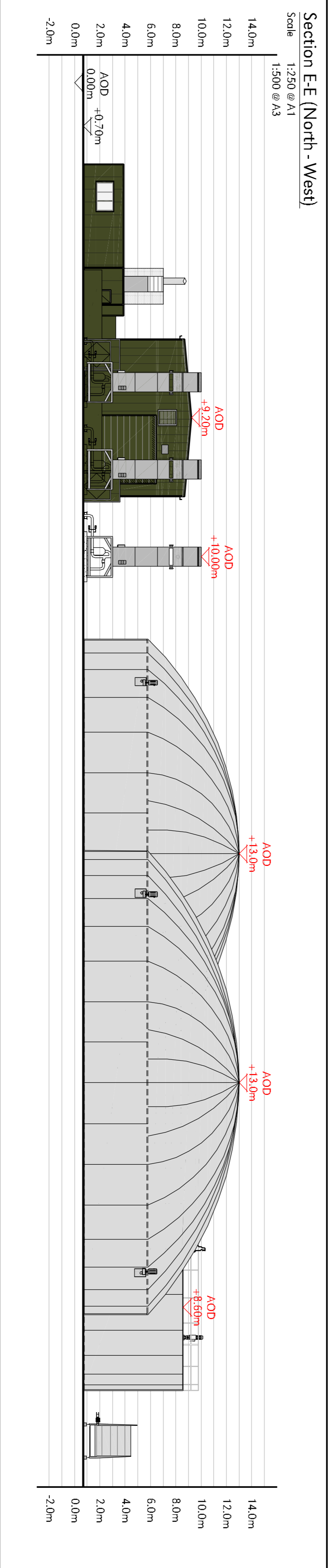
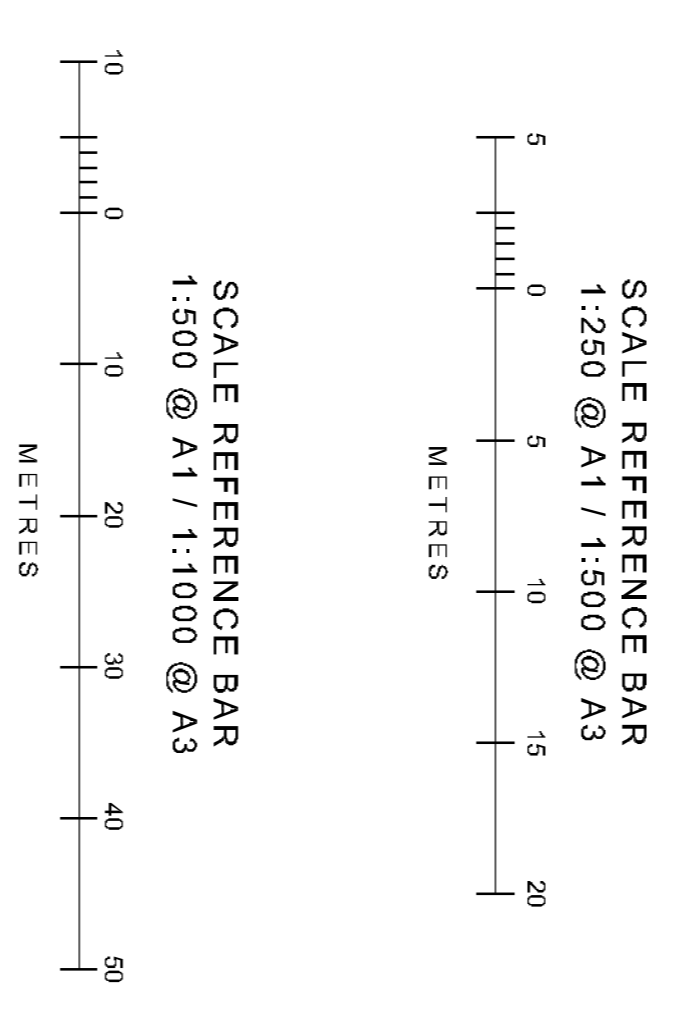
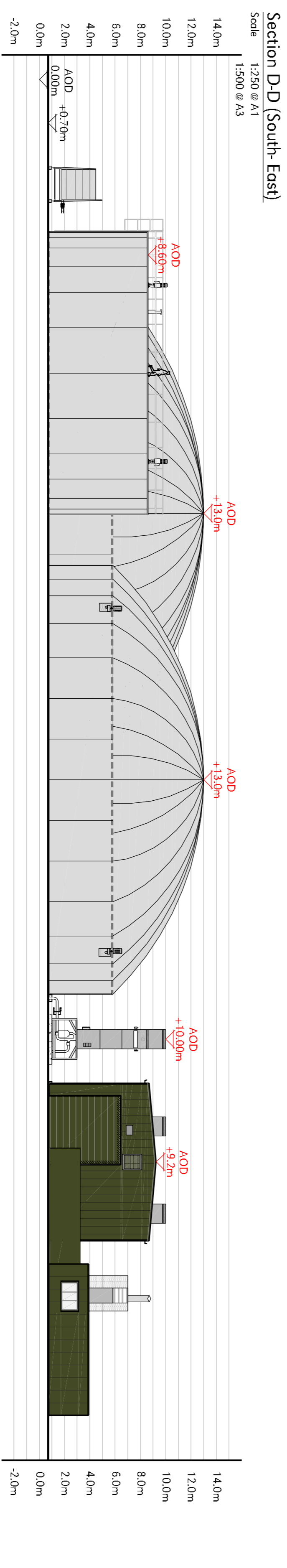
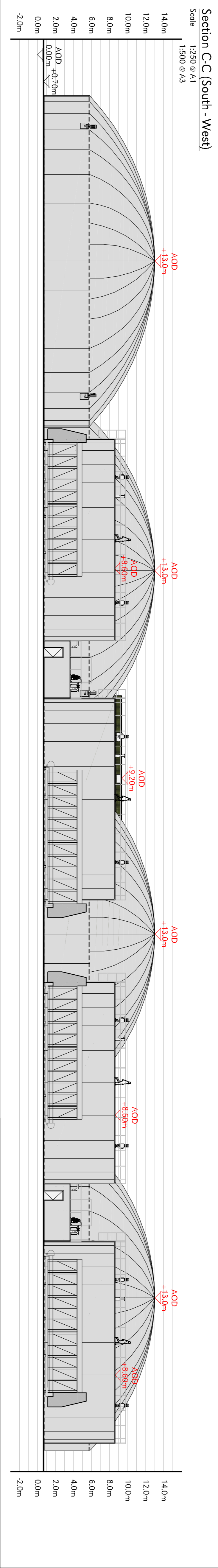
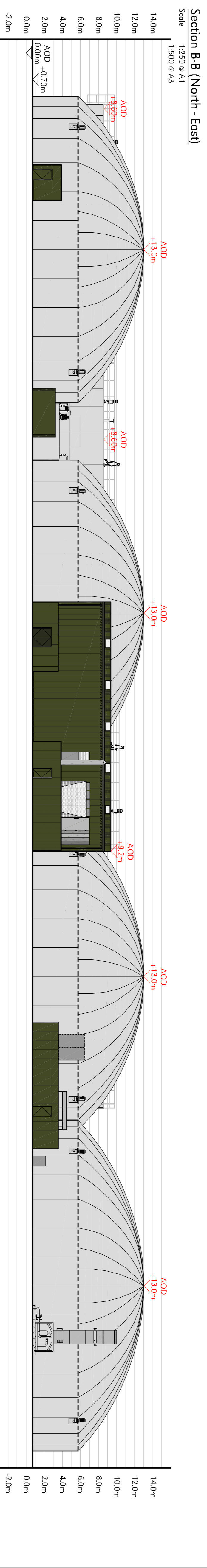
Scale: I.N.O. Date Drawn By
 1:2000 (A1) 20-12-13 IMP/RPS

Drawing No. 18033/901 Rev D

Plant Areas	Area A (360m x 10m)	Area B (390m x 6m)	Area C (160m x 10m)	Area D (40m x 10m)	Area E (90m x 10m)	Area F (395m x 5m)	Area G (160m x 10m)	Area H (Infill all Gaps)	Area J (225m x 6m)	Area K (95m x 20m)	Total number required for each species
Trees											
Alnus glutinosa – Common Alder	70	30	30	5	10	10	10	0	5	5	165
Betula pendula – Silver Birch	140	60	90	15	10	15	10	0	30	20	340
Malus sylvestris – Wild Crab	70	30	30	15	10	10	10	0	25	20	175
Pinus sylvestris - Scots Pine	20	10	10	15	10	10	10	0	15	10	85
Salix alba - White Willow	40	30	30	5	5	10	5	0	5	5	125
Tilia cordata – Small-leaved Lime	70	40	40	5	5	10	5	0	5	5	175
Quercus robur – English Oak	90	30	45	5	5	10	10	0	5	5	195
Number of plants per area	500	230	275	65	55	75	60	0	90	70	1260
Shrubs											
Cornus sanguinea – Common Dogwood	45	20	20	5	20	60	50	0	40	50	220
Corylus avellana – Common Hazel	90	25	40	10	20	60	50	0	40	50	295
Crataegus monogyna – Hawthorn	45	25	30	10	20	60	50	0	40	50	240
Euonymus europaeus – Spindle	20	20	20	5	15	30	20	0	15	50	130
Fraxinus alnus – Alder Buckthorn	20	10	10	5	15	30	20	0	15	50	110
Ilex aquifolium – Holly (3 lit pot grown)	20	20	20	5	10	30	20	0	20	30	125
Prunus spinosa – Blackthorn	90	20	35	5	10	30	20	0	30	40	210
Salix caprea – Goat Willow	20	20	20	5	10	30	20	0	30	40	125
Viburnum lantana – Wayfaring Tree	50	30	30	5	15	60	50	0	30	40	240
Number of plants per area	400	190	225	55	135	390	300	50	260	400	1695



- Notes
1. All levels are above AOD (Above Ordnance Datum)
 2. All dimensions are in Metres UNO
 3. To be read in conjunction with Plandescil Ltd drawing 17476/001 - Proposed Site Layout
 4. To be read in conjunction with all other relevant planning application documents
 5. All dimensions and heights are approximate subject to final design by process provider
 6. Position of Buildings For Illustrative Purposes Only
 7. Proposed Landscaping omitted for clarity



FOR PLANNING

Rev	Date	Chkd	Description
B	29-04-14	RPS	Tank Heights lowered & Building Cladding
A	11-03-14	RPS	Colour Added
0	28-05-13	RPS	Note Added
			First Issue

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civil-structural-environmental-surveying

Pretoria Energy Ltd
Project
AD Plant,
Mepal, Chatteris
Cambridgeshire

Drawing Title
Proposed Site Cross Sections

Scale UNO. Date Drawn By
AS Shown (A1) 27-06-2013 IGC
Drawing No. 18003/009 Rev B

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