

**APPLICATION NO: F/YR18/0648/F**

**SITE LOCATION: Anaerobic Digestion Plant, Somerset Farm, Cants Drove, Murrow**

**UPDATE**

**Re-consultation response from Parish Council:** Recommend Refusal – The noise/smell/pollution generated has been detrimental to residents. Substandard vehicular access – existing roads are incapable of carrying increased traffic without suffering damage resulting in noise/pollution. Cumulative impact – The existing operation has been detrimental to the environment and lives of local residents due to noise/smell/pollution and damage to roads, the number of vehicle movements must be limited in number and restricted to day time hours. Any expansion is recommended for refusal.

**North Level District IDB:** Confirm they have no comment to make with regard to this application

**Interested Party:** An earlier contributor has submitted a further letter which highlights that:

- Earlier applications have indicated that there would be a reduction in traffic movements; and earlier concerns in respect of the lagoon construction in 2013 appear to have related to the construction phase of that development. It is further noted that *'there are up to 30 tankers per day transporting slurry from the plant, and I have since been informed that the facility has a network of local drivers contracted to transport the slurry to other farms.'*
- Identifies that *'the potential number of tanker movements along Cants Drove thus amounts to some 21,900 per annum. Giving the applicant the benefit of the doubt and allowing for say half of such potential movements or even a quarter (which would amount to approx 5,000 tanker movements per annum) it can readily be seen that the pre AD Plant level of vehicle movements of which there were just over 100 per annum on the basis of the Jubb report as compared with the present level of tanker movements was a mere drop in the ocean.'*
- *It seems clear that the formation of the present lagoon, for which I note there is actually no planning permission (as it is larger than the one applied for) has dramatically increased the flow of heavy traffic along Cants Drove. This is unsurprising given that the formation of the lagoon has substantially increased the volume of slurry available to be sold to other farms.*
- Considers the information supplied is conflicting in terms of vehicular movements attributed to the development. Commercial realities are such that the facility will look to maximise its profits. The lagoon has the potential to double the amount of slurry; questions the assertions made in the submission.
- The regular usage of Cants Drove by tankers transporting the slurry presents a danger to other road users. *The writers impression of the situation in the locality based on counting of vehicles on occasional days, comments from*

neighbours etc is such that they do not agree with the figures produced. They suggest that the applicant be asked to produce accurate records of all vehicle movements over the past year before further consideration.

- Vehicle movements cause structural cracking and noise.
- Reiterate earlier comments and those of neighbours regarding loss of amenity/odour [...] *it can be over powering, eye watering and liable to make one feel physically sick. [...] accept that in a rural area one should expect to be subjected to occasional manure smells. The digestate in my view is far worse than manure.*
- Disagree with ADAS report about the low odour potential, [...] considered the Odour Assessment produced by RSK dated 22/5/18, but would question its evidential value in respect of this application given that it refers to a 100m x 50m lagoon. The present application (see ADAS Report) refers to a 125m x 112m lagoon, which is over twice the size. I have previously made comments in respect of the type of liner and would reiterate that a 3mm liner would appear to be inadequate for the size of lagoon proposed. There are thicker better quality liners on the market and I would reiterate my comments over the use of a double membrane system given the proximity of dwellings to the facility, and as a condition should permission be granted.
- Aware that the spreading of slurry and the deposition of manure heaps on the surrounding land can be the cause of odour. I believe however that the present lagoon is/ has also been the source of odour. I note the comment in the ADAS Report that the digestate is taken from the tanks. I was informed however by an employee of the applicant that some of the tanker drivers are prone to taking the slurry directly from the lagoon, thus releasing odour. Furthermore the tankers themselves reek of it when passing by.
- *I also take note of the Environmental Health Report dated 17/12/13 submitted in respect of the lagoon application 19/11/13: "...experience from other sites has shown that there is a potential for odour problems"*
- *In summary, I submit that before any consideration be given to this application, there be a determination of the retrospective application in respect of the present lagoon. Aside from the size issue, it seems to me that permission was granted on a false premise that traffic would not increase/ would reduce, whereas in fact it appears to have significantly increased as a result of the lagoon; and a false premise that the digestate is low in odour*

The issues raised above have been fully considered in the original officer report, the agent for the scheme has provided details of anticipated vehicular movements and these have been accepted by the Local Highway Authority. Similarly the Environmental Protection team have raised no objection to the proposal and note that whilst there have been complaints raised regarding the activities these have not been pursued through the submission of evidence and as such there are no reasons on planning grounds to withhold consent.

It is further noted that the agent has agreed pre-commencement conditions.

**RECOMMENDATION: Remains as Grant as per page 153**