

Development Control Committee
Meeting to be held on 18 October 2023

Electoral Division affected:
Fylde West

Fylde Borough: application number LCC/2022/0065

Proposed Anaerobic Digestion plant including digester/gas holder and associated equipment, relocated flare, new earth banking/perimeter landscaping and underground gas export pipeline. Stanley Villa Farm, Back Lane, Weeton with Preese

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Brief Summary

Application - Proposed Anaerobic Digestion including digester/gas holder and associated equipment, relocated flare, new earth banking/perimeter landscaping and underground gas export pipeline. Stanley Villa Farm, Back Lane, Weeton with Preese.

Recommendation – Summary

That planning permission be **granted** subject to conditions relating to time limits, working programme, design of plant, water management, highway matters and landscaping.

Applicant's Proposal

The application is for an anaerobic digestion plant to be fuelled by harvested crops and animal manures together with potato waste from the adjacent food processing factory. The plant would operate by biologically treating these materials in the absence of oxygen using naturally occurring microbes to produce a biogas which can be supplied into the local gas distribution network. The plant would produce 350m³ of biogas per hour that would be exported from the site, and which is sufficient to heat approximately 3000 homes.

The total area covered by the new plant would be 2.29 hectares.



The development would comprise of the following elements:

- A digester/gas holder tank. This would be in the form of a domed structure with a maximum height of 13 metres and a diameter of 31 metres.
- Desulphurisation unit in the form of a tank measuring 15.6 metres in height and 3 metres diameter.
- Biogas upgrading unit – maximum height of 10.5 metres.
- Grid entry unit – in the form of a kiosk type building with a height of 3.1 metres.
- CO₂ recovery plant - approximately 7.5 metres in height by 6 metres diameter.
- Gas flare – 11 metres high by 2 metres in diameter finished in galvanised steel. This would be relocated from the existing anaerobic digestion plant.
- 2 x CO₂ storage tanks measuring 3.8 metres in height. These would be steel cylindrical tanks finished in white.
- 3 x Propane tanks measuring 2.55 metres in height. These would be steel cylindrical tanks finished in white.
- Separated liquid tank - measuring 9 metres in height by 6 metres diameter.
- Electrical kiosk – maximum height of 3 metres.
- Liquid feed tank - measuring 9 metres in height by 6 metres diameter.
- Solids feed hopper – a steel structure measuring approximately 3 metres in height.
- Pasteurization tank – measuring 7 metres in height by 6 metres diameter.

All of this plant would be contained within an earth bund approximately 3 metres in height. With the exception of the propane and CO₂ tanks and flare, all the plant would be painted either in olive green or midnight green.

The feedstock for the plant would comprise of imported chicken manure, silage/crops together with vegetable peelings sourced from the adjacent factory. The plant would require approximately 18,000 tonnes of feedstock per year generating around 1607 heavy goods vehicle (HGV) movements per year. There would be a seasonable pattern to some of these movements particularly those relating to crops/silage. Imported feedstock would be stored within a number of agricultural buildings on the site.

The feedstock is fed into the anaerobic digestion plant which comprises several stages but basically the organic components are broken down by bacteria in an anaerobic environment within the digester/gas holder tank to produce gas, liquid and solid products. The biogas produced is comprised of methane and carbon dioxide. The biogas is passed through a biogas upgrading unit which strips out the CO₂ leaving a methane rich gas which is then subject to a gas conditioning process to meet specifications for direct injection into the gas distribution network. The planning application includes proposals for the laying of a new gas pipe from the site to link into a nearby gas main.

A flare would be incorporated into the plant in the event that the gas cannot be fed into the main.

The CO₂ is stored for use in industrial and food preparation processes.



The liquid and solid end products are collected and would be stored in the existing digestate lagoons at the site pending use as an agricultural fertilizer. The export of these materials would give rise to approximately 2000 heavy goods vehicle (HGV) movements per year in addition to those associated with the importation of feedstock.

Description and Location of Site

The application is at Stanley Villa Farm off Back Lane approximately 1.3km east of Weeton and 3km north of Kirkham. Stanley Villa Farm is a former agricultural complex which now operates as a food preparation factory primarily for the processing of potatoes into chips and ready meal ingredients. The site is comprised of a range of agricultural and semi-industrial buildings over a site of around 5 hectares that house the production process. At the northern side of the site is an existing anaerobic digestion plant that produces electricity from the potato waste. The application site is located immediately to the west of the existing anaerobic digester on an area of part farm land and part screen mounding around the existing digester plant.

The site is surrounded by agricultural land on all sides. A number of residential properties are located off Back Lane to the east and north of Stanley Villa Farm. These include Kirkby's Farm 400 metres to the north east where there is also a touring caravan/campsite. Other properties are located off Back Lane itself 300 metres to the east of the application site.

Back Lane can be followed to the west for around 1.5km to reach Weeton Road. There are also a number of other residential properties along this section of road. To the east of the site, Back Lane or Greenhalgh Lane can be followed to reach the A585 but both routes are generally lower in standard in this direction.

A public footpath runs in a generally east-west direction approximately 60 metres north of the application site.

History

Stanley Villa Farm has a complex history of planning applications relating to the food preparation business on the site. Planning permission for the existing anaerobic digestion plant was granted by Fylde Borough Council in 2014.

Planning Policy

National Planning Policy Framework

The following paragraphs are considered to be particularly relevant: 8-11 (definition of sustainable development), 84 (supporting a prosperous rural economy, 111 (highway considerations), 130 (design), 158 (planning applications for low carbon energy, 167 (flood risk), 180 (biodiversity), 188 (planning and pollution control).



National Planning Policy for Waste

Joint Lancashire Minerals and Waste Development Framework (JLMWDF) Core Strategy Development Plan Document (DPD) and Minerals and Waste Local Plan

The plan period for both of these documents ran from 2006 until the end of 2021. As both plans are time expired, the policies in these documents may not carry full weight depending upon the topic and wording of each policy. Further comment on the weight to be attached to these policies is provided in the advice section of this report.

Core Strategy Policies

- Policy CS7 – Managing our waste as a resource
- Policy CS8 – Identifying capacity for managing our waste
- Policy CS9 – Achieving sustainable waste management

Joint Lancashire Minerals and Waste Local Plan (JLMWLP) policies

- Policy DM1 – Management of waste and extraction of minerals
- Policy DM2 – Development Management
- Policy DM4 – Energy from waste
- Policy WM3 – Local Built Waste Management Facilities

Fylde Local Plan to 2032

- Policy GD4 – Development in the countryside
- Policy GD7 – Achieving good design in development
- Policy CL1 – Flood alleviation, water quality and water efficiency
- Policy CL2 – Surface water run off and sustainable drainage
- Policy CL3 – Renewable and low carbon energy generation
- Policy ENV1 – Landscape
- Policy ENV2 - Biodiversity

Consultations

Fylde Borough Council: Whilst the Borough Council do not have any objections to the principle of the development, they are concerned about the landscape impact of the development which extends beyond the developed area of the existing site. The Borough Council consider that the low-level planting proposed will not provide appropriate screening for the development contrary to policies GD4 and CL3 of the Fylde Local Plan. If Lancashire County Council are minded to approve the application, it is requested that the landscape strategy be revised to include more substantial landscaping. If this can be achieved, the Borough Council would not raise objections to the application. Fylde Council also raise the need to undertake an environmental impact assessment (EIA) screening process for this development.

Weeton-with-Preese Parish Council: Recommend refusal of the application. There will be an increase in heavy goods vehicle (HGV) traffic and Back Lane is completely unsuitable for the existing traffic without further increases. The resurfaced section is already deteriorating and collapsing on the edges as there is insufficient width on the



highway to accommodate two vehicles when one is an heavy goods vehicle (HGV). The parish council will be happy to reconsider if the highway is upgraded to accommodate the traffic.

Greenhalgh Parish Council: Recommend refusal. The height of the buildings and their colour is considered to be unacceptable in a visual sense. It is also considered that there will be an increase in heavy goods vehicle (HGV) traffic and Back Lane/Greenhalgh Lane is completely unsuitable for existing traffic without further heavy goods vehicles (HGVs). Should the application be successful the parish council insist that the traffic should not pass through Greenhalgh and instead should use Weeton Road. The parish are also concerned about safety of methane storage and comment upon the extent of local consultation.

Environment Agency: No objection. The existing anaerobic digestion plant at the site operates under an existing permit. A new permit will be required for any additional plant.

Lancashire County Council Highways Development Control: No objection. Lancashire County Council Highways consider that the proposal will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. Highways comment that Bradshaw Lane is not suitable for heavy goods vehicle (HGV) traffic and the routing should be via Back Lane or Greenhalgh Lane. Highways consider that the proposed increase in vehicle movements is still not a significant increase as the rural lanes are lightly trafficked and vehicles with a high cab will be able to see oncoming vehicles and wait at an appropriate passing place. Highways have noted on their site visit that some damage to verges is evident but that this is expected with large agricultural vehicles. Whilst the proposal will generate more heavy goods vehicle (HGV) movements, the increase will not have a detrimental impact on highway safety.

Lead Local Flood Authority: Object as there is an absence of an acceptable surface water sustainable drainage strategy. The applicant has not demonstrated why pumping is required to drain the development site and the drainage strategy does not include an allowance for climate change.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Five representations objecting to the application have been received raising the following comments.

- There is a considerable volume of traffic using the lane already which is not wide enough for heavy goods vehicles (HGVs) and tractors to pass therefore destroying the verges. This leads to the drains being blocked by mud and then causing flooding issues on the highway. The heavy vehicles also cause the concrete around the manholes to break up requiring further repair at Lancashire County Council's cost.
- Back Lane is a country road and not designed for this sort of use.
- The amenity of the road is destroyed by the presence of heavy goods vehicle (HGV) traffic.
- If permission is granted for the additional digester, it will double the level of traffic to the site.



- If permission is granted it should be subject to conditions that the lane is widened and resurfaced so it can accommodate the type and volume of traffic proposed. These works should be at the applicant's expense.
- The applicant's highways assessment is not representative of the real situation.
- The storage of chicken manure will result in odour issues.
- The noise from the potato factory is already obtrusive.
- The existing landscape screening is ineffective.
- The visual impact of the new plant will be considerable as it is at a higher elevation than surrounding dwellings and the nearby footpath.
- The new plant will give rise to noise impacts.
- The development will require the importation of feedstock via a narrow road in a rural location only to export the gas offsite – the power plant is being proposed in the wrong location.
- The noise and odours from the existing digester already have detrimental impacts on tourists at a nearby caravan park.
- The development is out of character with the countryside.
- The operation at Stanley Villa Farm has outgrown its location and should move to another more suitable site.
- There is no requirement for a 2nd digester in terms of the existing potato factory. If the anaerobic digestion plant was located elsewhere on the Fylde, it would have the same benefits.
- This is a planning application for a power plant in the countryside and is an alien form of development due to its design.
- The development will be detrimental to existing tourism development.
- The proposal is contrary to planning policy.

County Councillor John Singleton has commented that there will be an increase in heavy goods vehicle (HGV) traffic and Back Lane was not designed for this type of vehicle. He comments that the resurfaced section is already degrading on the road edges as there is insufficient width for two heavy goods vehicles (HGVs) to pass and the verges are ruined by heavy goods vehicles (HGVs) passing on this road. He opposes this application until such time as the highway width is expanded.

Advice

The applicant operates a potato processing business at Stanley Villa Farm using potatoes that are grown on their various farm holdings around the Fylde area. The potatoes are processed into chips and other food products. The waste from this process (peeling, trimmings and off specification potatoes) are used in the current anaerobic digester on the site along with some imported rye silage, chicken manure and liquid feed. The current anaerobic digester on the site was approved by the Borough Council in 2014 and produces enough gas to run two combined heat and power units which generate 800 kW of electricity plus a 200 kWe biogas boiler. The electricity and heat produced is used to power the applicant's potato processing factory with any surplus electricity being exported to the electricity distribution network.

The current proposal is for an additional anaerobic digestion plant which would be slightly larger in scale than the existing plant. The approved dimensions of the



existing digester vessel are 25 metres diameter by 10.6 metres high whilst the new plant would measure approximately 31 metres by 14.3 metres in height. The feed stock for the new plant would be comprised of rye silage, chicken manure, potato peelings and trimmings, potato stock feed, liquid sugar and starch water. However, rather than using the biogas to generate electricity for on-site use, the methane gas produced would be exported directly into the grid via a new gas pipe. The digestate which is a 'waste' product remaining at the end of the digestion process would be exported for use as a crop fertiliser.

The applicant states that the gas produced would be sufficient to supply approximately 3000 homes. Although CO₂ would be produced when the gas is combusted, biomethane (that produced from organic materials rather than fossil fuels) is considered to be carbon neutral. This is because the carbon in the feedstock would be released back into the atmosphere in any event if it were not used to produce bio methane. The applicant states that the proposal would have further carbon reduction benefits as it enables the digestate to be used as a fertiliser rather than having to use fossil fuels to produce artificial fertilisers.

The applicant states that the proposal would also assist to reduce dependence on imported natural gas and would therefore help price stability and reduce fuel poverty.

Policy requirements

In terms of planning policy for renewable and low carbon development, paragraph 158 of the National Planning Policy Framework states that local planning authorities should not require applicants to demonstrate the overall need for such developments and should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. Paragraph 158 requires such projects to be approved if impacts are (or can be made) acceptable.

Policy CL3 of the Fylde Local Plan states that opportunities for renewable and low carbon development, including microgeneration, should be maximised whilst ensuring that adverse impacts are addressed satisfactorily including cumulative landscape and visual impacts. The policy states that proposed developments will be assessed in relation to the following criteria: cumulative impact, impacts on landscape and town scape and visual impacts, impacts on local residents, compliance with policy ENV2 (ecology), impacts on best and most versatile agricultural land, heritage assets, impacts on aviation, highway safety and flood risk and drainage. The policy states that applicants will not be required to justify the overall need either in national, regional or local context.

The proposal would generate a significant level of low carbon gas suitable for supply into the local distribution network and would meet the overall aims of paragraph 158 of the National Planning Policy Framework and policy CL3 of the Borough Local Plan. This should carry some weight in favour of the proposal.

However, it is necessary to balance the benefits of the proposal against the local plan policies relating to development within the countryside and local environmental impacts which in this case relate primarily to visual and highways impacts.



Policy WM3 of the Lancashire Minerals and Waste Local Plan deals with local built waste management facilities. The glossary confirms that the policy extends to anaerobic digestion plants. The Local Plan is now time expired, but some elements of the plan are still considered to carry some weight in particular the locational aspects of the policies. Policy WM3 states that local waste management facilities within the Fylde Coastal towns area will be supported on Whitehills Park. However, the policy does not specifically discount other sites being considered especially if there might be reasons for the choice of other locations relating to access to gas distribution infrastructure or proximate availability of feedstock.

Policy on developments in the open countryside

The key policy is policy GD4 of the Fylde Local Plan. This relates to development in the countryside. In terms of the issues relevant to this application, the policy states that development in the countryside will be permitted in the following circumstances:

- Where it is needed for the purposes of meeting local business and community needs, for the purposes of agriculture, horticulture or forestry or other uses appropriate to a rural area including uses which help diversify the rural economy. The development must be sensitive to its surroundings, must not have an unacceptable impact on local roads and should offer opportunities to make the location more sustainable.
- Development essentially needed for the continuation of an existing enterprise facility or operation of a type and scale which would not harm the character of the surrounding countryside.

The existing potato processing plant at Stanley Villa Farm has become established at a former farm site and is now a significant employer. The existing business is therefore an important source of rural employment. The existing anaerobic digestion plant was proposed in order to provide a source of renewable electricity that could be generated primarily from vegetable wastes sourced from the factory and hence support the overall financial viability of the plant. The applicant was therefore able to demonstrate that the plant was necessary to support an existing business operating in the open countryside.

The current proposal is for a second anaerobic digestion plant. However, in this case there are important differences in that the feedstock for the plant would primarily be from imported materials. Of the total annual input, approximately 17,590 tonnes would be imported in the form of chicken litter, crops and vegetable peelings with additional feedstock of approximately 4000t/year in the form of excess on-site potato wastes which the applicant states cannot be used in the existing anaerobic digestion plant. A large majority of the fuel for the process would therefore be from imported materials. The other important difference is that instead of being used to generate electricity for on-site use, the generated gas would be exported directly to the grid to supply general demand.

The applicant has stated that the income generated from the second anaerobic digestion plant would provide a continuation and steady baseline financial support for the potato processing business helping to even out large price variations due to weather and climatic issues and unpredictable market fluctuations. The applicant states that over 100 people are employed on the Stanley Villa site and therefore the



business is an important source of employment in the rural area. The proposal would therefore meet the objective of Paragraph 84 of the National Planning Policy Framework in terms of enabling '*the sustainable growth and expansion of all types of rural businesses*'.

Whilst the majority of the feed stock for the proposed anaerobic digestion plant would be imported to the site, it would all be agricultural in nature (such as maize, silage and chicken manure) much of which would be sourced from the applicant's own land holding. It would also enable the full utilisation of potato wastes arising from the onsite processing factory. Some of the materials that would be imported are already used in the existing anaerobic digestion plant, these being required in order to achieve a blend of different gas generating materials. The Stanley Villa Farm site is also located very close to a local gas distribution pipeline of suitable size and therefore the connection can be made at an economic cost.

Taking into account these considerations, it is considered that there is some justification for the location of this development in the open countryside.

Landscape Impacts

The second aspect of policy GD4 is that development must be of a type and scale which would not harm the character of the surrounding countryside. Development in the countryside must also be sensitive to its surroundings and not have an unacceptable impact on local highways.

In terms of landscape impacts, Policy ENV1 of the Fylde Local Plan requires that development must have regard to its visual impact within its landscape context and the landscape type in which it is situated. Development will be assessed to consider whether it is appropriate to its landscape character, amenity and tranquillity within which it is situated. In addition a landscaped buffer of appropriate depth and species is required for development within the countryside in order to limit the visual impacts, development proposals should ensure that existing landscape features will be conserved, maintained, protected and where possible enhanced through new planting and in the event of loss of landscape features, the impact should be minimised. There are also policy requirements in relation to new landscaping. In terms of general design of development, Policy GD7 requires that all development will be of a high standard of design, ensuring that local amenity will be protected, that the siting, layout design and landscaping of the development relates well to the surrounding context, being sympathetic to the surrounding land uses and avoiding demonstrable harm to the visual amenities of the local area and protecting existing landscape features.

The proposed anaerobic digestion plant would be sited to the rear of the existing factory complex at Stanley Villa Farm. The application site is currently occupied partly by agricultural land and partly by a screening bund that was constructed as part of the existing anaerobic digestion plant. The proposed development would not involve the loss of any existing landscape features although would require the existing bund to be relocated around the northern and western sides of the proposed site.



The existing anaerobic digestion plant is not readily visible from Back Lane being screened by the existing potato processing complex and also some existing woodland around the digestate lagoons. However, it is visible from several residential properties and a public footpath to the north where the existing landscaping has not been particularly successful in providing an appropriate degree of visual mitigation.

The main element of the proposal would be the digester vessel. This would be in the form of a domed structure with a maximum height of 14.3 metres and a diameter of 32 metres. This would be larger in scale than the existing anaerobic digestion plant. Adjacent to the main vessel would be a desulphurisation plant with a maximum height of 15 metres. The remainder of the plant would range between 11 metres and 3 metres with screening provided by relocating and extending the existing bund which would be maintained at its existing height of 3 metres.

The design of the proposed plant is by necessity functional. The form and appearance of the domed digester vessel and associated tanks would contrast with the large barn type structures normally seen on agricultural complexes in the countryside. Although the proposed anaerobic digestion plant would be higher than the existing plant, it would be largely screened from Back Lane by the existing farm and potato processing buildings. Without mitigation, it is likely that it would be more visible from locations to the north, particularly the public footpath and also the nearest houses. The applicant states that the proposed screen mounding cannot be increased in scale without importing additional materials. However, the landscaping (tree and shrub planting) has been reviewed and has now also been continued around the existing anaerobic digestion plant which in time will help to address some of the existing landscaping impacts which have been raised in representations. With the additional landscaping, it is considered that the proposal would not have an unacceptable visual impact and meets the objectives of policies ENV1 and GD7 of the Fylde Local Plan.

Highways matters

The other main issue relates to highway impacts. The applicant has produced a transport statement which provides information on the likely highway impacts of the proposal which would be generated by the importation of feedstock and export of digestate. The applicant states that the proposal would give rise to a further 1607 heavy goods vehicle (HGV) movements per year associated with the import of feedstock and a further 2095 heavy goods vehicle (HGV) movements per year associated with the export of digestate. The applicant states that these materials would all be transported using heavy goods vehicles (HGVs) as this would enable 25 tonne loads as opposed to smaller loads if carried using tractors and trailers. In terms of the digestate, this is considered reasonable as the applicant states that this would be delivered to farm sites around the north west where use of tractor and trailer would clearly be unfeasible. The applicant states that the proposed traffic movements from the new anaerobic digestion plant would represent approximately 10% of those currently generated by the Stanley Villa site.

The site is accessed via Back Lane which is a C class road. To the west this links with Weeton Road which is another C class road. To the east, Back Lane or Greenhalgh Lane which are both unclassified roads link with the A585. Back Lane is



generally a narrow country lane with grass verges and no footway provision and limited passing provision. Back Lane and Greenhalgh Lane east of the site access is particularly poor with limited width and some tight bends. Other than Stanley Villa, Back Lane serves a number of residential properties, several farms and a number of leisure/tourism facilities (camping/caravan sites and fishing lakes).

Lancashire County Council Highways have not raised objection to the application and consider that the development would not have an adverse impact on highway safety, capacity or amenity in the vicinity of the site. They comment that the increase in heavy goods vehicles (HGVs) would be on relatively lightly trafficked lanes where there is scope for such vehicles to see oncoming traffic and wait in an appropriate place. Notwithstanding the comments from Lancashire County Council Highways, it is considered that the highways serving this site are relatively constrained particularly this to the east of the site. The applicant has been asked to investigate the potential to carry out some highway improvements and has responded that they would be willing to fund some localised road widening/passing places on the section of Back Lane to the east of the site access. These works can be undertaken on highway land within the existing verge without removing any existing landscape features such as hedgerows. Whilst there does not appear to be excessive existing issues of verge over running on this section of highway, it is considered that such improvements would be beneficial as they would also mitigate some the existing traffic impacts of the Stanley Villa site and not just those arising from the current proposal. It is also considered that the applicant should be requested to implement some signage or other physical means to direct traffic leaving the site to only turn east towards Weeton Road therefore avoiding use of the least suitable highways. These matters can be the subject of a planning condition.

Other environmental factors

The application site has previously been disturbed as part of the construction of the existing anaerobic digestion plant. No features of ecological interest would be removed. The applicant has carried out a biodiversity net gain assessment and with appropriate landscaping on the screening bund together with a new 20 metre section of hedgerow, considers that an appropriate level of net gain can be achieved in area and linear based habitats. This is considered to be acceptable.

In terms of flooding/drainage, the site is located within flood zone 1 (area with lowest probability of flooding). However, the applicant has produced a flood risk assessment and drainage strategy. The applicant proposes to attenuate the additional surface water run-off from the site using an underground cellular storage facility prior to discharge into an existing drainage pipe. The Lead Local Flood Authority are not in agreement with the applicant's drainage strategy due to it requiring pumping into the existing drain and not providing an adequate allowance for climate change. It is considered that these matters could be addressed through a suitable condition and that they do not represent a fundamental objection to the application.

A number of local residents have commented on noise and odour/gas implications. The operation of the proposed anaerobic digestion plant should not give rise to significant noise impacts, particularly as, unlike the existing plant, it does not include any engine for the generation of electricity. In relation to odours/gas, the digestion system is fully sealed and there should be not risk of explosion or leak of gas giving



rise to odour impacts. Odours are possible particularly through the storage of feedstock such as chicken litter. Fundamentally the site would require a permit from the Environment Agency and the permit would contain controls on odour and noise including from storage of feedstock. Paragraph 188 of the National Planning Policy Framework states that the focus of planning policies and decisions should be on whether the proposed development is an acceptable use of land rather than the control of emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Taking into account these factors, it is considered that the impacts of noise and odour on local amenity would be acceptable.

Conclusions

The proposal would allow the generation of gas to supplement energy supplies from a low carbon source and would also produce an alternative to agricultural fertilisers produced from fossil fuels. The proposal would therefore meet a number of the Government's climate change objectives. The proposal would also help to support an existing rural business and the landscape, local amenity and highways impacts of the proposal are considered to be acceptable. The proposal therefore complies with the policies of the National Planning Policy Framework and the Development Plan.

Human Rights Considerations

In view of the scale, location and design of the development, it is considered that the development would not affect any convention rights identified in the Human Rights Act 1998.

Recommendation

That planning permission be **granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than three years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application and supporting statement received by the County Planning Authority on 20th September 2022.
 - b) Submitted Plans and documents:

Drawing FFF.969.3116.01 - Location plan
Drawing FFF.969.3116.03 - Proposed site plan



Drawing FFF.871-01-BMDR-003 - Rev B - Biomethane to grid plant site elevations

Drawing FFF.871-01-BMDR-004 - Rev C - Site elevations New BTG and AD

Drawing DR-C-0100 Rev P1- Drainage Strategy

Drawing 6941.01 Rev B - Landscape proposal

- c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan and policies GD4, GD7, CL1, CL2, CL3, ENV1 and ENV3 of the Fylde Local Plan.

3. No development shall commence until details of the level of the concrete slab forming the base of the anaerobic digestion plant have been submitted to and approved in writing by the County Planning Authority.

The concrete slab shall thereafter be constructed in accordance with the approved details.

Reason: In order to define the base levels of the development in the interests of visual amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

4. The items of plant and equipment comprising the anaerobic digester and ancillary equipment shall be painted in the colours shown on drawing 871-01-BMDR-004 Rev C within two months of completion of the construction of the development and thereafter retained in those colours.

Reason: In the interests of the visual amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

5. No development of the gas export pipeline shall take place until details of the following have been submitted to and approved in writing by the County Planning Authority: -

a) details including location, design and landscaping of any kiosk buildings or other structures required where the gas export pipeline joins the local distribution network.

b) details of any landscaping required to replace any hedges that are removed during construction of the gas export pipeline. The details shall include information on the numbers, species and sizes of replacement plants, planting techniques and protection measures.

Thereafter the gas export pipeline shall be constructed in accordance with the approved details. The landscaping works approved under b) shall be carried out in the first planting season following the completion of the development.



Reason: In the interests of the visual amenities of the area and to conform with Policy GD7 of the Fylde Borough Local Plan.

6. No development shall commence until a plan showing the contours and heights of the proposed mounding around the perimeter of the existing and proposed anaerobic digester site have been submitted to the County Planning Authority for approval in writing.

Thereafter no development shall take place until the perimeter mounding has been constructed according to the heights and contours shown on the approved details.

Reason: In the interests of the visual amenity of the area and to secure the adequate landscaping of the development and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

7. No construction development, delivery or removal of materials shall take place outside the hours of:

08.00 to 17.30 hours Monday to Friday (except Public Holidays)
08.30 to 13.00 hours on Saturday

No construction development, delivery or removal of materials shall take place at any time on Sundays or Public Holidays.

This condition shall not however operate so as to prevent the carrying out, outside of these hours, of essential repairs to plant and machinery used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 2 of the Lancashire Minerals and Waste Local Plan.

Highway Matters

8. No development shall commence until a scheme and programme of highway improvements has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall include details of the following:

- a) details of highway widening works on Back Lane between the site entrance and the junction with Weeton Road including details of the areas of carriageway to be widened and construction details.
- b) details of works to be carried out at the site entrance onto Back Lane to prevent heavy goods vehicles (HGVs) from the Stanley Villa Farm site from turning left out of the site onto Back Lane.
- c) The measures to be taken to inform all hauliers and contractors that the site should only be approached via Weeton Road, and details of



disciplinary measures should hauliers/contractors not comply with the approved heavy goods vehicle route.

- d) details of signage to be erected at the site exit informing all heavy goods vehicle (HGV) drivers leaving the site to turn right.

The measures contained in the approved scheme shall be implemented prior to the anaerobic digestion plant being brought into use and thereafter retained for the duration of the development.

Reason: In the interests on highway safety and local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Site drainage

9. Notwithstanding the submitted details, no development shall commence until a surface water drainage strategy for the site has been submitted to an approved in writing by the County Planning Authority. The drainage strategy shall include details of the following:

- a) details of the areas that will be hard surfaced and from where surface water will be captured.
- b) the measures to be taken to attenuate surface water drainage from the site. The measures shall ensure that surface water flows from the site are limited to the greenfield rate and shall provide an appropriate allowance for climate change in accordance with national guidance. The submitted details shall include calculations to demonstrate that the attenuation measures will meet these standards.
- c) details for the management of the drainage system including demonstration of why any pumping is necessary.
- d) details of the outfall/discharge point to a surface watercourse.

The approved drainage measures shall be constructed as part of the development and maintained in working condition at all times thereafter.

Reason: In order to regulate the discharge of water to existing water courses in the interests of flooding prevention and to comply with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Landscaping

10. Vegetation removal necessary to construct the gas export pipeline shall only be undertaken between 1 September and 1 March.

Reason: To protect nesting birds and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.



11. The landscaping proposals shown on drawing ref 6941.01 Rev B shall be implemented in the first planting season following the completion of the development and shall thereafter be maintained for a period of 10 years including replacement of failed plants, weed control, maintenance of protection measures and thinning works.

Reason: To ensure the proper landscaping of the site in the interests of the visual amenities of the area and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the County Council, as Highway Authority, must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2022/0065	October 2023	Jonathan Haine Planning and Environment 01772 534130

Reason for Inclusion in Part II, if appropriate

N/A

