

Development Control Committee
Meeting to be held on 6 December 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
(Appendix 'A' refers)

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Brief Summary

Application - 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.

Recommendation - Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, design of the development, hours of construction, highways matters, drainage details and landscaping.

Background

This planning application was originally reported to the meeting of the Development Control Committee on 18 October 2023. A copy of the report to that meeting is attached as Appendix 'A'.

At that meeting, the Committee resolved to defer consideration of the application to allow the Committee to visit the site. The site visit was held on 21 November 2023.

Advice

The purpose of this report is to update the Committee on further representations that have been received since the report to the 18 October 2023 meeting was prepared



and also to respond to various issues that were raised during the debate on this planning application.

Further representations: At the 18 October 2023 Committee meeting, presentations were made under the public speaking provisions by two local residents. The content of these presentations is set out in the minutes of that meeting which have been provided with this agenda. One of the issues raised concerned the extent of public consultation that had been carried out on this planning application in particular relating to residents on Greenhalgh Lane to the south east of the application site. As set out in the update sheet to the previous meeting, the original consultation involved advertisement by press and site notice with letter to 25 no. addresses located close to the site and along Back Lane given that this is the route that would be used by most of the traffic generated by the proposed development. The extent of consultation exceeded that required by legislation.

However, in order to respond to the issues raised by the resident, a further consultation exercise has been carried out, writing to an additional 14 addresses on Greenhalgh Lane. In response five additional representations have been received raising objection to the application and summarised as follows:

- Greenhalgh Lane and Back Lane are not suitable to support the increase in heavy goods vehicle (HGV) traffic. Both highways are single track roads that are not designed for such large vehicles.
- The heavy goods vehicle (HGV) traffic is dangerous for pedestrians, horse riders and cyclists as there is no footpath along Back Lane.
- In other parts of the county, speed limits are being reduced even where the roads are much wider and where there are no houses.
- The heavy goods vehicle (HGV) traffic is damaging to the highway structure including the sections of Back Lane which have recently been resurfaced.
- The use of large volumes of chicken manure in the plant will lead to high releases of gases such as hydrogen sulphide which will lead to odour issues, loss of local amenity and health impacts including bacterial and respiratory infections.
- Anaerobic digestion plants are often considered to produce green energy, but this is not the case when the fuel source is imported using diesel powered heavy goods vehicles (HGVs).
- Biogas installations have been stopped in other countries due to their dangerous nature. There are risks of fire and explosion and/or gas leakage.
- The existing business at Stanley Villa Farm is of industrial scale and has outgrown the site.

One other letter has been received supporting the application. The resident comments:-

- That green renewable energy schemes should be supported.
- There have been no issues with the existing anaerobic digestion plant at the site.
- The traffic impacts are acceptable as no heavy goods vehicles (HGVs) from the site travel along Greenhalgh Lane.
- There will be no visual impact.
- The development will create job opportunities.



The main issue raised relates to the highway/traffic issues. Since the meeting of the Committee on 18 October 2023, the applicant has proposed additional improvements to Back Lane between the site entrance and the junction with Weeton Road. These improvements are comprised of a section of localised carriageway widening (approximately 70 metres in length) to provide a minimum road width on this section of 5.5 metres. These works can be carried out within the highway boundary using existing verge without the need to remove any hedgerows or trees. In addition, there is a blind summit on Back Lane approximately 140 metres from the Weeton Road junction and it is proposed to provide 'SLOW' road markings on the east and west bound approaches to this summit to provide an additional traffic calming measure. The applicant has developed these highway improvements with advice provided by Lancashire County Council Highways. The response of Lancashire County Council Highways to these proposals is awaited and will be reported on the update sheet.

In relation to the other issues raised in the further representations:

- Chicken manure is only one of the materials that would be used to fuel the anaerobic digestion plant (approximately 35% of total inputs). The use of chicken manure to fuel the anaerobic digestion plant would be an alternative to land spreading such material as a fertilizer which can generate much higher odour potential. Chicken manure imported to the site as fuel would be stored within a building and its storage would be regulated by the permit that would be required for the anaerobic digestion plant to operate. It is considered that the proposed anaerobic digestion plant is far enough from residential properties to not result in a risk of health impacts arising from the use of agricultural waste as a fuel.
- In relation to greenhouse gas issues, it is the case that the majority of the feed stock would be imported using heavy goods vehicles (HGVs) powered by diesel. However, if the crops and animal wastes to be used as feedstock are not transported to Stanley Villa Farm, it is likely that the materials would be transported by road to other sites either for use as fertilizer or animal feed. The applicant has indicated that the gas produced by the anaerobic digestion plant could be used in future as a fuel for the heavy goods vehicles (HGVs) associated with their food production business therefore replacing the use of diesel fuel.
- The biogas would be stored within a sealed vessel. There is a considerable separation to the nearest houses (at least 400 metres) and therefore it is considered very unlikely that there would be any unacceptable safety risks to local residents. There is no UK Government guidance that stipulates a minimum distance between such plants and other development.
- The other issues raised are similar to those that have been raised by other residents and which were addressed in the report to the 18 October 2023 Committee.

In view of the location, design and impacts of the development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.



The proposal is considered acceptable in relation to the policies of the Development Plan and other material considerations.

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 20 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-BDMR-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 and road signage 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 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 improvement of 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. Before any works to the access commence you should contact Lancashire County Council Highways quoting the planning permission reference.



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

