



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Planning Committee

23 January 2025

Additional Information Report

This report sets out additional information in relation to planning applications for consideration at the Planning Committee on 23 January 2025 that was received after the Agenda was published.

Agenda Item 6

S24/0568

Proposal: Erection of an anaerobic digestion (AD) facility and carbon capture, improvement of existing and part creation of new access track, landscaping and other associated infrastructure.

Site Address: Development East of Sewstern Industrial Estate South of Sewstern Road, Gunby, Lincolnshire NG33 5RD

Summary of Information Received:

- Applicant submitted link to video explaining the processes in an anaerobic digester plant <https://www.youtube.com/watch?v=8sPN4-0eJLw>
- Representation email dated 13th January 2025 proposing changes to the recommended conditions and suggesting planning obligations to be secured by S106 agreement
- Representation email dated 17th January 2025 querying how the National Planning Policy Framework has been addressed

Representations

Email dated 13th January 2025

Summary:

The email confirmed the member of the public's ongoing objection to the proposed development and provided a further review of the Schedule of Conditions proposed in the Additional Information Report Part 1. The member of the public suggested additional conditions and planning obligations as well as amendments to the proposed conditions.

Officer Comment – The comments have been considered and the response is below.

Email dated 17th January 2025

Summary:

The email expressed concerns that the approach taken to the NPPF December 2024 has been selective in terms of weight to be given to renewable energy. The email specifically refers to NPPF Paragraph 163 and the requirement to assess the full range of potential climate change impacts.

163. *The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts.*

The representation considers that the current information supplied is insufficient as it does not include a whole life carbon assessment, or information regarding the satellite clamps. It states that the application should have been accompanied by detailed information about the number, location and likely impacts in respect of embodied carbon and all the transport related to the AD plant.

Officer comment – The application was accompanied by a full suite of Environmental Impact Statement reports which considered a range of environmental impacts in accordance with the EIA Regulations.

Carbon Balance

In regards to the carbon balance, the application was accompanied by a letter dated 5th September 2024 and Carbon Balance technical note. The Carbon Balance technical note concludes:

- *'The combustion emissions of biomethane produced by crop-fed anaerobic digestions facilities, including biomethane produced from the development is carbon neutral because the carbon dioxide released during combustion originates from the carbon dioxide absorbed by the crops during their growth. This reflects a closed carbon loop with respects to combustion emissions resulting in no increase in CO2 levels within the atmosphere.*
- *The Development displaces other sources of emissions and, when CO2 is captured and geologically stored, the overall removal of CO2 from the atmosphere significantly exceeds the emissions generated by the Development, making it carbon negative. The carbon negative nature of the Development extends to the refinement of the gas and the spreading of biofertiliser and digestate'.*

Therefore, a carbon assessment has been undertaken for the development, concluding that there are

'no likely significant effects and the scoping out of the emissions arising from the combustion of the gas, the refinement of the gas and the spreading of biofertiliser and digestate is appropriate and compliant with the EIA Regs'.

The application complies with the EIA regulations and includes an assessment of likely significant effects. In the absence of alternative fuels, the national grid demand is met by gas sourced from fossil fuels, including imports of liquid natural gas. The impacts of fossil fuels are generally understood, and currently the UK is dependent on fossil gas to heat the majority of domestic and commercial properties.

Secondary Satellite Clamps

In regards to the satellite clamp locations, these are not included within the application and a planning application will provide the details at a later stage.

The proposed feedstock at the site is 130,000tpa and approximately 50,000tpa will be storage on site in purpose-built silage clamps. Approximately 50% (25,000tpa) of which will be delivered directly from fields which are part of the Buckminster Estate during harvest time over a 6-week period. The other 25,000tpa will be delivered from fields in the wider Estate. The remaining 80,000tpa of feedstock will be stored at satellite hubs and supplied to site on a 'Just in Time' basis at a constant rate throughout the year. Whilst not part of the application, these traffic movements have been accounted for within the Transport Statement. The Transport Statement makes assumptions that the additional satellite clamps will be located to the northeast

and northwest of the site within a 15-mile radius of the site. All traffic would therefore use the B676 and the new access road to access the site. The Officer considers that the current information is sufficient for the assessment.

Evaluation

Schedule of Planning Conditions

The email representation dated 13th January 2025 contained comments regarding proposed Schedule of Conditions contained in the Additional Items paper (1).

The planning case officer has considered the proposed amendments and proposes the following updated schedule of conditions, should the planning application be granted planning permission on 23 January 2025.

Planning Conditions

Time Limit for Commencement

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Temporary Permission Limits

- 2) Written confirmation of the first export date shall be provided to the Local Planning Authority no later than 20 days following the event. The development hereby permitted shall cease on or before the expiry of a 30-year period from the date of the first export of biomethane from the anaerobic digester to the national grid network; excluding any biomethane exported during initial testing and commissioning.

The land shall thereafter be restored to its former condition in accordance with a scheme of decommissioning work ("Decommissioning Scheme") which shall make provision for the removal of the structures, hard standing, fencing and all other associated equipment, and the subsequent restoration of the site. The scheme shall include details of:

- a) The extent of equipment and foundation removal, and the site restoration to be carried out;
- b) The management and timing of any works;
- c) A Traffic Management Plan to address the likely traffic impacts arising during the decommissioning period.
- d) An Environmental Management Plan to include details of measures to be taken during the decommissioning period to protect wildlife, habitat features and trees on the site.
- e) The location of any temporary compound and parking areas.
- f) Full details of the removal of the AD plant and associated buildings, and all associated ground restoration.
- g) Full details of all other works to the land to allow for renewed agricultural production following the removal of structures from the site.
- h) A programme of implementation of the Decommissioning Scheme.

The Decommissioning Scheme shall be submitted to and approved in writing by the Local Planning Authority, no later than 29 years from the date of the first export of biomethane and shall be subsequently implemented as approved.

Reason: The proposed development has a 30-year operational period, and to ensure that the site is fully restored to allow for agricultural use, and to maintain the rural landscape character of the area.

Approved Plans

3) The development hereby permitted shall be carried out in accordance with the following list of approved plans:

- Site Location Plan, drawing ref. 27729-150 Rev B (received 28/03/24)
- Proposed Site Layout Plan, drawing ref. 27729-SK10 Rev H (received 03/04/24)
- Proposed Plant Elevation 1, drawing ref. 27729-050 Rev E (received 02/05/24)
- Proposed Plant Elevation 2, drawing ref. 27729-051 Rev D (received 02/05/24)
- Proposed Plant Elevation 3, drawing ref. 27729-052 Rev A (received 02/05/24)
- Proposed Floor Plans, drawing ref. 27729-600 Rev 0 (received 02/05/24)
- Proposed Site Sections, drawing ref. 27729-120 Rev G (received 03/04/24)
- Site Access Road Location, drawing ref. 27729-600 Rev D (received 18/06/24)
- Site Access Road 1, drawing ref. 27729-601 Rev C (received 18/06/24)
- Site Access Road 2, drawing ref. 27729-602 Rev C (received 18/06/24)
- Site Access Road 3, drawing ref. 27729-603 Rev C (received 18/06/24)
- Site Access Road 4, drawing ref. 27729-604 Rev C (received 18/06/24)
- Site Access Road 5, drawing ref. 27729-605 Rev C (received 18/06/24)
- Site Access Road 6, drawing ref. 27729-606 Rev D (received 18/06/24)
- Site Access Road 7, drawing ref. 27729-607 Rev C (received 28/03/24)
- Site Access Road 8, drawing ref. 27729-608 Rev C (received 28/03/24)
- Site Location Plan Northern Boundary, drawing ref. 27729-152 Rev 0 (received 02/05/24)
- Site Location Plan Southern Boundary, drawing ref. 27729-152 Rev 0 (received 02/05/24)
- Gas Pipeline Indicative Location Plan, drawing ref. 27729-154 Rev 0 (received 02/05/24)
- Site Access Visibility Clearance, drawing ref. 27729-613 Rev C (received 03/04/24)
- Site Access Road Clearance 1, drawing ref. 27729-614 Rev A (received 03/04/24)
- Site Access Road Clearance 2, drawing ref. 27729-615 Rev A (received 03/04/24)
- Site Access Road Clearance 3, drawing ref. 27729-616 Rev A (received 03/04/24)
- Site Access Road Clearance 4, drawing ref. 27729-617 Rev A (received 03/04/24)
- Site Access Road Clearance 5, drawing ref. 27729-618 Rev A (received 03/04/24)
- Site Access Road Clearance 6, drawing ref. 27729-619 Rev A (received 03/04/24)
- Proposed Highway Access Boundary, drawing ref. 27729-SK15 Rev A (received 03/04/24)
- Junction Line and Sign Works, drawing ref. 27729-620 Rev B (received 18/06/24)
- Proposed Site Plan showing SW Drainage, drawing ref. 27729-805 Rev D (received 13/06/24)
- Fire Hydrant Connection, drawing ref. CT-831.idw (received 12/08/24)

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

Before the Development is Commenced

Detailed Design

4) Notwithstanding the submitted details, prior to any development above damp-proof course, a detailed specification of materials (including the colour of any render, colourwash or paint) to be used in the external materials of all buildings, plant, CCTV cameras and fencing shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development must be constructed fully in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development, any necessary mitigation measures required by condition references here can be taken into account, and in accordance with Policy DE1 and EN6 of the adopted South Kesteven Local Plan.

Lighting

- 5) Prior to the commencement of the development, full details of the proposed lighting scheme including a detailed Lighting Assessment and Strategy must be submitted to and approved in writing by the local planning authority.

The Assessment and Strategy shall set out the lighting strategy and specification for the site, including all access roads and shall include a light layout plan with beam orientation, a schedule of equipment in the design (luminaire type, mounting height, aiming angles, luminaire profiles and measures to prevent light spillage), and shall be accompanied by an assessment of the impact of the proposed lighting strategy upon the landscape character of the area, including submission of a light spillage plan and assessment of lighting on species and habitats that use the area for foraging, roosting, nesting or travelling through the landscape on or adjacent to the site.

The assessment must be carried out in accordance with current best practice and guidance.

The scheme shall be installed and be operational prior to operation of the development. The scheme shall be retained for the life of the development.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Archaeology

- 6) Before the development hereby permitted is commenced, a Written Scheme of Archaeological Investigation and an Archaeological Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The details must include:

- a) Details of a programme of trial trenching, which must be first completed and used to inform the mitigation strategy;
- b) A plan illustrating the location of any archaeological remains on the site;
- c) Areas which are designated for archaeological monitoring and recording;
- d) Proposals to ensure that significant archaeological remains are protected or, if appropriate, set out a programme of further archaeological works to ensure that they are recorded in advance of works on site;
- e) A programme for the implementation of the archaeological mitigation strategy.

Thereafter, all works on site shall be carried out in accordance with the approved Archaeological Mitigation Strategy.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

Odour Management Plan

- 7) Before any part of the development is commenced, an Odour Management Plan is required to be submitted and approved by the Local Planning Authority. The Odour Management Plan will include mitigation as set out in the Odour Report to ensure that odour emissions arising from the development are no greater than the levels cited in the Environmental Impact Assessment.

The Odour Management Plan should include specific measures for managing and monitoring odour associated with all activities from the development.

Reason: To protect the residential amenity of local residents in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Traffic Management Plan

- 8) Before any part of the development is commenced, a Traffic Management Plan is required setting out the times of deliveries and collections, and that all vehicles are routed an appropriate route to/from the AD plant using the approved access route off the B676 Buckminster Road. This shall include construction related vehicles.

Reason: To protect the residential amenity of local residents in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Flood Emergency Plan

- 9) Before any part of the development is commenced, a Flood Emergency Plan covering place of refuge, flood evacuation and safe/escape routes, shall be submitted to and approved in writing by the local planning authority.

The Flood Emergency Plan shall be complied with throughout the lifetime of the development.

Reason: To ensure the safety of the users of the development against the risk of flooding in accordance with Policy EN5 of the South Kesteven Local Plan.

Construction Environmental Management Plan

- 10) Before the development hereby permitted is commenced, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be carried out in accordance with the approved details throughout the construction period.

Reason: In the interests of safety and free passage of those using the adjacent public highways.

Operational Environmental Management Plan

- 11) Before the development hereby permitted is commenced, an Operational Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include all details of the proposed development's operation, including delivery/collection vehicles, routing of delivery/collection vehicles, as well as the specifics of the coverings to feedstock and digestate lagoon to control odour emissions.

Reason: To ensure that the traffic movements and odour emissions arising from the development are in line with the levels in the application and to protect the residential amenity of local residents in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Site Levels

- 12) Notwithstanding the submitted plans details, the existing and proposed land levels of the site (including spot heights, contours and finished floor levels of all buildings/structures) with reference to an off-site datum point, shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be carried out in accordance with the approved details, and the site levels completed as approved, prior to the site being brought into use.

Reason: To ensure that the development mitigates the visual and landscape impacts in accordance with Policy EN1 and EN3 of the South Kesteven Local Plan.

Site Access Road

- 13) The access road will be upgraded and provided for use by all traffic related to the development in advance of construction of the main site. The access road shall be maintained in a good state of repair and kept clean of mud and other debris.

Reason: To protect the residential amenity of local residents in accordance with Policy DE1 of the South Kesteven Local Plan.

During the Building Works

Noise during Construction

- 14) To minimise noise impacts on the existing residential dwellings, 'construction work' shall only be carried out between the hours of 7:30 am to 6:00 pm Monday to Friday and 9:00 am to 1:00 pm on a Saturday. Construction work shall not be carried out on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

To minimise the impact of potential noise on the surrounding area, deliveries of construction materials shall only take place between 8:00 am and 5:00 pm, Monday to Friday and between 9:00 am and 1:00 pm on a Saturday. No deliveries shall take place on a Sunday or Public Holiday.

Reason: To prevent disturbance to the amenities of residents living in the locality and in accordance with Policies EN4 and DE1 of the adopted South Kesteven Local Plan.

Ecology

- 15) All works on site during the construction period shall be carried out in accordance with the recommendations contained within the Ecological Appraisal, including reasonable avoidance measures for protected species.

Reason: In the interests of best ecological practice and in accordance with Policy EN2 of the adopted South Kesteven Local Plan.

Soft Landscape Scheme

- 16) Before the development hereby permitted is constructed above foundation level, details of a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- Planting plans identifying the location of all existing and proposed plants
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and
- Details of protection of plants

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policies DE1, and EN3 of the adopted South Kesteven Local Plan.

Before the Development is Operational

Noise Management Plan

- 17) Before any part of the development is brought into use, a Noise Management Plan, based on the recommendations contained within the Noise Impact Assessment submitted with the application, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the residential amenity of local residents in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Boundary Treatment Details

- 18) Before the works to provide the boundary treatments hereby permitted are commenced, a plan indicating the heights, positions, design, materials and type of boundary treatment to be erected shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide a satisfactory appearance to any boundary treatments in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Surface and Foul Water Drainage

- 19) Before any part of the development hereby permitted is occupied/brought into use, the works to provide the surface and foul water drainage shall have been completed in accordance with the approved details.

Reason: To ensure the provision of satisfactory surface and foul water drainage is provided in accordance with Policy EN5 of the adopted South Kesteven Local Plan.

Landscape Management Plan

- 20) Before any part of the development hereby permitted is occupied/brought into use, a landscape management plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- i. long term design objectives,
- ii. management responsibilities and maintenance schedules for all landscape areas.

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

Landscaping Implementation

- 21) Before the end of the first planting / seeding season following the date when biomethane is first exported ("first export date"), all landscaping works shown on the approved Landscape Mitigation Plan required by condition 16 shall have been carried out in full.

Reason: To mitigate the harm to the rural character caused by the proposal and to secure a biodiversity net gain and in accordance with Policy EN1 (Landscape Character) and Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan.

Ongoing Conditions

Noise Mitigation

- 22) The development should operate in accordance with the approved Noise Management Plan required by Condition 17 above.

Reason: To ensure there is appropriate mitigation from the impact of noise from the proposed development in the interests of the residential amenities of futures occupiers of the site.

Replacement Planting

- 23) Within a period of five years from the first occupation of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping scheme, that die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as was approved in condition above unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and in accordance with Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

Flood Emergency Plan

- 24) The Flood Emergency Plan covering place of refuge, flood evacuation and safe/escape routes, shall be complied with throughout the lifetime of the development.

Reason: To ensure the safety of the occupiers and users of the development against the risk of flooding in accordance with Policy EN5 of the South Kesteven Local Plan.

Feedstock

- 25) The granting of planning permission for the Anaerobic Digester is made on the explicit use of feedstock to produce biomethane and prohibits any use of waste or conversion of the plant to facilitate the use of waste in the production of biogas. All feedstock required in connection with the approved Anaerobic Digester (AD) plant shall be derived from plant-based materials. No other feedstocks or waste products shall be processed at the plant.

Reason: To protect the residential amenity of local residents in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Boundary Treatments

- 26) The works to provide the boundary treatments shall have been completed in accordance with the approved boundary treatment scheme.

Reason: To provide a satisfactory appearance to any boundary treatments in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Sustainable Building

- 27) Details shall be provided demonstrating how the proposed development would comply with the requirements of Local Plan Policy SB1 to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the development; details of water efficiency; and provision of electric car charging infrastructure.

The approved sustainable building measures shall be completed in full in accordance with the agreed scheme, prior to the development becoming operational.

Reason: To ensure that the development mitigates against and adapts to climate change in accordance with Policy SB1 of the South Kesteven Local Plan.

Feedstock Tonnage

- 28) The total tonnage of feedstock processed at the application site shall not exceed 130,000 tonnes per annum of energy crops.

Reason: To correspond with the source and volume of feedstock materials for which planning permission was applied and to limit the scale of the operations in the interest of the amenity of the area in accordance with Policy DE1 of the South Kesteven Local Plan.

Silage Clamps

- 29) The maximum tonnage of feedstock material that can be stored on-site is 50,000 tonnes in the on-site silage clamps, and the height of the silage clamps shall not exceed the height of 5 metres.

Reason: To correspond with the volume of feedstock materials for which planning permission was applied and in the interests of visual amenity in accordance with Policy DE1 of the South Kesteven Local Plan.

Early Decommissioning

- 30) In the event that the site ceases to generate biomethane for a period of 12 months prior to the cessation of the 30-year period, a scheme of Decommissioning Works (“Early Decommissioning Scheme”) shall be submitted no later than 6 months from the end of the 12-month non-biomethane generating period to the Local Planning Authority for approval in writing. The early decommissioning scheme shall include the same details required under the Decommissioning Scheme set out in Condition 2 of this permission.

Thereafter, the early decommissioning scheme shall be carried out in accordance with the approved details.

Reason: To ensure that the AD plant continues to generate biogas or is otherwise removed to the benefit of the character and appearance, and agricultural productivity of the District; in accordance with Policy EN1 and RE1 of the adopted South Kesteven Local Plan.

Remediation Works

- 31) All buildings, structures and hardstanding associated with the development, excluding the access track between Buckminster Road and Sewstern Road, shall have been decommissioned and removed from site by 31.06.2055 or within 12 months of the anaerobic digestion facility ceasing operation, whichever is the sooner. The site shall then be regraded to former levels and appropriately restored to agricultural land within 3 months of the removal of the buildings, structures and hardstanding associated with the development with works being undertaken in accordance with the approved Decommissioning Plan.

This would exclude the proposed northern access track as this serves the timber yard as well.

Reason: To ensure that the AD plant is removed once it ceases to generate biogas, and is removed to the benefit of the character and appearance of the local area, in accordance with Policy EN1 and RE1 of the adopted South Kesteven Local Plan.

There are planning conditions that were suggested which have not been included in the amended conditions schedule and these have been considered by the planning officer. The following were not included:

- Satellite hubs – the satellite hubs are not part of this planning application and will be subject to a further planning application/s.
- Timings of vehicle movements – this will be covered by the Traffic Management Plan already in place as condition 8.
- Soft Landscaping – this will be covered by the Landscaping conditions 19 and 20.
- Off-site planting cannot be secured via a planning condition.
- Buckminster Estate farm movements – farm movements are already generated in relation to the farming activities on the Buckminster Estate. Should further connections be required on the farm site then the farm will be able to use permitted development rights to create accesses and routes as necessary.
- HGV queuing – concerns have not been raised by the local highway authorities that there would be insufficient space on the application site to accommodate all vehicle movements.

Recommendation

As such, the recommendation to Committee is to **authorise the Assistant Director – Planning & Growth to GRANT planning permission subject to the amended conditions set out above.**