

Open Report on behalf of Andy Gutherson - Executive Director for Place

Report to:	Planning and Regulation Committee
Date:	4 December 2023
Subject:	County Matter Application - N/13/1243/23

Summary:

Planning permission is sought by Manby BGE Ltd (Agent: Reading Agricultural Consultants) to construct a gas to grid anaerobic digester and fertiliser production facility comprising of nine digester/fermentation tanks; feedstock reception/straw processing and storage building; digestate separation and fertiliser production building; biogas upgrade plant; emergency gas flare; odour control and condensing unit; gas entry compound/unit other ancillary plant and equipment and underground pipeline connecting to National Grid at Land at Manby Airfield, off Manby Middlegate, Manby.

The proposed development would process approximately 304,000 tonnes of mixed feedstock per annum made up of a mixture of cow, hen and poultry manure and straw from local arable farms. These feedstocks would be used to generate biomethane gas which would predominantly be exported and injected into the National Gas Grid via a connecting underground pipeline. Biomethane gas would also be used for the generation of electricity and heat used on site. The development would also capture and produce commercial quality carbon dioxide for use in the food, pharmaceutical and industrial sectors and the solid and liquid digestate produced by the facility would be manufactured into a fertiliser for agricultural use.

The application is subject of an Environmental Impact Assessment submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and an Environmental Statement submitted in support of the application. The Environmental Statement assesses the potential impacts of the proposed development along with the mitigation measures proposed to avoid, reduce and, if possible, remedy any significant adverse impacts.

This is a very large development which gives rise to a wide range of issues which need to be carefully considered including the principle of the development in this location, landscape and visual impacts, noise and odour impacts, highways, flood risk, nature conservation and the historic environment.

Recommendation:

Following consideration of the relevant development plan policies and the comments received through consultation and publicity it is recommended that conditional planning permission be granted.

The Application

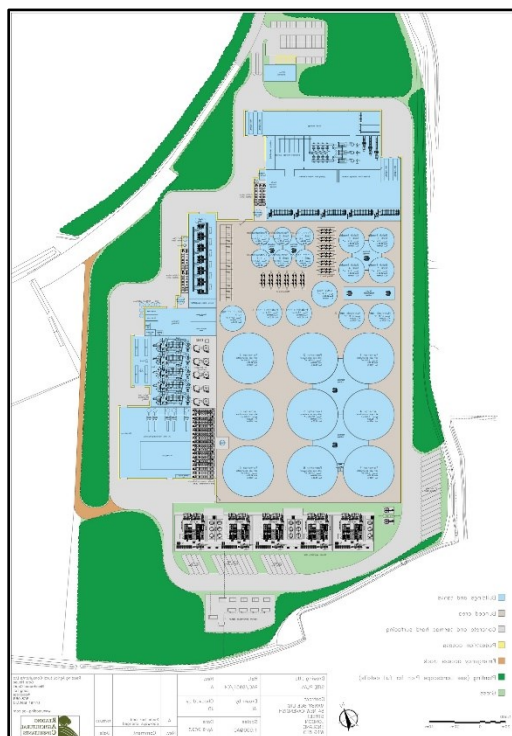
1. Planning permission is sought by Manby BGE Ltd (Agent: Reading Agricultural Consultants) to construct a gas to grid anaerobic digester and fertiliser production facility (the Development) comprising of nine digester/fermentation tanks; feedstock reception/straw processing and storage building; digestate separation and fertiliser production building; biogas upgrade plant; emergency gas flare; odour control and condensing unit; gas entry compound/unit other ancillary plant and equipment and underground pipeline connecting to National Grid at Land at Manby Airfield, off Manby Middlegate, Manby.
2. The Development would utilise approximately 304,000 tonnes of mixed feedstock per annum (tpa) to generate biomethane gas, predominantly for injection into the National Gas Grid, but also for the generation of electricity and heat used on site. The Development would also capture and produce commercial quality carbon dioxide for use in the food, pharmaceutical and industrial sectors and solid and liquid digestate produced by the Development would be manufactured into a fertiliser for agricultural use. The feedstocks to be used are made up of a mixture of cow, hen and poultry manure and straw from local arable farms with the rough quantities being as follows:
 - Cattle manure (straw based) – approx. 40,000 tpa from the adjacent cattle yard and a further yard operated approximately 4km to the west on the outskirts of Louth. Currently the manure is removed from the yards, stockpiled and spread direct to land;
 - Chicken litter – approx. 130,000 tpa from local broiler and egg producing farms. Broiler litter is removed every 6-7 weeks and either sent for incineration to Thetford, Norfolk or stockpiled in fields before being spread to land. Manure removed from egg production is similarly currently distributed and spread to land;
 - Straw – approx 130,000 tpa of straw from local arable farms.
3. In addition to the above, the Development would also import 50,000 tpa of organomineral fertiliser additives which would mixed with the digestate produced by the Development. Exports from the Development would comprise of the following:
 - Biomethane gas - the project would produce approximately 7,200 N-m³/hr of biomethane gas which would be injected at high pressure direct into the National Grid transmission network approximately 2.8km south-east of the

proposed site. The connection is to be provided via an underground pipeline. The total gas produced by the Development per annum equates to that required to heat nearly 54,000 homes based on the consumption of an average UK dwelling. If all the biomethane were to be used as vehicular fuel, it would produce enough to refuel 1,000 HGVs in the UK each day.

- Liquid carbon dioxide – approx. 165,000 tpa of liquified carbon dioxide would be exported from the site for use in the food industry/sector. This would be collecting, cleaning and liquefying carbon dioxide produced by the Development.
- Organomineral fertiliser – approx. 165,000 tpa of organomineral fertiliser would be produced by separating and processing all of the digestate solid fraction (and by default the entire nutrient profile).

Site Layout and main components

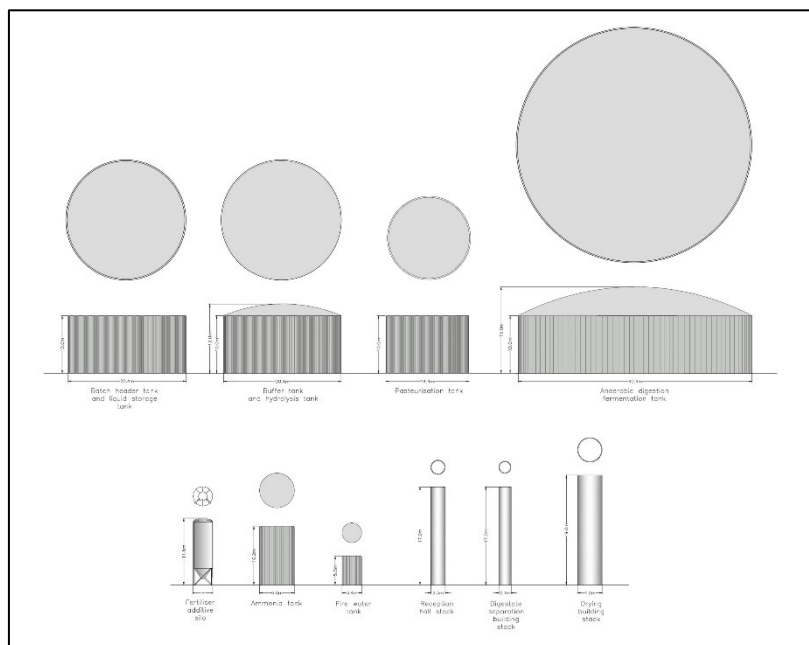
4. The application red line area for the Development is 22.5ha although this includes the underground connecting gas pipeline. The main site area extends to approximately 13ha and would accommodate the AD Plant, various buildings and ancillary structures. The layout of the main site has been arranged with the office and reception building and main car park at the northern end of the site with the feedstock buildings lying just to the south of these and north of the main operational area. The main AD Plant and various tanks and supporting plant and equipment lie within a bunded area within the central half of the site. The biomethane gas upgrade area would be located towards the southern end of the site where this would then be pumped to the National grid connection via the underground pipeline with carbon dioxide being collected by tankers from collection points.



Proposed Site Plan

AD Plant and banded area

7. The main AD plant would comprise of a series of different tanks, small technical buildings and ancillary plant and equipment that support three main processes consisting of the pre-digestion processing stage (milling lines, pasturisation, Ekogia Micronisation and Hydrolysis); anaerobic digestion in the main fermentation tanks, and solid and liquid digestate separation. The majority of the tanks would be constructed from prefabricated steel reinforced concrete sections which would be assembled on site. The tanks would be clad with profile steel sheeting and the smaller tanks would be of a steel wall construction (goosewing grey in colour). The various tanks are as follows:
- Main fermenter/anaerobic digestion tanks - 9no. tanks approx. 40.4m in diameter with the tank wall height of 10m. The tanks would be topped with gas PVC accumulators (light grey in colour) which would increase the overall height of tank to 15m.
 - Buffer and hydrolysis tanks – 1no. buffer tank and 4no. hydrolysis all being approx. 20.4m in diameter with a tank wall height of 10m. The tanks would be topped with gas PVC accumulators (light grey in colour) which would increase the overall height of tank to 12m.
 - Pasteurisation tanks – 6no. tanks approx. 14.4m diameter with a height of 10m.
 - Batch header and liquid storage tanks – 4no. batch header tanks and 1no. liquid storage tank all being approx. 20.4m diameter and 10m high.
8. In addition to these tanks there are also a number of small technical buildings, tanks/silos and supplementary pieces of infrastructure including odour control units, condensers, exhaust stacks, ammonia control equipment, site lighting and fire safety equipment.



Tank Elevations

Digestate Separation, Fertiliser Storage, Drying/Granulating and Packaging Buildings

12. These comprise of a series of four interlinked buildings of steel framed construction which would be clad with steel profile sheeting (goosewing grey in colour) with aluminium framed windows at high level and skylights to allow natural light.
13. The Digestate Separation building is where the substrate, known more commonly as digestate, left after the biogas production process would be processed. This would first be processed using standard screw press equipment to remove the larger solids and some of the nutrient profile. The second step would remove fine solids and nutrient base, leaving a grey water. The grey water would then be pumped to the adjacent Ekogea Micronisation building/plant for further treatment. The resultant liquid would then be stored in the liquid storage tank for reuse at the beginning of the process to produce a pumpable slurry. This building would also operate under negative pressure with an odour control system being used to treat air prior to it being exhausted via a 17m high stack to the east of the building.
14. After separation, both sets of solids would then be transported using conveyors to the adjoining Fertiliser Storage/Blending hall. The Fertiliser Storage/Blending hall (approx. 56m long by 22m wide and 16m to the eaves and 17.2m to the ridge) would receive separated solid digestate that would then be stored in concrete storage silos before being emptied into loading bins that feed six silos outside of the building. This building would also operate under negative pressure with air from this building being drawn into the drying system, where it would be subject to appropriate odour and ammonia control. The digestate within the silos would then be mixed at controlled rates to make a bio-fertiliser feedstock that is then conveyed into the Drying/Granulating building.
15. The Drying/Granulating building (approx. 56m long by 31.7m wide and 16m to the eaves and 17.9m to the ridge) would house 5 driers which would use heat from 4no. Combined Heat and Power Units housed within an adjoining hall (approx. 39.5m long by 14.5m wide and 5.5m to the eaves and 6.6m to the ridge) to dry the biofertiliser feedstock. During this drying process a dried prill identical to that of artificial fertiliser prills would be produced. Exhaust gases from the drying process would be passed through ammonia scrubbers before then being further treated and passed through condensing units to harvest water that can then be recirculated and used in the AD process.
16. Finally, the finished biofertiliser prill product would be transferred to the Packaging Building (approx. 56m long by 56m wide and 16m to the eaves and 18.9m to the ridge) which would house five bagging lines. The product would undergo quality control checking and then bagged and stored ready for export off site. Again this building would also operate under negative pressure and have high-speed roller shutter doors to prevent fugitive emissions.

20. An electricity supply and communications fibre optic cable would also be laid along the pipeline route and at the grid entry point a fenced compound would be created to accommodate a satellite receiver and GRP kiosk housing electrical equipment and an area of compacted stone for the parking of maintenance vehicles. The fencing would consist of two line with the outer boundary being post and wire fencing with an internal boundary comprised of 2.4m high palisade fence .

Roadways, parking and turning areas and drainage

21. In order to provide appropriate access to all areas of the site, new roadways, pathways, turning areas and HGV parking areas would be provided (as shown the site layout plan) along with a series of wet woodlands, culverts and ditches around the site to transfer surface water flows from one side of the site to the other.

Construction Timeframe, Hours of Operation & Employment

22. It is estimated that the Development would be constructed/completed over a period of 21 months which can be broken down into five distinct phases. These are as follows:

Phase	Description	Duration (approx.)
Phase 1	Site setup, security and initial excavation	1 month
Phase 2	Excavations for foundations and site services	2 months
Phase 3	Erection of tanks and buildings	6 months
Phase 4	Installation of components, mechanical & electrical equipment	3 months
Phase 5	Commissioning and soft installation	9 months
TOTAL		21 months

23. Once operational the Development would operate 24 hours a day, 365 days a year although HGV feedstock delivery and export of fertilisers would operate between 0600 and 0000 hours Monday to Saturday throughout the year.
24. The applicant states that the Development would employ 94 staff onsite with many of the site staff working typical 'office hours' between Monday to Friday, whereas others involved in the operation of the AD Plant would work in shifts, typically being 12 hours long and working 4 days on/4 days off. These shifts would run between 0800 to 2000 hours and 2000 to 0800 hours.

Environmental Statement

25. This application is also subject of an Environmental Impact Assessment which has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'). An Environmental Statement (ES) has therefore been submitted in support of the application which assesses the potential impacts of the development together with the mitigation measures proposed to avoid, reduce and if possible remedy any significant adverse

impacts. The content of the ES is considered to be compliant and meet the requirements of the EIA Regulations.

The ES provides an overview and description of the proposed development and summarises the findings of various technical assessments that have been carried out which have assessed the impacts of the development on a range of different environmental topics, issues and matters. An outline and brief summary of the content of each of the chapters contained within the ES is set out below:

Chapter 1: Introduction – gives a brief overview of the background to this proposal and gives a description of the technical specialists involved in the production of the ES.

Chapter 2: Need for the Environmental Impact Assessment – sets out why an environmental impact assessment is required in this case and also summarises the scoping process undertaken to establish the scope of the EIA and the structure and methodology adopted in producing the ES. This chapter also briefly summarised what public consultation has been carried out by the applicant prior to making this application.

Chapter 3: Relevant Planning Legislation and Planning Policy Context – sets out the national and local planning policy context for the assessment of the proposed development. This chapter should be read in parallel with the Planning Statement that supports the application and gives comprehensive review of planning policy.

Chapters 4 & 5: Description of the Proposed Development – describes the proposal site, its setting and surroundings and also gives details of the feedstocks/waste types and quantities to be used by the facility along with the processes and products to be produced by the facility. This chapter also gives a description of each of the various different elements of the development including the site layout, site access arrangements and the dimensions and appearance of the various different buildings, tanks, structures, plant and equipment and other supporting infrastructure that form part of the development.

Chapter 6: Site Selection Process (Alternatives) – this chapter sets out the applicants approach to the consideration of alternatives to the site and the development proposed. The alternatives considered by the applicant included a 'do nothing' scenario and the consideration of 5 possible sites for this development (including the proposal site).

The 'do nothing' option was discounted by the applicant as it would be of no benefit to the applicant as they are the proposed operator and developer of the facility. If this project was not to go ahead the ES states that the land subject of the application is likely to continue to be farmed in a similar fashion as it is currently. With regard the suppliers of feedstock, then without this facility these would likely continue to be produced and would have to travel further for treatment without the climate change and sustainability benefits that the applicant

states would be achieved by this facility – i.e. through the production of biogas, carbon capture and through the production of digestate which can be used as an alternative to artificial fertilisers.

In respect of alternative sites, the applicant has restricted possible sites to those which they consider would still realistically meet the operational needs/site selection criteria identified by the applicant (e.g close to potential feedstock sources, suitable access to gas network, suitable highway access, distance from environmental designations/sites and sensitive receptors, etc). A total of 5 sites were considered by the applicant including the proposal site; land at former Theddlethorpe Gas Terminal; land near Little Cawthorpe; land north of the Northfields Industrial Estate, Louth and land to the south of South Field Farm near Kenwick. The strengths and weaknesses of each of these sites has been assessed against the various site selection/operational criteria and used to rank and identify the most suitable site. Having completed this appraisal the proposal site was identified as the most suitable site because whilst other sites may be better in some areas, the alternatives overall were considered to have significant weaknesses which would likely result in significant environmental effects.

Chapter 7: Air Quality, Odour, Ammonia and Dust – this chapter considers the potential effects of the development on air quality as a result of the construction and operation of the facility which includes dust and odours from the development and emissions of nitrogen oxides, particulate matter (PM₁₀) and sulphur dioxide from the exhaust stacks serving the Combined Heat and Power units that form part of the development.

Baseline data and computer modelling have been used to assess the potential effects of the development on ecological and human receptors within a 10km and 1.5km study area of the site. The assessment identifies that during the construction phase, potential impacts on local air quality are identified as arising from emissions to the atmosphere from plant and equipment and dust as a result of earthworks. No impacts relating to odour or ammonia are expected during this phase. During the operational phase, potential impacts on local air quality are identified as including dust (including PM₁₀) from the handling of manure and temporary storage of digestate; emissions from the exhaust of the CHP and odours from the handling of manure/slurry and storage of digestate on-site.

Mitigation measures have been identified and designed, embedded or are proposed to be implemented to minimise, manage and address the potential effects of these impacts. During the construction phase such measures include the adoption of best practice measures to minimise and suppress dust emissions from earthworks, stockpiles and construction activities including emissions to air from operational plant and machinery which could be set out and implemented as part of Construction Environmental Management Plan (CEMP). To minimise impacts in terms of air quality and odours, wastes would be handled/processed and stored within enclosed buildings fitted with air scrubbers which would filter and treat air prior to release. The buildings would operate under negative pressure and this

would therefore also help to reduce fugitive emissions. Emissions from the CHP exhaust stack would be required to comply with necessary air quality requirements and the development would also be subject of an Environmental Permit which would set additional controls and limits of emissions from the site.

The assessment concludes that in respect of dust associated with construction phase, this could be appropriately mitigated through adherence with the CEMP.

Chapter 8: Ecology & Biodiversity – this chapter presents an assessment of the likely significant effects of the development with respect to Ecology and Biodiversity.

A desk study indicated that there are two internationally designated statutory sites within approximately 10 km of the site (Humber Estuary Special Protection Area/Special Area of Conservation/Ramsar site and Saltfleetby-Theddlethorpe Dunes and Gibraltar Point Special Area of Conservation). The site also falls within the Impact Risk Zones of Sites of Special Scientific Interest being Muckton Wood SSSI and Saltfleetby-Theddlethorpe Dunes SSSI. There were no nationally designated statutory sites within 2km of the site but there are 5 non-statutory Local Wildlife Sites (LWS) lying within 2km the closest being Ratspen Lane Verges located approx. 1.3km from the site.

A Preliminary Ecological Appraisal (PEA) identified that the main site of the proposed development comprises of grassland bisected centrally east to west by a fence, with the northern portion of the field comprising semi-improved grassland, whilst grassland to the south is improved with a narrow stretch of woodland at the southern extent. A species-rich hedgerow runs along the western boundary of the site with a species-poor hedgerow along the southern boundary. A number of mature tree specimens lying within the study area have been identified as having the potential to support roosting bats with the majority of these trees being present towards the western extent of the proposed gas pipeline connection route, with occasional specimens occurring amongst intact hedgerows. The proposed gas pipeline route/corridor crosses and contains land which is comprised of large arable fields, ruderal vegetation and wet ditches.

In terms of individual species, records obtained from the local biological data centre identified the site as providing potential suitable habitat for supporting nesting birds, water voles/otters, bats, reptiles and badgers. Walkover and field surveys undertaken however confirmed that whilst there was evidence of badgers being present in the area there were no setts within the development site which would be directly affected. Similarly, there was no evidence of the site supporting reptiles or amphibians (including great crested newts). Further surveys conducted for water voles and otters did identify a single water vole burrow on the bank of a watercourse that is crossed by the proposed gas pipeline route. Whilst the walkover survey identified further presence/absence surveys for bats have not been carried out as the features identified are to be retained and so would not be directly impacted by the development and precautionary and mitigation measures

have been embedded into the design of the development to minimise any indirect impacts on foraging/commuting bats.

Given the proximity of the development to the Humber Estuary SAC/SPA/Ramsar and Saltfleetby-Theddlethorpe Dunes & Gibraltar Point SAC the applicant has carried out a shadow Habitats Regulation Assessment (HRA) to determine likely impacts on the international designated sites identified. This shadow HRA concludes that, without mitigation in place, there is no likely significant effect on either designated site during the construction or operational phases as a result of atmospheric nitrogen deposition. Due to the localised nature of the potential construction and operational effects, the ES also concludes that the development would be unlikely to have any direct effect on the non-statutory designated LWS which is some 1.3km to the south-west.

In order to minimise impacts on individual species a number of mitigation measures have been proposed as part of the development. For breeding birds, vegetation/site clearance works would be timed to take place outside of bird nesting season and it is proposed to install bird boxes on trees to be retained to offer enhanced opportunities for small birds. In relation to bats, woodland lying close to the site and all hedgerows are to be retained and protected during site works and the trees which have been identified as suitable to support potential bat roosts would be retained and so not impacted/lost. Whilst there is the potential for bats to forage/commute along the hedgerow/woodland edge and so could be exposed to temporary disturbance during the construction phase as a result of lighting, noise and vibration, to minimise any impacts construction works would likely cease before dusk when bats emerge and not begin before dawn when bats return to roosts. During the operational phase, impacts could be experienced as a result of lighting and activities on site however lighting around the site would be limited to that which is functional and directed so as to avoid excessive up lighting and light spill and only used in areas required for safety and security. New and additional woodland and shrub planting would also be carried out as part of the development which would also offer enhanced opportunities for foraging bats. A Biodiversity Net Gain assessment (BNG) undertaken and based on the proposed landscaping scheme identifies that whilst the development would result in the loss of grassland within the main development footprint there would be a 10.28% gain in habitat units and a 55.25% gain in hedgerow/linear units which sufficiently offsets the losses incurred. With regard to water voles, whilst the survey identified a single burrow on the banks of one of the watercourses, the watercourse itself is not proposed to be directly disturbed as the pipeline route would be directionally dug beneath the watercourse minimising any impact. There may however be some residual impacts as a result of noise and vibration during these works. Finally, in respect of badgers, amphibians and reptiles precautionary best practice measures are to be implemented during site preparatory works in order to ensure no individuals are present within the development footprint prior to works taking place.

The ES concludes that given the findings of the PEA and subsequent surveys and taking into account the mitigation measures that have been identified and designed, embedded or which are proposed to be implemented as part of the development there will be a neutral effect on non-statutory designated sites, habitats and fauna resulting from the construction phase and that the level of effect is not significant. During the operational phases, there will be a neutral effect on non-statutory designated sites and fauna with a minor beneficial effect on habitats associated with the creation of a wildflower meadow and new hedgerow. This level of effect is also not considered significant.

Chapter 9: Archaeology & Heritage – this chapter assesses the archaeology likely to exist within the footprint of the site and heritage assets which lie in close proximity and may be affected by the development.

Baseline conditions were established through a combination of desk based research including a search of the Historic Environment Record, archives, aerial photography, LiDAR data, etc and a walkover survey of the site. All known archaeological resources within the development boundary and designated heritage assets (i.e. Listed buildings, Scheduled Monuments and conservation areas) within a 2km radius have been considered in the assessment.

There is a total of 33 designated assets (i.e. Listed buildings and Scheduled Monuments) within the study area with the vast majority being located some distance from the site and so significantly removed from any potential setting impacts. The proposed pipeline would be underground and so there may be some setting impacts during its installation however these would be localised and temporary. The closest designated assets to the site are Grade II Listed Buildings lying within the former RAF Manby site. These buildings are located at least 1.25km from the main site of the development and with the exception of Beech Grove Hall are separated from views of the site by the intervening non-designated hangars which lie between the site and these buildings. In terms of buried archaeology, the main development site is located within the confines of the former RAF base and records have shown that this area has been farmed and also used as an off-road driving range and undergone considerable landscaping. Given these former uses the ES states that there is a strong potential that shallow archaeological remains have either been wholly or partially truncated and whilst there remains a small potential for unexpected features associated with the airfield to be encountered archaeologically speaking such assets are considered to be low sensitivity.

Measures designed, embedded or proposed to be implemented to minimise, manage and address any potential effects arising during the construction and operation of the development are as follows:

- Sensitive use of colour for the buildings and soft-landscape planting to be carried out along the edge of the proposed development boundary to soften

visual impacts and minimising the industrial character of the development from a distance;

- securing a written scheme of archaeological investigation which would provide for the monitoring and recording of any archaeological assets identified during site construction/earthworks;
- horizontally/directionally drilling of pipeline to minimise any impacts on features which could be within the connection route.

The ES concludes that during the construction phase the development has the potential to greatly impact upon any archaeology present within the site however the predicted archaeology is likely to be largely of low and local importance. In terms of operational impacts the development has the potential to long-term negative effects on the setting of RAF Manby and the seven identified Listed Buildings located within the complex however the development largely respects the historical layout of the airfield and builds upon peripheral agricultural developments that have already occurred and, taking into account the separation distance and mitigation measures proposed, the effect will be slight and not significant.

Chapter 10: Landscape and Visual Receptors – this chapter assesses the landscape and visual effects likely to be experienced by a range of landscape and visual receptor types, such as the Lincolnshire Wolds AONB, local landscape character, and residential areas, recreational walkers/riders and highway users in the area.

The assessment methodology follows the *Guidelines for Landscape and Visual Impact Assessment 3rd Edition 2013 (GLVIA3)*, produced by the Landscape Institute and the Institute of Environmental Management & Assessment. The baseline conditions for the assessment was informed by a combination of desk-top study and a site and photographic survey of the site. The study area used for the assessment was set to around a 3km radius of the site with a slight extension to the west, in order to ensure that the more sensitive landscape of the eastern Lincolnshire Wolds was considered.

Designations/character - The assessment confirms that there are no nationally designated landscapes, such as National Parks, Area of Outstanding Natural Beauty, or Historic Parks and Gardens, within close proximity to the proposal site. The closest designated landscape is the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) the edge of which is just over 3km west of the site. Due to the vegetation and distance from the site, the proposed AD plant would have limited impact on the AONB but is nonetheless evaluated in the assessment given its sensitivity. There is an Area of Great Landscape Value (AGLV) indicated as part of the East Lindsey Landscape Character Assessment which forms a narrow strip along the eastern edge of parts of the Lincolnshire Wolds. The AGLV is not however mentioned within the East Lindsey Local Plan and so it not considered further however as this land corresponds with the AONB then it has been assessed in any case. In terms of landscape character area, the ES states that the site lies within LCA 1- Holton le Clay to Great Steeping Middle Marsh which is described as

being characterised by gently undulating foothills to the Wolds; predominantly arable farmland; scattered blocks of mixed deciduous woodland; frequent scattered villages, hamlets, farmsteads and dwellings.

Visual Receptors - the nearest residential receptors are those living at Manby Fields estate to the north-east of the site. The majority of these properties do not have windows facing the development however and so it is only those on the southern edge of the development that have a view facing towards the site. There are also scattered residential properties across the landscape, however many of these are screened due to existing vegetation near to the properties. To the east of the site there are a number of properties that have rear facing windows and gardens facing the site. Highway users of surrounding roads such as the B1200, the unnamed road south-west of Little Carlton, and Furze Lane to the west of the proposed site would also have views of the site. There are relatively few Public Rights of Way (PRoW) in the study area with any views from those that do exist largely being screened by intervening vegetation. There is however a Bridleway (ref: LL/Manb/624/1) that runs to the north-east of the site and stops up where it meets the application boundary and so clear views of the site would be obtained from this location.

A total of 8 representative viewpoints have been used and assessed as part of the assessment. These viewpoint locations include views from the public highway around the site; the residential properties to the east and west of the main site; from public rights of way around the site and a longer distance view from the edge of the AONB. Visualisations have also been produced to give an indication as to how the development would appear from each of these locations too. Photomontage visualisations have also been produced from each of these locations which aim to demonstrate how the facility would look post construction and with mitigation planting established (at Year 10).

The proposed development is relatively tall, at around 19m to the highest ridges, and occupies a large built area which would result in a permanent change to the current arable use of the site. Due to its scale and industrial character the development would therefore give rise to landscape and visual effects and there are also potential impacts arising from lighting from buildings when in use during night-time and from within the site. Largely uninterrupted views would in particular be visible from the upper levels of a group of properties located to the west of the site.

Mitigation planting is proposed to soften the visual impact of the development within the landscape and the visual impacts of the development especially to the residential receptors living to the east. Planting of woodland is proposed along the eastern side of the access track to screen the movement of vehicles entering and leaving the site particularly from the existing residential properties on the west side of Manby. Existing planting to the south and west of the site would also be reinforced with additional planting to create a thicker visual barrier. Whilst mitigation planting would help blend the development into its setting this would

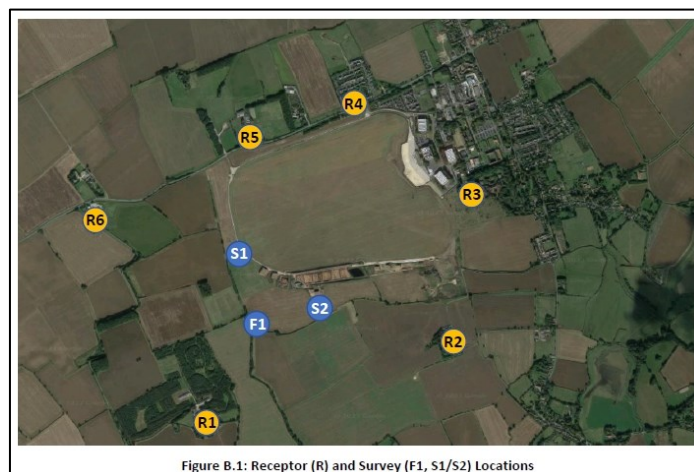
take a number of years to mature – i.e. after 10 years planting would be around one-third the height of the buildings and after 20 years around two-thirds the height of the buildings. To minimise potential illumination impacts (especially during the night-time) external lighting would be fitted with proximity sensors (except where required for health and safety) and would have a lower lux level than that associated within an industrial/commercial site in order to mitigate effects on bats.

The assessment concludes that moderate effects on landscape character are considered to arise principally as a function of the scale and industrial character of the proposed development. Effects upon elements of site landscape character however would generally not be significant, with the exception of land use, due to the fundamental change from arable farmland to the proposed industrial use. The development would not result in significant effects upon either the AONB or its setting given its distance from the site.

Visual effects of moderate significance are anticipated in respect of residential receptors to the west edge of Manby with the effect on other receptors ranging from moderate-slight to slight degrees of effect primarily due to distance from the development and sometimes due to screening effects of intervening vegetation and landform. Whilst there would be some night-time effects as a result of internal lighting from windows, vehicle headlights and low-level site lighting, on balance, night-time effects would be moderate-slight and would fall below the threshold of moderate significance.

Chapter 11: Noise – this chapter summarises the findings of a noise impact assessment that has been carried out to assess the impacts of the development. The noise assessment is in line with BS4142: 2014 + A1: 2019 *Methods for Rating and Assessing Industrial and Commercial Sound*, BS8233: 2014 *Guidance on Sound Insulation and Noise Reduction for Buildings*, *Calculation of Road Traffic Noise* (CRTN) 1998 and the recommendations of the WHO.

In order to assess the noise impact of the proposed development, a baseline noise survey has been undertaken at a total of 9 locations around the site including the 6 nearest noise sensitive residential receptor(s) (marked R1-R6 on the figure below).



Ambient and background noise levels were taken at each of these locations and the data used to identify representative background noise levels for the day and night-time periods to be used as the basis of the assessment. The assessment levels used were 38dB L_{A90} for the daytime period and 20dB L_{A90} for the night-time period.

During the construction phase, potential noise is identified as arising from construction activities. During the operational phase, potential noise sources and impacts are identified as arising from the movement of HGV traffic and the operation of the various mechanical plant and equipment associated with the AD plant.

The noise assessment has taken into account noise data and information provided by the suppliers of the equipment to be used in the AD Plant and typical noise levels generated by HGVs. This data has then been used to produce a noise map which, taking into account mitigation measures to be implemented as part of the development (summarised below) calculates the potential noise levels that would be experienced at the nearest sensitive receptor locations around the site. The specific noise level has been calculated in accordance with BS 4142: 2014 + A1: 2019 as the proposed facility is proposed to be active over 24 hours the specific noise level has been evaluated over a 15 minute reference period and on the assumption that the noise output of all mechanical plant is continuous over this period.

Mitigation measures identified to avoid adverse noise impacts are summarised as follows:

- Implementation of a Construction Environmental Management Plan during the construction phase. This would set out the best practice measures to be adopted to reduce noise emissions as far as possible (in line with BS5228 Code of Practice for Noise and Vibration Control on Construction and Open Sites).
- The site has been designed to enable HGVs to leave the site in a forward gear as far as is reasonably possible. This will minimise the use of reverse alarms however where these are required all vehicles would be fitted with broadband reverse alarms, which over large distances are not distinct against the residual noise environment;
- The external wall/roof of each building is assumed to provide a minimum sound insulation performance of 30dB and roller shutter doors would also be acoustically rated to provide the same level of attenuation. All doors would be automatic and kept closed at all times other than for HGV/vehicle access.
- Electric forklifts would be utilised on site reduce noise.
- Acoustically rated vents would be incorporated in to the roof vents of the CHP building and additional at source noise reduction measures would be adopted associated with specified plant and equipment in order to control noise breakout (e.g mixer, biogas/CO₂ skids and pipeline compressors). Such measures are considered achievable and such details could be secured/provided prior to construction of the development.

The following table summarises the findings of the noise assessment and shows each of the receptor locations; the background noise level used for day and night time periods at each of these locations, and; the assessment outcome/level of noise that would be experienced at these locations as a result of this development taking into account the above mitigation measures in place.

Receptor	Time Period	Background Noise Level LA90 dB	Assessment Outcome
R1	Day	38	-8
	Night	20	+ 10
R2	Day	38	-12
	Night	20	+6
R3	Day	38	-16
	Night	20	+2
R4	Day	38	-15
	Night	20	+3
R5	Day	38	-13
	Night	20	+5
R6	Day	38	-14
	Night	20	+4

The assessment concludes that impacts arising from construction noise would be low but may at times be audible however would not create adverse medium-term effects for the noise sensitive receptors. Any noise arising during the construction phase could be mitigated via compliance with BS5228 and through the implementation of a Construction Environmental Management Plan. The magnitude of impact is therefore assessed as being negligible in the medium-term which is below the Lowest Observed Adverse Effect Level (LOAEL) as set out in National Planning Policy. In the short term the impact of construction noise is therefore considered to be minor which in EIA terms relates to the significance category 'Slight' and so not material in the decision-making process.

In terms of operational impacts, subject to adoption of the measures as identified within the ES, the impact of operational noise is considered to be low. The magnitude of impact is also considered to be negligible adverse which is again below the Lowest Observed Adverse Effect Level (LOAEL) as set out in National Planning Policy. Consequently, the assessment does not identify any adverse effects as a result of operational noise and the calculated noise levels are sufficiently low to avoid any change in external and internal amenity for the noise sensitive receptors living close to the site.

Chapter 12: Traffic and Transport – this chapter describes the findings of a Transport Assessment (TA) which examines the relationship between the development and the local highway network, its potential effect on that network and the need to provide improvements to infrastructure and services to accommodate the proposed development.

This chapter describes the assessment methodology, the baseline conditions, the mitigation measures incorporated to prevent, reduce or offset any significant adverse effects and states the effects after these measures have been employed.

Access to the site is gained via the B1200 (Manby Middlegate) via a simple priority junction and then a private access road which, initially, is approximately 7.0m wide. The B1200 is roughly aligned east-west and provides a connection between the A16 to the west of the site (via the A157) and the village of Manby to the east and also provides direct access to a range of farms, fields, commercial and residential properties, as well as providing a link to various side roads. Approximately 3.3km west of the site, the B1200 connects with the A157 at a 4-arm roundabout junction. The A157 provides a connection to the A16 to the west and various villages to the south. On-site observations reveal the junction to operate satisfactorily during the peak periods, with no capacity or highway safety issues with this junction, or the A157/A16/B1520 roundabout being apparent. The assessment confirms that there are no footways along any of the roads that form the local highway network and whilst the B1200 has a 60mph speed limit and so is not ideal for cycling, there is a network of lightly trafficked B class roads in the vicinity which are suitable for cyclists and so may be used.

An Automatic Traffic Counter (ATC) was installed on the B1200 along the site frontage for a 7-day period in December 2022 and used to record speed and classified traffic data passing the proposed development site. The results of the survey showed that the average speed of traffic was between 53-54mph in both directions and that within a 24 hour period the average number of weekday two-way vehicle movements using this road was 5,781 of which 7% were HGVS (approx. 405).

During the construction phase, the volume of traffic is currently unknown however for the purposes of the TA this has been estimated based on that experienced for a similar development. The TA assumes that the construction period would last 12 months and that the hours of construction would be between 0700 and 1900 hours. Traffic movements associated with staff and small deliveries area based on an average 60 cars/vans/mini-bus arrivals per day (120 two-way movements) and HGV traffic would be an average of 8 arrivals per day (16 two-way movements). It is anticipated that all construction traffic would travel from the A16 to the west of the site and so utilise the A157 and so not pass through Manby village which lies to the east of the site.

During the operational phase, the TA has calculated the total weekday traffic movements associated with all site activities (e.g staff movements; servicing and maintenance; importation of feedstocks and export of product). Office staff would be expected to arrive between 0800 and 0900 hours and depart between 1700 and 1800 hours. Staff working within the main site would work 12 hour shifts with half arriving between 0700 and 0800 hours and departing between 2000 and 2100 hours with the other half arriving between 1900 and 2000 hours and departing

between 0800 and 0900 hours. Taking into account other staff the number of cars is estimated to total 50 cars per day (100 two-way movements) with these movements peaking at 24 cars per hour.

Traffic movements associated with the import of feedstocks would take place at a constant rate Monday to Saturday and between 0600 and 2400 hours. Based on a total feedstock volume/tonnage of 354,000 tonnes per annum the TA estimates that the total number of HGVs would equate to 16,032 per annum (32,064 two-way movements) which equates to 103 two-way movements per day or an average of 5.8 two way movements per hour. Traffic associated with the export of products produced by the facility would be limited to biofertiliser/digestate and carbon dioxide as the biogas produced by the plant would be exported direct to the Grid via the underground pipeline. The TA assumes these movements would occur at a constant rate Monday to Saturday and between the hours of 0600 and 2400 and that the HGVs importing straw would likely backhaul the biofertiliser and therefore reduce overall traffic associated with this activity. Carbon dioxide produced by the plant would be liquified and transported off-site in tankers and it is estimated this would generate around 6,500 two-way HGV movements per annum which is the equivalent of 21 two-way HGV movements per day or 1.2 per hour.

Taking into account the above, it is estimated that the development would generate a weekday two-way traffic flow of approx. 100 cars per day and 124 HGVs per day and a peak two-way traffic flow of up to 24 cars per hour and up to 7 HGVs per hour.

In order to accommodate/mitigate the impacts of the development the following measures have been proposed, embedded or would be implemented as part of the development

- adoption and implementation of a Construction Traffic Management Plan;
- improvements to the existing site access junction would be carried out. These works would comprise of widening the site access road to provide a carriageway width of 7.3m for a length of at least 15m from its junction with B1200 (Manby Middlegate) and have 15.0m radii;
- provision of a total of 55 car parking spaces within the site for use by staff.

Chapter 13: Hydrology and Flood Risk – this chapter assesses the likely significant effects resulting from the construction and operation of the development on hydrology and flood risk.

The assessment of effects has been conducted taking into account the baseline environment using primarily desk top data and then considering the sensitivity of receptors to change taking into account infrastructure design, construction and operational methodologies and then by identifying potential impacts and for each

potential effect, an identification of mitigation measures to avoid, minimise or remedy any adverse impacts and enhance any beneficial impacts.

The study area used in assessing effects has been restricted to any area hydraulically linked to the site in respect of flood risk impacts; for water quality impacts investigated up to 1km downstream of the site and for groundwater, impacts upon any principal aquifer or source protection zone with hydrological connectivity to the development.

The chapter describes the site as comprising of open pasture and is roughly rectangular in shape which is bounded to the south and west by a ditch with a culvert attached. To the east of the site lies two ponds which are approximately 250m and 540m distant from the site. The surrounding area is generally fairly flat and is drained by small field drains and ditches. The site is located in Flood Zone 1 and therefore considered to have a low probability of flooding from rivers or the sea with a chance of flooding less than 0.1% in any year. However, the northern part of the site is shown to be at risk of surface water (pluvial) flooding due to an overland flow route that passes through the site from west to east.

During the construction phase, potential impacts identified include pollution from sedimentation and accidental release/spillage of pollutants such as fuels. This has the potential to runoff into surrounding land or enter the nearby ditch network and therefore lead to pollution downstream. In relation to flood risk, the creation of an increased area of impermeable land could worsen surface water flooding if this not controlled/managed. During the operational phase, potential impacts are identified as arising from the leakages and pollution of surface waters from imported materials to the site, spillages and similarly increased potential flooding as a result of surface water runoff if this is not controlled. The ancillary buildings and access roads within the site have also been assessed as being at risk of flooding up to a depth of 0.33m during a 100 year + 40% climate change flood event and similarly for the 1000 year flood event depths of 0.35m are encountered at the same location.

To mitigate the above potential effects/impacts a series of measures have been proposed and embedded into the development or would be implemented. Examples of some of these are as follows:

- Adoption and implementation of a Construction Environmental Management Plan which would set out the best practice measures to be adopted to reduce the risk and impacts arising from potential spillages/leaks during works. This would also include measures to control sediments such as silt traps and check dams which would act to restrict surface water flows especially nearby ditches and open watercourses.
- During operation, the majority of the proposed development will be bunded to ensure any pollution incident would be contained and would not pollute surface or groundwater features. Surface water drainage from the site would be managed through sediment treatment measures and temporary sustainable

drainage systems to reduce runoff rates and volume before final discharge to the existing drainage network. Runoff from roofed and bunded areas would be captured and stored on site for use in the production process. Collection of surface water runoff from these areas would account for 60% of the impermeable area and therefore significantly reduce overall volumes arising from the site.

- The movement of construction traffic would be controlled to minimise soil compaction and disturbance therefore reducing dust/sediment but also compacted surfaces that may increase runoff rates. Wheel washing would also be used in dedicated areas to reduce the risk of sediment being transported offsite where it could result in pollution of watercourses.
- Flood resilience measures are therefore to be incorporated to mitigate against any impacts which would include the use of concrete plinths where appropriate and raising electrical equipment/infrastructure above this level.

The assessment concludes that with the mitigation measures in place during construction, impacts on the unnamed surrounding drainage features would be reduced and such effects are considered to be slight adverse which aren't significant. During operation, mitigation measures and the design of the development would reduce all pollution impacts to negligible and the risk of flooding is reduced through the flood resilience measures and through the drainage proposals which include the collection and reuse of surface water runoff and use of swales and detention areas. Further details of this can be secured by way of conditions.

Chapter 14: Cumulative Effects – this chapter contains a summary of the potential cumulative effects that have been identified as likely to result from the proposal in combination with other major projects and also potential combined effects which have been identified as part of the assessments reported within the relevant environmental factor chapters of the ES. For example, the combined effects of odour and noise on a residential receptor.

Whilst the development would give rise to effects that range from minor, slight adverse and moderate adverse effects in respect of archaeology/heritage, noise, traffic and water and flood risk, with some more significant effects identified as a result of land use change, the development would also have minor and moderate beneficial effects in respect of ecology and biodiversity. However with the mitigation measures in place, the ES concludes that there are no significant cumulative or in-combination effects associated with the development.

Site and Surroundings

26. The site of the proposed development is located in the south-western corner of the former RAF Manby Airfield and the red-line planning application boundary extends to approximately 22.8ha which includes the main site of the proposed AD Plant and associated infrastructure and the connecting underground gas pipeline route. The main site is broadly rectangular in shape and is very gently sloping from

west to east and is bound on its western and southern edges by hedgerows and trees with a stopped-up ditch system on the eastern side and a ditch to the south. Directly adjacent to the main development site is a farm which fattens beef cattle in open yards. The centre of the main site is located approximately 1.3km from the edge of Manby, 2.1km from Legbourne, and 4.0km from Louth. Access to the site is gained from the B1200 Manby Middlegate via a simple priority junction and then a private access road which, initially, is approximately 7m wide.



Existing Site Entrance



View west along B1200 from site entrance



View east along B1200 from site entrance

27. The proposed export gas pipeline would be underground and runs for approximately 2.8km in a south-eastern direction towards the National Grid high pressure gas main near the road known as Sturdy Hill. The proposed pipeline crosses a number of agricultural fields in arable production as well as a number of unnamed watercourses (ditches) as well as a stream known as 'The Beck'.
28. The landscape surrounding the site is comprised of predominantly flat, arable farmland with medium to large scale fields bounded by ditches and dykes and

scattered blocks of mixed deciduous woodland. The nearest sensitive properties/receptors to the boundary of the main site include:

- residential properties on Furze Lane (approx. 700m to the north-west);
- Grove farmhouse off Manby Middlegate (approx. 710m north);
- residential properties located in the housing estate located to the north of the Manby Middlegate (inc. Gladiator Road) and also on the edge of the former RAF site Manby (inc. Penrose Place) which are between (approx. 1 to 1.2km to the north-east of the site);
- properties/businesses located approx. 500m to the south-west;
- residential properties located approx. 1.2km to the south (along the unnamed road between Little Carlton and the A157 to the west);
- Upphall Farm (approx. 700m to the south-east); and
- Residential properties located off Park Lane and within Carlton Park which are located between 1.35 and 1.5km to the east of the main site.



View east from site towards Manby and residential properties/hanger buildings

Main Planning Considerations

Planning Policy Context

29. The National Planning Policy Framework (2023) sets out the Government's planning policies for England. It is a material consideration in determination of planning applications and adopts a presumption in favour of sustainable development. A number of paragraphs are of particular relevance to this application as summarised:

Paragraphs 7 to 12 - Sustainable Development

Paragraphs 38 and 47 - Decision making and status of the development plan in the determination of planning applications

Paragraphs 81, 83 and 85 - Building a strong, competitive economy

Paragraphs 104, 110-111 and 113 - Promoting sustainable transport and considering development proposals

Paragraph 120 - Effective Use of Land

Paragraph 126, 130 and 132 - Achieving well-designed places

Paragraphs 152 to 169 - Meeting the challenge of climate change, flooding and coastal change

Paragraphs 174 and 180 - Conserving and enhancing the natural environment, habitat and biodiversity

Paragraphs 183 to 185; 188 - Ground conditions and pollution control

Paragraphs 194 to 205 - Conserving and enhancing the historic environment

Annex 1: Implementation

Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policies (Adopted 2016) (LMWLP) - the following policies are of relevance in this case:

Policy W1 - Future Requirements for New Waste Facilities

Policy W3 - Spatial Strategy for New Waste Facilities

Policy W5 - Biological Treatment of Waste including Anaerobic Digestion and Open-Air Composting

Policy DM1 - Presumption in favour of sustainable development

Policy DM2 - Climate Change – sections Mineral and Waste and Waste

Policy DM3 - Quality of Life and Amenity

Policy DM4 - Historic Environment

Policy DM6 - Impact on Landscape and Townscape

Policy DM7 - Internationally Designated Sites of Biodiversity Conservation Value

Policy DM8 - Nationally Designated Sites of Biodiversity and Geological Conservation Value

Policy DM9 - Local Sites of Biodiversity Conservation Value

Policy DM11 - Soils

Policy DM12 - Best and Most Versatile Agricultural Land

Policy DM13 - Sustainable Transport Movements

Policy DM14 - Transport by Road

Policy DM15 - Flooding and Flood Risk

Policy DM16 - Water Resources

Policy DM17 - Cumulative Impacts

East Lindsey Local Plan Core Strategy (July 2018) (ELLP) - the following policies are of relevance in this case:

Policy SP1 - A Sustainable Pattern of Places

Policy SP10 - Design

Policy SP11 - Historic Environment

Policy SP13 - Inland Employment

Policy SP16 - Inland Flood Risk

Policy SP22 - Transport and Accessibility

Policy SP23 - Landscape

Policy SP24 - Biodiversity and Geodiversity

Policy SP25 - Green Infrastructure

Policy SP27 - Renewable and Low Carbon Energy

Neighbourhood Plans

Following an application for designation Legbourne Parish was designated as Neighbourhood Area on 8th July 2014. No further progress appears to have occurred and no Draft Plan has been submitted to East Lindsey District Council or has been confirmed/adopted.

Results of Consultation and Publicity

30. The following summarises the formal comments and responses received from consultees and those that have made representations on this application.
- (a) Local County Council Member, Councillor D McNally – has requested that this item be reported to Committee and has indicated that he intends to speak at the meeting when this item is debated.
- (b) Grimoldby and Manby Parish Council (GMPC) – has stated that it strongly objects to this proposal for the following reasons (summarised):
- Traffic Generation, access and highway safety
 - There would be a considerable increase in traffic through the villages and the traffic survey undertaken has only concentrated on access to the site via the B1200 and from the A16 and was carried out during a week in December. GMPC therefore feel this has failed to take into account the substantial increase in traffic during the summer months with holidaymakers travelling to and from coastal resorts.
 - The traffic survey ignores the fact that vehicles will use/might have to use Tinkle Street in Grimoldby and Carlton Road in Manby to join the B1200 (Manby Middlegate) to access the site. There are already significant traffic issues in Tinkle Street with on-road parking which is also aggravated at school opening and closing times with pupils being dropped off in the morning and collected in the afternoon.
 - GMPC therefore submit that an additional and full traffic survey should be undertaken which reflects peak times such as harvest and summer periods. This survey should also assessment a much larger area including Carlton Road and Tinkle Street and that monitoring of traffic should be ongoing.
 - Concerns that the main site access/egress presents a significant danger to those exiting the site, especially trying to turn right both in terms of the speed of traffic using the B1200 in that area in general and regarding the visibility splay. GMPC believes this will result in an increased risk to other road users and pedestrians.
 - Odour, Noise, Drainage and Contamination Impacts/Risks
 - Concerns regarding the effects of odour on nearby residents especially as these are positioned to the east and so downwind of the site.

- Concerns that proposed HGV traffic movements to and from the site between 0600 and midnight Monday to Saturday would be detrimental to the village residents' amenity and would create an increased risk to other road users and pedestrians.
 - Concerns regarding potential risk of cross-contamination and the spread of transmittable diseases as a result of feedstocks being sourced from different farms and establishments (e.g. foot and mouth, bovine TB, swine fever, bird flu etc).
 - Concerns about potential for contamination from effluents and noxious gases (e.g. Sulphur Dioxide).
 - Concerns that runoff from the site could be a contamination risk to the water table, water resource and drainage dykes in the area.
 - More information on where and how the biomethane will be turned into fuel for vehicles, is required.
- Landscape/Heritage/Ecological Impacts
 - Concerns that the size and height of buildings will be an intrusion on the landscape and result in the industrialisation of the rural area and effect the historic buildings in the area including Churches and Listed RAF Tower.
 - GMPC feel that this development will spoil the character of a beautiful thriving rural area and put off new residents from moving to the area due to the industrialisation, right on the doorstep.
 - Concerns regarding the impacts on wildlife and flora and fauna

GMPC comment that in the event that planning permission is granted then it requests that a number of conditions and requirements be imposed which include:

- A Traffic Management Plan setting out how traffic would be managed and monitored from the site;
- A Construction Traffic Management Plan which would include details of measures to manage traffic during the construction phase;
- A Transport Noise Assessment and Mitigation Scheme;
- Full details of external lighting;
- Traffic movements to be restricted to between 0800 and 1700 hrs Monday to Friday; no traffic to use Tinkle Street or Carlton Road on school days during peak pick up/drop off periods; movements to avoid community events;
- Requirement to have a wheel wash and which requires no mud to be deposited on the road. Also all vehicles carrying manures should be fully covered;
- A Local Liaison Group should be agreed to promote effective communication and discuss and resolve local issues;
- A full wildlife survey should be undertaken;
- A scheme to deal with potential contamination on site should be produced and approved;

- S106 monies should be secured for uses to benefit the local community.
- (c) Legbourne Parish Council (adjoining Parish) – has commented that after careful the Council has voted to supports this application in principle because of the economic benefit to the area and the objectives of the project to support the Green agenda and supplying the National Grid with energy. Should permission be granted then the Council requests that this should be made subject to the following:
- Filter lanes suitable for HGV vehicles should be provided on the B1200 for traffic
 - entering the site from either directions so as to help maintain traffic flow especially during the busy summer months;
 - All vehicles carrying manures should be fully covered and contained to ensure no waste or other material will be dropped on public roads. If any such deposits happen, these should be immediately removed.
 - HGVs must be obliged to use major roads such as the A16 and B1200 rather than small lanes like Furze Lane in Legbourne.
 - S106 or Infrastructure Levy contributions to be paid for the loss of amenity and nuisance caused by the development to Legbourne residents.
- (d) Environment Agency – has no objections but has provided a number of Informatives that it recommends be drawn to the attention of the applicant should permission be granted. These include the fact this type of development would require and Environmental Permit and that in making that application further information and details may be required with regard to the measures to mitigate the risks to groundwater from the storage of materials on site, drainage and also odours from the site .
- (e) Environmental Health Officer (East Lindsey District Council) – has made the following comments (summarised):

Regarding impacts associated with HGV traffic on the internal amenity of nearby dwellings, the applicants noise assessment states that BS8233 provides a guideline level of 35dBA for daytime living spaces, when windows are closed and that this standard does however also allow for a 5 dBA relaxation to this criterion meaning a level of 40dBA can also be acceptable. The EHO disagrees with this broad statement and has commented that whilst the BS8233 guidance does suggest a level of 35dBA is acceptable it does also advise that if relying upon windows being closed to meet this guide value, then there needs to be an appropriate alternative ventilation that does not compromise the façade insulation or the resulting noise level (e.g. trickle vents). Furthermore, with regard to any relaxation of the 35dB level, the EHO points out that the BS8233 guidance states that this +5dB relaxation should only be applied where a development is considered necessary or desirable and reasonable. The EHO has stated that it is beyond their remit to

determine if this proposal is considered “*necessary or desirable*” and therefore for the County Council needs to determine if higher noise levels are suitable in relation to this proposal. It is also commented that if HGV movements are to operate during the night then this would require internal noise levels within living spaces to be around 30dB(A) and therefore lower than the 35dB level referenced in the Bs8233 guidance.

In respect of impacts from the operation of mechanical plant and equipment, whilst it is noted that the noise assessment shows a +10dB increase in noise levels experienced at Receptor 1 during the nighttime period (i.e. the farmhouse complex located to the south-west of the site), the EHO agrees with the conclusions of the report that the overall level should cause no significant loss of amenity. It is however recommended that noise mitigation measures advised in the ES should be conditioned to ensure that the local amenity is protected for local residents

- (f) Highway and Lead Local Flood Authority (Lincolnshire County Council) – (comments summarised) has commented that Manby Middlegate (B1200) is a road that is routinely and frequently used by HGVs and there is therefore no cause to conclude that such vehicles are unable to physically pass along this road. The data, held by the Lincolnshire Road Safety Partnership, of collisions involving personal injury, indicates no systemic highway safety issue on the highway network in the vicinity of the application site that would give cause to consider that vehicles associated with the proposed development would either create a hazard to other road users or exacerbate an existing highway safety problem. Furthermore, the proposed improvements to provide a 15m radius on each side of the site access onto the B1200 and widening of the internal road to 7.3 metres reflect the prescribed geometric requirements for HGV turning movements onto and off a public highway. The visibility to the left and the right of the site access available to a driver entering the public highway also meets the 2.4 metre x 215 metre geometric standards, prescribed for such accesses in the Design Manual for Roads and Bridges, for safe egress into a 60 mph limited public highway.

The Transport Assessment submitted as part of the ES states that the total traffic movements are expected to be 100 cars per day and 124 HGVs per day. The feedstock is agriculturally derived waste material which is to come from local farming operations. This material must presently have to be conveyed on the local highway network for spreading on the land as fertiliser, for livestock bedding or for processing/burning in more distant power stations. Therefore the vehicular movements associated with these activities are existing movements rather than new movements. Given the location of the application site and the layout of the national primary road network, it is commented that feedstock materials are more likely to come from the west, rather than from the east and through Manby and Grimoldby. Overall it is considered that the TA provides robust, categorical evidence that the vehicle movements associated with the proposed development do not have the

potential to overwhelm the capacity of the highway network in the vicinity of the site. In other words, it demonstrates that the proposed development would not have a severe residual cumulative impact upon the road network.

Finally, surface water run-off from the impervious areas within the site is proposed to be harvested for use in the processing of the feedstock material and would thus not be expected to increase the risk of surface water flooding.

Consequently, having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), and subject to conditions as recommended to secure the site access/road improvements, the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk. As a result no objection is raised to this proposal as the impacts associated with this development would be insufficient to warrant refusal on highway grounds.

- (g) Historic England – has responded commenting that it only provides advice when its engagement can add most value and in this case is not offering any advice. This response should not be interpreted as comment on the merits of the application but it is instead suggested that the views of the Councils specialist conservation and archaeological advisers be sought and taken into account.
- (h) Historic Places (Lincolnshire County Council) - has commented that the development would be a prominent feature in the local landscape and has the potential to cause harm to the character of the nearby rural settlement of Manby and the settings of listed buildings which are of national importance (not regional importance as reported within the applicants ES). The buildings would be up to 19m tall and located over a large area and so be visually intrusive however it is understood that the size of the buildings are dictated by their function. Measures have been identified and would be implemented to reduce the visual impact of the development including the coloration of the building (goosewing grey) and the planting of trees and hedgerows to screen views to and from the Listed Buildings, the village and the surrounding landscape. This screening should be carried out on all sides with significant views and tree species planted that are in keeping with the blocks of woodland that already exist in the local landscape. The layout of the former airfield should also be preserved wherever possible.

Overall however it is stated that the proposed mitigation measures to protect views to and from the site should be secured and that if carried out these would be sufficient and so no objection to this proposal has been stated.

- (i) Lincolnshire Wildlife Trust (LWT) – has stated that it wishes to register a holding objection until a management and monitoring plan for Biodiversity Net Gain on site has been submitted. A detailed management plan must be produced and adhered to, to ensure delivery of the target habitats and conditions and a 30-year period is a requirement for Biodiversity Net Gain. Such a plan should therefore be provided prior to approval being granted.

In addition to the above the following comments are also provided:

LWT agree in principle to the avoidance measures, mitigation strategy and compensation scheme outlined in the ES including retention of woodland and hedgerows, habitat creation, bird and bat boxes, and hedgerow retention. LWT are also pleased to see that Biodiversity Net Gain has been incorporated into the design of this site, and that biodiversity gains are predicted as a result of this development. It is however suggested that soil testing be carried out on the 5 ha of land which is proposed to be converted into wildflower meadow, to establish the nutrient condition of the soil as wildflower meadows will not flourish in the high nutrient soil often seen in former arable land. It is also recommended that the use of local provenance seed mix be used.

- (j) Natural England – based on the plans submitted has stated that it considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- (k) Ministry of Defence (Safeguarding) – has commented that this application relates to a site outside of Ministry of Defence safeguarding areas and so has no safeguarding objections to this proposal.
- (l) Anglian Water – has commented that as the development has no proposed connection to the Anglian Water sewer system it has no comments.
- (m) Lincolnshire Police – do not have any objections to this application.

The following persons/bodies were notified/consulted on the application, but no comments or response had been received within the statutory consultation period or by the time this report was prepared.

Great Carlton & Little Carlton Parish Council
Reston Parish Council
Gayton Parish Council
Legborune Parish Council
Skidbrooke and Saltfleet Haven Parish Council
Stewton Parish Council
Saltfleetby Parish Group
Public Health – (Lincolnshire County Council)

31. The application has been publicised by notices posted at the site and in the local press (Skegness Standard and News on 21 June 2023) and letters of notification were sent to 110 of the nearest neighbouring properties to the site.
32. A total of 102 individual representations have been received in relation to this proposal objections / 2 support / 1 neutral). An outline and summary of the issues and comments raised in this responses is as follows:

Location, highways and traffic

- Concerns about the volume of traffic and unsuitability of the local roads.
- Traffic should not be allowed to come through Grimoldby and Manby as there are already problems especially around school times/peak periods.
- The B1200 is already a busy road especially since ELDC granted permission for chicken sheds on the edge of Manby which has added to air pollution, odours.
- Traffic flows in the areas are seasonal with significant increases in vehicles using the B1200 during the months of April to September and includes vehicles such as cars/caravans, mobile homes and large farm machinery. There are few alternative routes available and concerns that the traffic study has only been carried out in December and so does not truly reflect the potential impacts of traffic using the local highway network.
- There must be more suitable sites for this type of development away from residential properties, some of which have only been constructed within the last 5 years.
- Concerns about the risks to local school children from HGV traffic who frequently used the B1200 to get to school.
- HGV movements would equate to an average of one HGV leaving and arriving at the site every 8 minutes. Such traffic is not suitable through the village.
- Concerns about the speed of HGV traffic especially through the village.

Landscape, ecology & wildlife

- The site is an important overwintering site for birds and deer have also been seen in and around the area. This development would disturb and result in the loss of habitat that supports these species.
- Concerns about the loss of wildlife habitats and agricultural land.
- The development would affect the beautiful scenic views of the Lincolnshire countryside including clear views of Manby Airfield which local residents and users of the area enjoy.
- Large industrial and unsightly buildings, including tanks of 40m in diameter and 15m high would be an enormous blot on the landscape.
- The airfield is flat and so views across the site can be obtained from long distances. This development would therefore be clearly visible from properties in and around the site which look over the area/airfield.

Noise, odour, air quality and vermin

- Concerns about noise and disturbance from the plant and machinery especially as a result of overnight operations.

- Noise from HGV traffic which would operate from 0600 to 0000 hrs.
- Plant would operate 24/7 and the noise would affect local residents.
- During the construction phase local residents would be exposed to unacceptable noise, dirt and dust.
- Prevailing wind will mean odours, emissions and gasses will be directed to residential areas.
- Claims that so called state-of-the art odour filtration systems don't work and the development would destroy the village.
- Concerns that the development would affect air quality and affect mental and physical health of those living close by.
- Developments such as this should not be allowed near residential areas especially as biogas comprises of methane, carbon dioxide and less amounts of hydrogen sulphide, ammonia and other gases. If there are leaks or an explosion this could lead to asphyxiation, disease and hydrogen sulphide poisoning.
- Concerns the development could attract flies especially in the summer and during warmer weather. There are already problems with flies and smell from the cattle on site and so this development would only be worse.
- Concerns over the potential impacts on land drainage, water pollution and contamination.

Health & safety issues

- Concerns regarding the flaring of gasses. What constitutes an emergency? How often would this occur?
- Concerns about the risk of gas leaks, potential explosions and risks to public safety.
- Concerned that arson and vandalism could result in smoke and pollution travelling through the air and result in pollution to watercourses. Vandalism and arson have been rife on the former RAF Manby base resulting in many properties and buildings being damaged. There is therefore a risk to this development.
- Potential harm to human health and exacerbating existing conditions such as asthma and respiratory irritation.

Miscellaneous

- Concerns about the impact on house prices. House sales have already been affected and cancelled since the application was announced.
- No benefit to local people as most jobs will be specialist and so not employ local people.
- There is no local support for this development with 100% of the people that attend a public meeting in February 2023 voting NO to this development. This shows a resounding and unanimous lack of support for this proposal.
- Concerns about the potential impact and effects of vibration from HGV traffic on the St Edith's Church in Grimoldby.

Support/Neutral

- Support for the development as there is a need to move forward and use resources to protect the environment from climate change for the future of our next generation. The development would also provide much needed jobs to the area.
- Neutral view on the proposal but if permission is to be given then HGV movements should be restricted to 0700 and 2000 hrs and avoid school peak periods (e.g between 0800 and 0900 hours and between 1500 and 1600 hours) to prevent unsocial hours, noise disturbance and risks to school children.

District Council's Recommendations

33. East Lindsey District Council has raised no overall objection to the proposal but has provided comments (summarised below) on aspects of the proposal and recommended that conditions be imposed to secure specified details should permission be granted. The comments from the EHO are reported separately (see earlier in this report) and so should be read in conjunction with the following comments which are summarised as follows:

- **Renewable energy:** ELDC has commented that biomethane has a valuable role to play in displacing the use of natural gas in our national gas grid, reducing carbon emissions, and helping the UK meet its obligations under the Paris Agreement 2016 to limit global warming. The benefits of the proposal will need to be weighed against any harm caused as set out in Policy SP27 of the East Lindsey Local Plan which relates to renewable and low carbon energy.
- **Design/Landscape Impacts:** Policy SP10 of the ELDC Local Plan relates to the design of new development and sets out criteria by which the Council will support well-designed sustainable development which maintains and enhances the character of the District's towns, villages and countryside. As elements of the proposal are tall at 19 metres mitigations measures including planting have been proposed to help soften the visual appearance of the development albeit this would take some years to mature. Whilst the development would have an immediate impact of the visual character of the area, given it is set back from public views it is considered that this would lessen over time and would be outweighed by the environmental benefits of the proposal. Conditions would need to secure appropriate species of landscaping to be undertaken in a timely manner should permission be granted.
- **Traffic, hours and amenity:** The proposal would result in a significant increase in traffic movements which have the potential to impact upon the amenity of local residents, especially out of normal hours. The EHO's comments in relation to noise therefore need to be considered along with the advice of the Highway Authority with regard to any implications for highway safety and capacity. It is recommended that a Construction Management Plan for the main site and pipeline should be secured along with a Travel Plan and Traffic Management Plan.

- Lighting/ecology: Lighting will be in three areas; the car park north of the site; the perimeter road and the pedestrian access. It goes on to advise that the lighting has been designed with ecology in mind and will be controlled by proximity sensors. This should be assessed and any further lighting controlled by condition to ensure it would not harm the dark skies or ecology such as bats.
- Community benefits: ELDC would welcome consideration of whether other measures could be incorporated in to the project to mitigate any harmful effects arising, including measures pertaining to matters directly related to the local economy, supporting tourism and provision of education/training/local resourcing opportunities.

Conclusions

34. Planning permission is sought by Manby BGE Ltd (Agent: Reading Agricultural Consultants) to construct a gas to grid anaerobic digester and fertiliser production facility comprising of nine digester/fermentation tanks; feedstock reception/straw processing and storage building; digestate separation and fertiliser production building; biogas upgrade plant; emergency gas flare; odour control and condensing unit; gas entry compound/unit other ancillary plant and equipment and underground pipeline connecting to National Grid at Land at Manby Airfield, off Manby Middlegate, Manby.
35. The application is subject of an Environmental Impact Assessment and supported by an Environmental Statement that assesses the potential impacts of the Development along with the mitigation measures proposed to avoid, reduce and, if possible, remedy any significant adverse impacts.
36. This is a very large development which gives rise to a wide range of issues which need to be carefully considered including the principle of the development in this location, landscape and visual impacts, noise and odour impacts, highways, flood risk, nature conservation and the historic environment, etc.

Need

37. Policy W1 of the LMWLP directs the Waste Planning Authority, through the Site Locations document, to identify locations for a range of new or extended waste management facilities within Lincolnshire where these are necessary to meet the predicted capacity gaps for waste arising in the County. The proposed development would process approximately 304,000 tonnes of mixed feedstock per annum made up of a mixture of cow, hen and poultry manure and straw from local arable farms. The current LMWLP does not identify a specific need or capacity gap for these feedstock types and similarly neither does the most recent Waste Needs Assessment¹ that has been carried out in support of the emerging replacement

¹ [Waste needs assessment – Lincolnshire County Council](https://www.lincolnshire.gov.uk/downloads/download/222/waste-needs-assessment)
<https://www.lincolnshire.gov.uk/downloads/download/222/waste-needs-assessment>

Minerals and Waste Local Plan. This is because traditionally such agricultural products/wastes have been managed through existing practices of land-spreading and therefore are not classed as a controlled waste. The absence of any data or evidence to show a quantitative need for this facility however does not automatically mean such a facility cannot be supported.

38. The proposed Development would divert agricultural wastes away from their current means of treatment/disposal which currently includes direct spreading to land and, in the case of chicken manure, the transportation of these wastes to Thetford, Norfolk where they are incinerated. Diverting these wastes to the AD Plant would therefore not only reduce the distance those wastes travel to be managed but also, through their treatment, enable biomethane gas to be recovered which can be used as an alternative to fossil fuel/natural gas. The processing and treatment of the manure/litter also enables a digestate product to be produced which can be combined with additives to produce a organomineral fertiliser that can be used as replacement for more traditional artificial or chemical fertilisers. Finally, as part of the process, carbon dioxide produced from the plant would be captured and liquified so that this can also be used by other sectors and therefore represents a further byproduct from this operation which would not be possible if the wastes continued to be treated/managed as they are currently.
39. Whilst this proposal is not therefore required in order to meet an identified shortfall in capacity or facilities needed to help manage and treat these wastes, the LMWLP does recognise and support the development of anaerobic digestion plants as an alternative treatment option for managing agricultural wastes. Furthermore, in principle, this proposal fits well with the objectives and criteria of Policy DM2 of the LMWLP which supports wastes developments that implement the waste hierarchy, include renewable energy generation and incorporate carbon reduction/capture measures. Therefore although there is no data or evidence to show a quantitative need for this facility it does not automatically mean such a facility cannot be supported. Instead consideration needs to be given to whether or not the facility is appropriately located and could operate without giving rise to any unacceptable adverse environmental or amenity impacts. Each of these matters are considered in turn below.

Location

40. In terms of location, the broad thrust and ethos of planning policy is to direct most new development towards urban centres and settlements, sites allocated for such purposes (as identified in the Development Plan) and away from rural areas and the open countryside. Policy SP1 of the ELLP reflects this approach and sets out the settlement pattern to be adopted for guiding the distribution, scale and nature of future development. Grimoldby and Manby are classed as “Large Villages” within this policy which is the second tier whereby development is to be primarily focused after the main towns. The ELLP does not define settlement boundaries for such villages on the Policies Map, however, the proposal site is located beyond the western edge of Manby and detached from the continuous built up area of the

settlement. Therefore in my view the proposal site lies outside the development footprint of Manby and so should be considered as lying within the open countryside.

41. In identifying locations for new and extended waste sites, Policy W3 of the LMWLP recognises that it may not be possible or appropriate to locate all types of waste management facility in and around main urban areas. Therefore for certain types of development that need to be located outside a main urban area consideration instead needs to be given to the locational and other criteria set out in specific policies relevant to those types of development. In this case, the relevant policy is Policy W5 which identifies the locational criteria that would need to be met in assessing new proposals for anaerobic digestion plants. Policy W5 states that planning permission will be granted where facilities accord with all relevant Development Management Policies set out in the Plan; where they are a suitable “stand-off” distance from any sensitive receptors; and where they would be located on either land which constitutes previously developed land and/or contaminated land, existing planned industrial/employment land or redundant agricultural and forestry buildings and their curtilages; or land associated with an existing agricultural, livestock, food processing or waste management use where it has been demonstrated that there are close links with that use.

42. A suitable stand-off distance is not defined within Policy W5 or the LMWLP although the supporting text to this policy does state that Environment Agency research suggests that facilities within 250m of an occupied building will need to undertake a detailed assessment of the potential bioaerosol releases and have an odour management plan submitted as part of the permitting process. This is in recognition that biological treatment facilities present a realistic opportunity for the discharge of malodours which can impact upon the amenity of residents that might live close by. In this case, the nearest sensitive receptors to the site are principally located to the north and north-west of the proposal site and are between 700 and 1.2km from the boundary of the main site and so way beyond the 250m distance referenced above. Notwithstanding this, the ES has assessed the potential impacts of odour from this development and includes mitigation measures designed to control and limit fugitive emissions to ensure the amenity of the nearest residents is not unduly harmed. Further details of these measures are detailed/discussed later in this report and in addition to any conditions and controls imposed by a planning permission, the development would also be required to operate under the terms of an Environmental Permit. An Environmental Permit would impose additional controls and conditions covering the waste handling and storage operations on site as well as set defined limits for emissions from the site. The Waste Planning Authority has granted permission for similar such developments to this in the past and in some cases those facilities have been similar distances to residential properties and settlements to this proposal. Whilst each case is different and consideration has to be given the circumstances of each case, in terms of pure distance, I am satisfied that this development is located a sufficient and suitable distance from sensitive receptors and, subject to the mitigation measures being provided as proposed and

implemented, then in principle the location of this development is acceptable and so would not conflict with the distance criterion of Policy W5.

43. In terms of the site type, the proposal site lies within an arable field and located on the edge of the former RAF Manby airfield. The former hangers and buildings associated with the old airbase are located to the east and are now being used for a mixture of commercial and industrial uses however this site does not form part of this complex and is not identified or allocated within the Local Plan as an area for commercial or industrial development. As a result the proposal site does not fit with one of the site types identified as being suitable for this type of facility as set out in Policy W5. Additionally, whilst some of the feedstocks would be sourced from the adjacent beef/cattle business this represents only a relatively small proportion of the overall feedstock material and therefore Development cannot be said to be directly associated with an existing agricultural, livestock, food processing or waste development. However, the site is located close to a number of agricultural enterprises/farms that the Applicant has identified as being capable of supplying the feedstocks required to serve the AD Plant and the Waste Planning Authority has previously accepted and granted planning permission for AD Plants under Policy W5 where it can be clearly demonstrated that they are well located to the source of wastes and where the final digestate is capable of being accommodated on farmland in and around the site. Furthermore, as this development proposes to produce biogas that would be upgraded and treated so that it can be directly injected into the National Grid gas network this also, in part, dictates the chosen location for the AD Plant.
44. No objections to principle or location of this development have been received from East Lindsey District Council whose Local Plan sets out the strategy and sites allocated for large scale industrial and commercial that are akin to this development. Having taken into account the above, I am satisfied that whilst there is a limited direct link with an existing agricultural use on the actual site of the proposed development the sites position and location is such that it is well located to serve a number of local rural enterprises given the largely rural nature of the site and its surroundings. Therefore this development would fit well with the locational criteria of Policy W5 and also the sustainability objectives of Policy DM2 and would not significantly conflict or compromise the objectives and purposes of Policy SP1 of the ELLP.

Landscape and Visual Impact

45. The NPPF, LMWLP Policy DM3 and ELLP SP10 require that all new development is of a high standard of design which maintains the character of an area and does give rise to unacceptable harm to amenity and the environment. In addition, ELLP Policy SP27 and LMWLP Policy DM6 require consideration of impacts on the landscape, with specific reference to the intrinsic value of the landscape. External lighting also has the potential to have impacts in relation to amenity and on the wider landscape and so needs to be taken into account.

46. Objections have been received to this proposal on the grounds that it would have an adverse impact on the visual appearance and character of the countryside and result in the industrialisation of the open countryside. Objections and concerns have also been raised regarding the use and impacts of floodlighting on both the countryside but also local residents especially during the night given the site would be operational 24/7.
47. The applicant has carried out Landscape and Visual Impact Assessment (LVIA) which confirms that the proposal site does not form part of any national valued landscape designation (i.e. AONB) and that the closest designated landscape is the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) which is just over 3km west of the site. The site itself does however lie within the open countryside and is on the edge of the former airfield. The topography of the area is largely flat and so clear views of the site can be obtained from the B1200 to the north and also from the western edge of Manby with more distant views possible from isolated properties and the public road network to the west, south and south-east of the site. I am similarly satisfied that the LVIA undertaken as part of the ES has been conducted in accordance with the relevant guidance and provides an accurate assessment of the potential impacts of this development.
48. Given the size, scale and physical bulk and massing of the various buildings and tanks associated with this development it would undeniably be visible and alter the current appearance and of the site. The development would also be viewable, to varying degrees, from various vantage points and locations around the site including from the first floor windows of residential properties that are located on the western edges of Manby. These properties are however located over 1km away from the site and so given this separation distance I do not consider the visual impact and effect of the development on these residences to be detrimental to residential amenity or sufficient to justify refusal of this application. The applicant has indicated a willingness to provide additional landscaping as part of this development and external lighting within the site would be limited and controlled to ensure this is only utilised in areas where this is necessary and designed to reduce spillage beyond the boundaries of the site as far as is possible. No details have been included with this application and so should planning permission be granted then further details could be secured by condition.
49. East Lindsey District Council has commented that whilst the development would have an immediate impact of the visual character of the area it is set back from public views and that the impact of the development would lessen over time. It is stated that the impacts of this development are therefore considered to be outweighed by the environmental benefits of the development and so ELDC has raised no overall objection to this application. Like ELDC I agree and accept that whilst it would not be possible to wholly screen the development or remove the immediate visual impact and affect this proposal would have on the character of the area, measures have been designed and incorporated into the development which aim to soften and help reduce these impacts overtime. Such measures include additional landscape planting, the use of appropriate coloration for the

buildings and tanks and ensuring that external lighting is designed to minimise its impact outside the immediate footprint of the site. Further details of these can be secured by way of condition and when implemented, whilst not removing the impacts of the development entirely, they would help to soften and reduce those impacts to an acceptable degree.

Cultural Heritage

50. The NPPF, Policy DM4 of the LMWLP and Policies SP11 and SP27 of the ELLP all contain criteria that seek to conserve and enhance the historic environment having regard to the significance of any designated and non-designated heritage assets and their setting.
51. There are no designated heritage assets with the application site boundary or with 1km of the site with the closest designated assets being Grade II Listed Buildings lying within the former RAF Manby site. With the exception of Beech Grove Hall these buildings are separated from views of the site by the intervening non-designated hangers which lie between the site and these buildings. I am therefore satisfied that these heritage assets are sufficiently separated from the proposed development and whilst there would be some impact on the visual appearance of the wider landscape during earlier phases of this development and until the proposed landscape screening matures, those impacts would soften and lessen over time and given the wider context and setting of these buildings would not be so significant to warrant refusal of this application as a result of impacts on these assets.
52. In terms of buried archaeology, the main development site is located within the confines of the former RAF base and records have shown that this area has been farmed and also used as an off-road driving range and undergone considerable landscaping. As a result the potential for any surviving archaeology is low. In respect of the proposed connecting pipeline, this would be installed using directional drilling and is again to be installed largely within intensively farmed arable fields. No objections to this proposal have been received from the Historic Places Officer and therefore subject to the imposition of suitable conditions, I am satisfied that there would be no direct or significant harm to the identified heritage assets or their settings due to this development and therefore the development would not conflict with the criteria and objectives of the above cited Development Plan policies that seek to conserve and protect the historic environment.

Highways & Traffic

53. The NPPF, LMWLP Policy DM14 and ELLP Policies SP10 and SP27 all contain criteria and policies which require developments to demonstrate that they would not have an unacceptable adverse impact on highway safety, free flow of traffic and on residential amenity and the environment.

54. A Transport Assessment (TA) has been carried out and has assessed the impacts associated with all phases of the proposed development taking into account the likely traffic numbers associated with each phase. This assessment has identified that during the construction phase traffic movements associated with staff and small deliveries area would average 120 two-way movements per day and HGV traffic would be an average 16 two-way movements. Once operational, the Development would operate 24 hours a day, 365 days a year and employ around 94 staff. Many of the site staff would work typical 'office hours' between Monday to Friday and those involved in the operation of the AD Plant would work on a 2 by 12 hour shift pattern. Traffic movements associated with feedstock delivery and export of products/fertilisers would take place over an 18 hour period per day throughout the year (i.e. between 0600 and 2400 hours Monday to Saturday) and it is estimated would equate to around 124 two-way HGV movements per day which is an average of 7 HGVs per hour. The applicant has indicated that the vast majority of HGV traffic is likely to approach and access the site from the west and travel along the A16 and the A157 although the possibility of traffic also approaching from the east is not ruled out. The B1200 however is already used by HGV and large agricultural vehicles and there is no evidence that this road is unsuitable or safe for use by this type of vehicle.
55. In terms of the site itself, there is already an access onto the B1200 and as part of this proposal the applicant has proposed to carry out improvements to this access so as to provide a 15m radius and widen the internal roadway to 7.3m. These improvements would ensure that the access is suitable for the volume and size of vehicles accessing the site and reflects the standards that are required for an access onto a 60 mph road.
56. A considerable number of the representations received from the public have objected to this proposal on grounds that the road network in and around the site is not suitable to accommodate the high volume and type of vehicles proposed. Many state that the volume and frequency of traffic poses a safety risk to residents, walkers, cyclists and other road users that frequently use the area. Some objectors have also argued that the baseline traffic figures used in the TA are not sufficient as they were taken in December and so fail to take into account the impact of seasonal traffic which peaks during the summer months. These objections and concerns are all noted however the Highways Officer has raised no objection to this proposal having taken into account the findings of the TA and the improvements proposed to be carried out as part of the development. Although the traffic survey was carried out in December it should be noted that assessments such as that carried out typically look at the percentage increase that traffic arising from a proposed developments would have on baseline figures and therefore if those baseline figures are low then the percentage increase accruing from the development will be correspondingly higher meaning that the effect if such traffic would be greater. Consequently, whilst the concerns raised by local residents about the impact and effect of traffic is noted the Highways Officer is content that another traffic count during the holiday season is not likely to identify any issues and so it is not considered necessary to carry out further traffic surveys. The

Highways Officer has confirmed that the TA as submitted is therefore robust and provides sufficient evidence that the vehicle movements associated with the proposed development do not have the potential to overwhelm the capacity of the highway network. As a consequence, no objection has been received and it is advised that despite the local concerns raised there would be insufficient grounds to warrant the refusal of this application on highway grounds.

57. In light of the above, subject to the imposition of conditions that would require the improvement works to be provided and completed, this proposal would not result in a severe and unacceptable impact on highway safety and the road network and consequently would not conflict with the NPPF or Policies DM13 and DM14 of the LMWLP or Policies SP10 and SP27 of the ELLP.

Air quality & odour

58. Objections in relation to odour and the potential impacts of odour on local residents, business and visitors to the local area have been raised in a very large number of the representations made to this application. Given the position of the development relative to nearby residential area concerns have also been raised that residents would be exposed to offensive and intolerable odours which would require them to keep windows closed and deny them enjoyment of their gardens and outdoors. Concerns are also raised regarding the smell from lorries transporting wastes to the site and from potential spillages on roads.
59. The concerns and objections are noted however in order for anaerobic digestion to be effective and to maximise the efficiency of the waste treatment process (i.e. temperature, moisture and air content) anaerobic digestion plants have to be fully sealed and enclosed systems and therefore there are minimal odours associated with the processing and digestion operations themselves. The main potential sources of odour therefore comes from the handling and storage of feedstock materials and the final digestate produced by such plants. To minimise the impact of odours associated with the handling, storage and processing of feedstocks materials all operations would be carried within purpose built buildings that would be fitted with fast closing doors and operate under negative pressure so as to prevent the release of odours into the surrounding area. Air extracted from these buildings would be passed through a biofilter prior to its release into the atmosphere. With regard the digestion process itself, wastes are passed between the various tanks in sealed pipes and all of the tanks are airtight and sealed so will not generally release odours. In terms of the storage of digestate, the majority of the liquid digestate would be stored within one of the sealed tanks and therefore any odours associated with this would be contained as described previously. The more solid fraction would be dried and pelletised prior to being bagged ready for export and use elsewhere. Again all these processes would be carried out within purpose built, sealed buildings and the air from these buildings treated and managed so as to minimise the risk of adverse levels of odour being experienced at distances from the site.

60. The Environment Agency has raised no objection to the proposal but has confirmed that if planning permission is granted then the applicant would be required to also obtain an Environmental Permit before they could operate. An Environmental Permit would impose its own controls and conditions governing the site operations and activities and this would cover odour management and normally require a full Odour Management Plan (OMP) to be implemented, detailing material acceptance criteria, the management procedures to be employed on site, the actions to be taken in the event of abnormal releases, olfactory monitoring and a defined procedure for validating, investigating and responding to complaints. The NPPF states that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). In light of this the Waste Planning Authority should therefore satisfy themselves that the proposal accords with relevant policy and whether an odour management plan should be secured by way of a condition given the future provisions of the Environmental Permit.
61. In this case, the systems identified and which have been proposed, incorporated and embedded into the design of the development are typical of those which the Waste Planning Authority has seen been adopted on other anaerobic digestion plants and biological treatment facilities across the County and can be effective in minimising and reducing fugitive odour emissions. Whilst it is likely that odours would still be experienced in and around the tanks and within the immediate vicinity/footprint of the main AD plant, the effect of these would reduce significantly with distance from the site and so would be unlikely to be at such a level that this would harm the amenity of the nearest residents living to the site which range between 700m and over 1km from the site. Whilst HGVs delivering feedstocks to the site are likely to be sealed containers or tankers, there is still the potential odours to be emitted however as these HGVs would be moving then any impact on other road users would be temporary, short-lived and transient in nature and so not considered significant.
62. Having taken into account the mitigation measures identified as part of the development, and notwithstanding this development would also be subject to additional controls imposed by an Environmental Permit, subject to suitable conditions I am satisfied that sufficient controls and measures would be in place to ensure that any odours arising from the development could be reduced to a reasonable and acceptable level. I am therefore satisfied from a land-use perspective that the proposed development would not be likely to have unacceptable adverse odour or air quality impacts which affect the amenity of sensitive receptors and as such is in accordance with Policies W5 and DM3 of the LMWLP and Policies SP10 and SP27 of the ELLP.

Flooding, Drainage, Water Environment

63. The NPPF and Policies DM2, DM15 and DM16 of the LMWLP and Policies SP10 and SP16 and SP27 of the ELLP seek to protect water resources and ensure

developments are suitably located so as to not be at risk from flooding or contribute to flood risk.

64. The proposal site lies within Flood Zone 1 which is the preferred location for siting new development as this is considered to be land that is at the lowest risk of flooding. Flood resilience measures have been incorporated into the design of the development and the area around the main AD Plant tanks would be bunded to ensure any pollution incident would be contained and so not pollute surface or groundwater features. Surface water drainage from the site would also be managed and temporary sustainable drainage systems used to reduce runoff rates and the volume of water that would require final discharge off-site. During the construction phase the adoption and implementation of a Construction Environmental Management Plan would ensure that best practice measures are adopted to reduce the risk and impacts of potential pollution from accidental spillages and leaks and risks of pollution or risks that spillages/leaks during works. Such practices are common and typical of large construction projects and precise details of these could be secured by way of a condition.
65. Whilst objections and concerns from the public have been raised about the potential risks of this development to the water environment, no objections have been received from the Environment Agency (who are the statutory body responsible for providing advice to Planning Authorities on matters relating to flood risk) and the Lead Local Flood Authority has confirmed that the proposed surface water drainage arrangements are acceptable in principle. However, as the details contained in the application are only indicative at this stage, further details would need to be provided and these could be reasonably secured by way of a condition.
66. The NPPF confirms that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes) and that planning decisions should assume that these regimes will operate effectively. In this case the development would also be required to operate in accordance with the terms of an Environmental Permit and this would place additional controls and conditions on how the site would operate, including measures to minimise and prevent pollution and controlling discharges from the site.
67. Subject to the implementation of the mitigation measures as proposed as part of the development, and the imposition of suitable conditions including a requirement to submit further details in relation to the drainage proposals for the site, I am satisfied that the development would not have an adverse impact upon the underlying groundwater or surface water regimes and would not be at unacceptable risk of, or give rise to, increased flood risk. The development therefore would not be contrary to the objectives of the NPPF or LMWLP Policies DM15 and DM16 and ELLP Policies SP10, SP16 and SP27.

Noise

68. The NPPF, LMWLP Policy DM3 and ELLP Policies SP10 and SP27 are of relevance as they all require that new development must not generate or give rise to unacceptable adverse impacts that could affect nearby dwellings and other sensitive receptors. In this particular case this includes impacts as a result of noise.
69. A noise assessment has been carried out as part of the ES and this has assessed the potential impacts on nearby sensitive receptors as a result of the construction and operation of the Development and also as a result of associated HGV traffic. This survey takes into account the findings of a noise survey which identified typical background noise levels experienced in the area and assesses the potential impacts of noise arising from the operation of plant and equipment and traffic and the predicted noise levels that would be experienced at the nearest sensitive receptors.
70. In terms of construction noise, like many large scale construction projects, I am satisfied that the adoption of best practice measures to minimise and suppress noise emissions from earthworks and construction activities, including from operational plant and machinery, could be set out and implemented as part of Construction Environmental Management Plan (CEMP). It is therefore recommended that a planning condition be imposed to secure further details of these should permission be granted.
71. In terms of impacts arising from the operation of plant and equipment, the noise assessment has identified the likely sources of noise associated with the AD Plant together with an assessment of the level of noise predicted from each source. As the site would operate 24/7 the specific noise level has been evaluated over a 15 minute reference period and assumed that the noise output of all mechanical plant is continuous over this period in order to represent a worst case. Taking into account the mitigation measures recommended, proposed and embedded into the design of the development, the assessment concludes that noise levels experienced at the receptor locations would be low with the highest level identified as being around 30dBA. This is below the typical background daytime noise level used in the assessment (e.g. 38dB) and whilst it is above the typical background night-time noise level (e.g. 20dB) this level is very low and so exceedance of this would still not lead to an adverse noise impact or likely to cause a disturbance both internally and externally to dwellings.
72. In terms of traffic noise, the assessment shows that the worst case noise level associated with traffic when experienced externally to the nearest dwellings would be 55dB LAeq 1hr. This level is the same, but does not exceed, the level at which the WHO considers annoyance externally to dwellings is likely. The WHO criteria however allows for a continuous level of 55dBA whereas in this case HGVs would be travelling along the B1200 to the site and so any noise arising from HGV traffic would be transient and intermittent and not continuous. In terms of noise levels experienced internally, as reported earlier, the EHO has commented that whilst the

BS8233 guidance does indicate that internal noise levels of up to 40dB can be deemed acceptable when windows are closed, this higher level should only apply where windows have an appropriate alternative means of ventilation such a trickle vents and when a development is considered necessary and desirable . In this case the assessment assumes a typical reduction of -30 dBA attenuation across a closed window and a -15dBA reduction across a partially open window and predicts an internal level of 25 dB LAeq 1hr for when windows are closed and a level of 40dB LAeq 1hr when the windows are open. The windows of the properties most likely to experience noise from HGV traffic are those located close to the B1200 and include the recently built properties located on the north-western edge of the old airbase. As these are modern properties they are likely to be fitted with modern double glazed windows and have trickle vents however in any case the assessment has shown that the internal HGV noise level (LAeq 1Hr) would be below 35dBA. Even if the windows are open, then the noise level would still be within the 40dB limit which is allowed for when windows are closed (assuming trickle vents present and open) and so despite the EHOs comments I am satisfied that this demonstrates that there is unlikely to be any adverse impact on nearby residents as a result of noise from HGV traffic. The noise that residents living to the B1200 from HGV traffic would be no different to that which they are already exposed to as a result of existing HGV traffic which uses this route. With the imposition of suitable conditions, I am satisfied that this proposal would not result in any unacceptable harm to residential amenity by reason of noise disturbance and so accords with the above mentioned policies.

Ecology & Biodiversity

73. The proposal site itself is considered to be devoid of any habitat or ecological features of significant value however the applicant has proposed to carry out additional landscape planting in and around the site which would not only help to screen the development in time but also enhance and create new habitat opportunities. East Lindsey District Council has recommended that further details for this planting be secured by way of a planning condition whilst Lincolnshire Wildlife Trust (LWT) has responded with a holding objection and stated that a Biodiversity Net Gain Management and Monitoring Plan should be provided pre-determination and that this should secure a 30-year maintenance period in line with the requirements of the Environment Act 2021. Whilst LWTs comments are noted, the requirements of the Environment Act 2021 have not yet come into force and so at this moment in time it is not mandatory for developers to provide a minimum of 10% biodiversity net gain as part of their proposals or a requirement for Planning Authorities to secure the maintenance of any habitats and gains created for an extended 30 year period. Notwithstanding this, the NPPF and Policy DM9 of the LMWLP do require developments to protect and provide opportunities to enhance biodiversity which reflects the requirements of the Environment Act 2021.
74. In this case, whilst LWTs holding objection is noted I am satisfied that further details for the provision and future management and maintenance of the

additional landscape plant could be appropriately dealt with by way of pre-commencement condition. A pre-commencement condition would mean the applicant would have to submit these details for approval before any works could lawfully commence on site and this would therefore provide the necessary comfort and control needed to address the concerns raised by LWT. With the imposition of suitable conditions, I am therefore satisfied that this proposal would not be at odds with the NPPF or objectives of Policy DM9 of the LMWLP or Policy SP27 of the ELLP.

Economic Benefits

75. Paragraph 81 of the NPPF states that planning policies and decisions should *“help create conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”*. Policy SP13 of the ELLP also lends support to the growth and diversification of the local economy and supports, in principle, proposals which bring forward employment land in or adjoining the large villages across the District and new employment land elsewhere where it is in or adjoining a settlement or is an extension to an existing employment use and can be easily connected to the road network and is integrated into its setting in terms of layout and landscaping.
76. The applicant has stated that the proposed development would employ 94 onsite staff. This is a positive economic benefit and there are also economic and sustainability benefits in relation to the role this type of facility plays in supporting the production of an alternative energy resource to fossil fuel derived gas as well as supporting the agricultural and the food and pharmaceutical sectors through the management of wastes, production of fertiliser products and liquified carbon dioxide. The Development would be a potential source of employment which would either direct or indirectly make a positive contribution to the local economy and potentially the wider economy. Subject to conditions the operations of the proposed Development would not have a demonstrable significant or unacceptable adverse impact on the environment or local amenity to warrant or justify refusal of this application. Similarly the presence of a modern, purpose built facility has been assessed as being acceptable in this location and it is not considered that there is justification for refusing planning permission for the proposed development in relation to potential impacts on business or tourism.
77. Finally, a number of representations received have made reference to the impacts of the proposed development on house prices and the saleability of houses. These are not planning matters and cannot therefore be taken into consideration in the determination of the application

Human Rights Implications

78. It is an inherent part of the decision-making process for the Council to assess the effects that a proposal will have on individuals and weigh these against the wider public interest in determining whether development should be allowed to proceed.
79. The Committee's role is to consider and assess the effects that the proposal will have on the rights of individuals as afforded by the Human Rights Act (principally Articles 1 and 8) and weigh these against the wider public interest in determining whether or not planning permission should be granted. This is a balancing exercise and matter of planning judgement. In this case, having considered the information and facts as set out within this report, should the Committee be minded to grant planning permission as recommended then I am satisfied that the decision would be proportionate and not in breach of the Human Rights Act (Articles 1 & 8) and the Council would have met its obligation to have due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

Final Conclusions

80. The proposed development would process approximately 304,000 tonnes of mixed feedstock per annum made up of a mixture of cow, hen and poultry manure and straw from local arable farms. These feedstocks would be used to generate biomethane gas which would predominantly be exported and injected into the National Gas Grid via a connecting underground pipeline. Biomethane gas would also be used for the generation of electricity and heat used on site. The development would also capture and produce commercial quality carbon dioxide for use in the food, pharmaceutical and industrial sectors and the solid and liquid digestate produced by the facility would be manufactured into a fertiliser for agricultural use.
81. The application is subject of an Environmental Impact Assessment submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and an Environmental Statement submitted in support of the application. The Environmental Statement assesses the potential impacts of the proposed development along with the mitigation measures proposed to avoid, reduce and, if possible, remedy any significant adverse impacts.
82. Having taken into account the information contained within the ES and supporting application documentation, along with the comments received from the public and consultees during the consideration of this application, I am satisfied that through a combination of the measures embedded into the development, the adoption of the mitigation measures identified as part of the development and through the use of planning conditions, as recommended, the impacts of this development would not give rise to any significant or unacceptable adverse impacts that would justify or warrant the refusal of this application.

RECOMMENDATIONS

A. That planning permission be granted subject to the following conditions:

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority (WPA) within seven days of such commencement.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Documents & Drawings

2. The development hereby permitted shall be carried out in strict accordance with the details contained in the application and in full compliance with the mitigation measures identified and set out in the supporting Environmental Statement (including supporting technical appendices) and the drawings set out below, unless otherwise agreed in writing with the WPA, or where modified by the conditions attached to this planning permission or by details subsequently approved pursuant to those conditions:

Documents

- Planning application form, Design & Access Statement and Statement of Community Involvement (received 9 May 2023)
- Planning Statement (dated 23 June 2023)
- Environmental Statement (inc. appendices) & Non-technical Summary (received 9 and 17 May 2023)

Drawings/Plans (all received 9 and 17 May 2023)

- Drawing No. RAC/8951/01 – Location Plan
- Drawing No. RAC/8951/03 – Gas Pipeline Alignment and HDD Pit Locations
- Drawing No. RAC/8951/04 Rev.A – Site Plan
- Drawing No. RAC/8951/05 – Reception and Straw Building - Elevations
- Drawing No. RAC/8951/06/S1 Rev.A – Digestate Separation and Fertiliser Production Building – Side Elevations and Floor Plan
- Drawing No. RAC/8951/06/S2 Rev.B – Digestate Separation and Fertiliser Production Building – End Elevations
- Drawing No. RAC/8951/07 – Tanks, Stacks and Silos – Elevations
- Drawing No. RAC/8951/08 - Technical Buildings Elevations
- Drawing No. RAC/8951/09 - Ekogea Micronisation Building – Elevations
- Drawing No. RAC/8951/10 - Biogas Upgrade Equipment – Elevations
- Drawing No. RAC/8951/11/S1 - Elevations As Proposed (Reception & Office)

- Drawing No. RAC/8951/11/S2 Rev.A – Plans As Proposed (Reception & Office)
- Drawing No. RAC/8951/12 Rev.B - Odour Unit, Flare and Condenser – Elevations
- Drawing No. RAC/8951/13 - Digestate Separation and Fertiliser Production Building - Roof Plans
- Drawing No. RAC/8951/14 - Gas Pipeline Compression and Chilling Equipment – Elevations
- Drawing No. RAC/8951/15 Rev.B - Grid Entry Compound Layout and Elevations
- Drawing No. RAC/8951/16 Rev.B – Site Elevations

Reason: To ensure that the development is carried out in an acceptable manner and for the avoidance of doubt as to the development that is permitted.

Permitted Tonnages & Feedstocks

3. The feedstock materials for the anaerobic digestion plant shall be restricted to no more than 305,000 tonnes per annum comprising of cattle/pig manure, chicken litter and straw and no more than 50,000 tonnes per annum of organomineral fertiliser additives. All materials brought to the site shall be weighed at a weighbridge within the site and weighbridge records shall be retained for at least two years and be available for inspection by the WPA upon written request.

Reason: To define the permitted waste streams and to limit the scale of operations in the interests of the amenities of the area.

Pre-commencement Conditions

Construction Activities

4. No development shall take place until a Construction Environmental and Transport Management Plan (CETMP) has been submitted to and approved in writing by the WPA. The CETMP shall include details of measures to be adopted to minimise and mitigate potential impacts during the construction phase including (inter alia):
 - the measures to avoid the pollution and discharge of any substances, including surface water run-off into controlled waters;
 - the measures to be adopted during all works to minimise the incidence and impacts of noise and vibration arising from construction equipment and vehicles;
 - the measures to be adopted during all works to ensure that dust emissions are minimised;
 - details of the measures to ensure vehicles do not leave the site in a condition whereby mud, clay or other deleterious materials are carried onto the public highway (e.g. wheel cleaning facilities);
 - hours of working for construction activities and traffic routes to be taken by HGVs for the delivery of construction materials.

The approved plan shall thereafter be implemented and carried out in full accordance with the approved details.

Reason: To minimise the impacts of the construction operations and impacts such as noise, dust and light pollution on the local landscape and nearby residents.

Surface & Foul Water Drainage

5. No development shall take place until written details of the surface water drainage scheme and foul water drainage system (which must be substantially in accordance with the principles as set out in the Flood Risk Assessment and Outline Drainage Strategy as contained within Appendix 13.1 of the Environmental Statement) have been submitted to and approved in writing by the WPA. The scheme shall include details of the maintenance and management of the system after completion and shall be implemented in accordance with the approved details prior to the development coming into operation.

Reason: To ensure surface and foul waters from the development are managed appropriately so as to prevent increased risk of flooding, both on and off site and ensure the surrounding water environment is not at risk from pollution or contamination from any discharges from the site.

Archaeology

6.
 - (a) No development shall take place until a written scheme of archaeological investigation has been submitted to and approved by the WPA. The scheme of archaeological investigation shall thereafter be carried out and implemented in accordance with the approved details.
 - (b) The applicant will notify the WPA of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the WPA.
 - (c) A copy of the final report will be submitted within three months of the work to the WPA for approval (or according to an agreed programme). The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure that satisfactory arrangements are made for the investigation, retrieval and recording of archaeological deposits within the site.

Noise

7. No development shall take place until details of the noise attenuation and mitigation measures to be implemented as part of the design of the authorised

buildings and fitted to mechanical plant and equipment (as identified within Section 8 of the Noise Assessment contained within Appendix 11.1 of the Environmental Statement) have been submitted to and approved in writing by the WPA. The details shall include information to demonstrate and confirm that the external wall / roof and roller shutter doors of each building (excluding the Combined Heat and Power Unit) provide a minimum sound insulation performance of 30dB Rw and details of the acoustic specification for vents to be used in the Combined Heat and Power Unit. The details should demonstrate that operational noise rating levels do not exceed 35 decibels at residential properties. The noise attenuation and mitigation measures identified and approved with in the submitted scheme shall thereafter be implemented in full.

Reason: To protect the amenity of nearby residential properties.

Hours of Operation

Construction Phase

8. With the exception of internal building works such as plastering, decorating, floor covering, fitting of plumbing and electrics and the installation of internal fixtures and fittings, unless minor variations are otherwise agreed in writing with the WPA, all vehicle movements and the operation of plant and machinery during the construction/building phase shall only be carried out between 0700 and 1900 hours Monday to Friday and between 0700 and 1300 hours Saturdays. No such operations or activities shall take place on Sunday, Bank or Public Holidays.

Operational Phase

9. Once commissioned and operational the anaerobic digestion plant hereby permitted may operate continuously 24 hours a day, 7 days a week.
10. Except as may otherwise be agreed in writing with the WPA, no HCV's are permitted to enter or exit the site associated with the delivery of feedstock materials and/or the export of the products between 2400 hours and 0600 hours.

Reasons: In the interests of general amenity of the area and to minimise the impact of noise from construction and operations on the site including from passing HGVs on residents living close to the site during the night-time period.

Landscaping & Ecology

11. No vegetation removal may start until a Landscape and Ecology Management Plan (LEMP) has first been submitted to and been approved in writing by the WPA. The LEMP should be substantially in accordance with the principles as shown indicatively on the Landscape Proposal Plan of the Biodiversity Net Gain Assessment contained within Appendix 8.5 of the Environmental Statement and include details of all proposed soft landscaping works and ecological mitigation and

enhancement measures to be implemented as part of the development. The Plan should include (inter alia):

- a) the location, number, species, size and planting density of any proposed planting including details of any proposed tree and hedgerow planting and details of the provenance of any seed mixes to be used;
 - b) contain the results of soil testing which shall first have been carried out the area of land which is proposed to be converted into wildflower meadow. The soil testing should establish the nutrient condition of the soil and confirm this as being suitable for wildflower meadow to flourish. If the soil testing results do not demonstrate this then details of alternative proposals for the treatment of this land shall be detailed within the scheme;
 - c) subject to (b), demonstrate how the plan proposals will contribute to the achievement of a minimum of 10% biodiversity net gain in habitat units and a minimum of 55% biodiversity net gain in hedgerow/liner units as indicated in the Biodiversity Net Gain Assessment (contained within Appendix 8.5 of the Environmental Statement);
 - d) detail how the landscaping and ecological measures proposed in the plan will be managed and maintained during the operational life of the authorised development;
 - e) contains details relating to the number, type and location of bird and boxes that are to be installed on retained trees within the development footprint;
 - f) contain details of all permanent fences, walls or other means of enclosure proposed around the main AD Plant site and the Grid Entry Compound (as shown indicatively in Drawing No. RAC/8951/15 Rev.B).
12. The approved scheme shall be implemented in full within the period of 12 months beginning with the date on which development commenced. All trees, shrubs and bushes shall be adequately maintained and all losses shall be made good for the lifetime of the development
13. All trees and shrubs not scheduled for removal and which are to be retained as part of the development shall be protected during the demolition/construction works in accordance with the recommendations of BS5387 'Trees in relation to design, demolition and construction – recommendations'. All protection fencing, barriers and measures implemented to protect trees and shrubs shall be maintained during the course of the construction works on site and be removed following their completion.

Reason: In order to ensure the landscaping proposals and biodiversity enhancements identified to be delivered as part of the development are secured and managed to minimise the long-term impacts of the development on the local landscape.

14. No soil stripping or vegetation clearance works shall be undertaken between March and September inclusive unless otherwise agreed in writing with the WPA. If these works cannot be undertaken outside this time, the land affected should be

evaluated and checked for breeding birds by an appropriately qualified ecologist and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependent young have vacated the area

Reason: To protect breeding birds during the nesting season.

Highways & Access

15. No building or engineering operations associated with the development hereby permitted shall commence until site access onto the B1200 and the roadway to the site have been improved and the works completed in accordance with details that have first been approved in writing by the WPA. The design of the access improvement works shall be in accordance with the details shown indicatively on Figure 5.2 within Chapter 8 of the submitted Environmental Statement*.

**See Informative for further details.*

16. The metalled surface of the site access and any internal routes shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times for the duration of the development.

Reasons: To ensure the site access improvements proposed as part of the development so as to ensure safe and adequate means of access to the permitted development is secured and to prevent mud or other materials from the site being transferred onto the public highway in the interests of cleanliness and highway.

Odour

17. Prior to the acceptance of feedstock materials to the site, an Odour Management Plan shall first have been submitted and have received written approval from the WPA. The Odour Management Plan shall include details of the odour abatement and associated mitigation measures (in accordance with the principles set out in the Environmental Statement) and an associated an odour monitoring scheme, detailing how, where and when odour will be monitored from the site and how any issues identified will be addressed or remedied. The approved Odour Management Plan shall thereafter be implemented in full for the duration of the development.

Reason: To ensure odour emissions from the plant are actively monitored so as to minimise any impacts on the locality and to protect the amenity if local residents.

18. The roller shutter doors to the technical building shall be kept closed at all times except when required to be open for the movement of vehicles in and out of the building.

19. There shall be no external storage on the site of any feedstock materials or resultant solid or liquid digestate at any time.

20. All HCVs entering and leaving the site carrying feedstock materials shall be sealed to prevent the escape of odour in transit.

Reasons: To minimise potential nuisances and impacts of odour from the development on the surrounding area.

Noise

21. Prior to the development becoming fully operational, a detailed noise monitoring scheme shall be submitted to and be approved in writing by the WPA. The scheme shall identify the locations for noise monitoring to be carried out and following approval of the scheme noise monitoring shall be carried out in accordance with the approved scheme. The results of the noise monitoring shall be made available to the Waste Planning Authority within seven days of commencement of monitoring.
22. In the event that the noise monitoring scheme (approved pursuant to Condition 21) indicates that noise levels have exceeded the maximum permitted noise level, operations shall cease within 12 hours and not recommence until such time that further noise mitigation measures which shall be firstly approved in writing by the WPA have been installed and employed within the site.
23. All vehicles, plant and machinery operated at the site shall be maintained in accordance with the manufacturers specification at all times, and shall be fitted with and use effective silencers. Any breakdown or malfunction of silencing equipment or screening shall be treated as an emergency and should be dealt with immediately. Where a repair cannot be effected within a two days, the vehicle, plant or machinery affected shall be taken out of service.

External Lighting

24. No fixed lighting, including security lighting, shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the WPA. The details shall ensure that the lighting is designed to minimise the potential nuisance of light spillage outside of the site, including the public highway and potential impacts on bats. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

Reason: In the interests of the amenities of the surrounding area and to protect bats.

Contaminated Land

25. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the WPA. An investigation and risk assessment must be undertaken and where remediation is

necessary a remediation scheme must be prepared, which is subject to the approval, in writing, of the WPA.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval of the WPA.

Reason: To ensure that risks from land contamination to the future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out.

B. That this report forms part of the Council's Statement pursuant to Regulation 30 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 which requires the Council to make available for public inspection at the District Council's Offices specified information regarding the decision. Pursuant to Regulation 30(1)(d) the Council must make available for public inspection a statement which contains:

- the reasoned conclusion of the Council on the significant effects of the development on the environment, taking into account an examination of the environmental information;
- any conditions to which the decision is subject which relate to the likely significant environmental effects of the development on the environment;
- a description of any features of the development and any measures envisaged in order to avoid, prevent, reduce and, if possible, offset likely significant adverse effects on the environment;
- any monitoring measures considered appropriate by the Council;
- the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public;
- a summary of the results of the consultations undertaken, and information gathered, in respect of the application and how those results have been incorporated or otherwise addressed;
- information regarding the right to challenge the validity of the decision and the procedures for doing so.

Informatives

Attention is drawn to:

- (i) the letter from the Environment Agency dated 6 July 2023.
- (ii) The highway improvement works referred to in condition 15 are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority. For further guidance please visit the highway authority's website www.lincolnshire.gov.uk/highways-planning/works-existing-highway

- (iii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and seeking further information to address issues identified/enhancements to the proposal. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

- (iv) The validity of the grant of planning permission may be challenged by judicial review proceedings in the Administrative Court of the High Court. Such proceedings will be concerned with the legality of the decision rather than its merits. Proceedings may only be brought by a person with sufficient interest in the subject matter. Any proceedings shall be brought promptly and within six weeks from the date of the planning permission. What is prompt will depend on all the circumstances of the particular case but promptness may require proceedings to be brought at some time before the six weeks has expired. Whilst the time limit may be extended if there is good reason to do so, such extensions of time are exceptional. Any person considering bringing proceedings should therefore seek legal advice as soon as possible. The detailed procedural requirements are set out in the Civil Procedure Rules Part 54 and the Practice Directives for these rules.

Appendix

These are listed below and attached at the back of the report	
Appendix A	Committee Plan

Background Papers

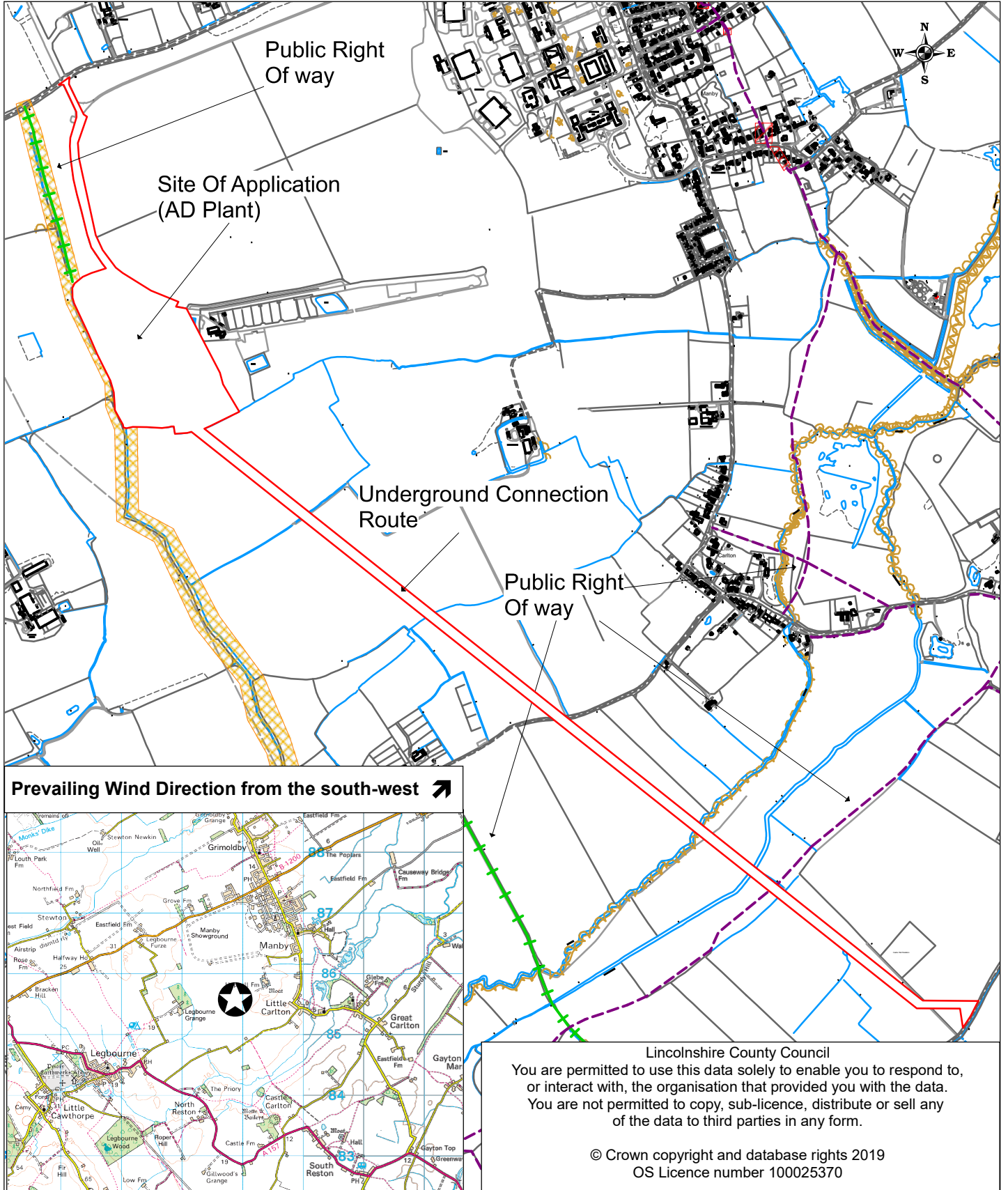
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File N/13/1243/23	Lincolnshire County Council's website https://lincolnshire.planning-register.co.uk/
National Planning Policy Framework (2021)	The Government's website www.gov.uk
Lincolnshire Minerals & Waste Local Plan (2016)	Lincolnshire County Council's website www.lincolnshire.gov.uk
East Lindsey Local Plan (2018)	East Lindsey District Council's website www.e-lindsey.gov.uk

This report was written by Marc Willis, who can be contacted on 01522 782070 or dev_planningsupport@lincolnshire.gov.uk

LINCOLNSHIRE COUNTY COUNCIL

PLANNING AND REGULATION COMMITTEE 4 DECEMBER 2023



Location:
 Land at Manby Airfield
 Off Manby Middlegate
 Manby

Application No: N/113/01243/23
Scale: 1:15000

Description:
 To construct a gas to grid anaerobic digester and
 fertiliser production facility