

## Lincolnshire County Council

### Planning and Regulation Committee 7 November 2016

- Location Map Attached

#### Item 5.1

**West Lindsey District Council : Environmental Protection** – draw attention to the fact that this is a facility permitted by the EA accordingly if and when there is any issue or complaint referral is made to them for investigation as appropriate. Aware of 2 complaints being made about the plant concerning odour but have no evidence that substantiates these complaints.

**Environment Agency** – note that the Environmental Permit allows for the import of up to 90,000 tonnes of waste annually so the EA has no objection to this application but provides the following informative comments:-

- Currently only one of the two digestate lagoons for the site is permitted and the applicant be informed that the second lagoon requires a permit to be in place before it is brought into use;
- The digestate currently being produced is not an accredited standard and therefore remains a waste.

**Local Resident** – I would like to object in the strongest possible terms, concerning the variation to planning W127/134934/16.

- 1) I find it extraordinary that WDLC environment and heritage teams have not responded, more so, that wider advertisement and consultation of the local residents has not been undertaken. Consulting immediate neighbours when the smell and noise of this facility extends much further than immediate neighbours, Lincolnshire County Council have a duty of care to ensure that residents who are affected by this application are adequately consulted. I know personally that most residents have no faith whatsoever in the planning process; many residents weren't even aware of the original proposal until building had started, the lack of resident participation should have brought about concern, not simply be dismissed as a box ticking exercise due to the fact that a notice was put in a newspaper that very few people read. You should be ashamed of yourselves.
- 2) The applicant is a WLDC Councillor, there is a clear conflict of interest here, nobody has informed me that this Councillor is to be personally enriched from using foodstuffs from bin collections of WDLC, at the very least, this clear and evident conflict of interest should have been/be called in.
- 3) Most residents are sensible enough to understand that living in the Country, means that there are noise and smells associated with farming activity. However, in this case, since production has started, the smells associated with spraying is nauseating on some days. This far exceeds anything that has gone before.

- 4) It is evident from the planning Officer's own report, that many of the statements and submissions made by the applicant have not developed or come to fruition. Instead, heavy goods vehicles, are having to transport filth and waste material over very long distances to support the existing operation. The applicant now wants to increase this by 50%. It is nonsensical to claim this plant produces 'green energy' when thousands of miles of journeys, using trucks capable of 13mpg, are being used to ferry the waste to the plant. Not only do these journeys place extra load on the road network (a fact that appears to be lost on Lincolnshire Highways department, the carbon from output from the journeys far exceeds any claim by the developer that the plant is 'green'. It can't be and isn't.
- 5) Not one paragraph in the report to the Committee highlights any concern with regards to the safety of this plant. They have exploded, people have died within them, responses from the Fire Brigade, environmental services are mute on this point so it is clear to me, that inadequate consultation has taken place with respect to the safety of this Digestion plant or the ongoing monitoring of the gasses within. In addition WLDC are having to create an environmental impact assessment regarding the Food Enterprise Proposed to the adjacent land this same councillor owns, I find it extraordinary that some form of impact assessment has not been carried out for this site, despite what the screening document says.

Due to the amount of time I've had to make a submission, the above is not an exhaustive objection but it does convey some of the pertinent points.

**Applicant** – note that the EA has already acknowledged PAS 110 status to Hemswell Biogas Ltd in respect of the digestate produced by the AD plant and have produced a certificate of validation dated August 2016. Also confirm that the additional waste tonnage will produce approximately 40,000 tonnes of digestate and the total 90,000 tonnes of waste per annum would produce 70,000 tonnes of digestate per annum. No digestate will be stored at the AD plant.

**Planning Manager Response** –

- 1) Consultation included neighbouring businesses and properties- the same who were consulted on the original application and subsequent applications. Site notices and press notices were also undertaken. In relation to WLDC environment and heritage, following a follow up call they have since responded as set out above.
- 2) The application is being determined by the County Council as the Waste Planning Authority for the area and consequently there is no conflict of interest.
- 3) As set out in the detailed report at paragraph 27 the intention is that operation of the plant works in a way that the digestate produced at the end of the process is no longer waste and should be free from odour. The applicant has produced evidence to support this. However, currently the comments of the EA indicate that at this time the digestate is still classed as waste. Your

Officers are satisfied that the anaerobic digestion process ensures the majority of odours are removed from the final product. In addition WLDC have imposed a condition on the lagoons that requires them to be covered with a membrane to further reduce the potential for odour whilst the digestate is stored within the lagoon prior to spreading on the land.

- 4) Government policy/advice supports alternative forms of energy production, such as this biogas plant. In relation to traffic and any increase in trips this is addressed in paragraphs 6 & 7 and specifically paragraph 22 in the conclusions of the Report. The proposals would result in an additional 14 vehicular movements per day which, as set out in the report is considered to be modest when considering the road network. In terms of feedstocks, this is addressed in paragraphs 20 and 21.
- 5) The Fire & Rescue Service were consulted on the original application for this development. As a consequence of comments and discussions received from the Fire Service a fire hydrant has been installed alongside the boundary of the facility. Consequently these matters were taken into account when the development was first considered. The application before the Committee today does not seek to make any changes to the plant or equipment installed but to increase the throughput at the site so that it can operate to full capacity

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