HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Regulatory Committee
Date:	24 November 2010
Title:	The construction of an anaerobic digester including lagoons, feedstock handling building and gas conditioning unit on the existing brickworks site and adjacent land to enable the production of sufficient biomethane to supply all the energy that the brickworks require, all vehicle movements associated with the operation of the Anaerobic Digester plant will use access road across Chapel Farm from Oakhanger Lane that has the benefit of planning permission at The Selborne Brickworks, Honey Lane, Selborne, Alton, Hampshire GU34 3BS (Application No: 20661/045) (Site Reference: EH015)
Reference:	2335
Report From:	Head of Planning and Development

Contact name: Katherine Snell

Tel: 01962 845938 **Email:** katherine.snell@hants.gov.uk

1. Executive Summary

1.1. This application is for the construction of an Anaerobic Digester (AD) at the Selborne Brickworks, Honey Lane, Selborne, Alton. The development includes lagoons, feedstock handling building and gas conditioning unit on the existing brickworks site and adjacent land to enable the production of sufficient biomethane to supply all the energy that the brickworks require. All vehicle movements associated with the operation of the AD plant will use the access road across Chapel Farm from Oakhanger Lane that has the benefit of a separate planning permission. The proposal involves significant earth movement, additional buildings, advanced waste treatment technology and an increase in vehicle movements.

1.2. A previous application (No.20661/044) was withdrawn on 3 August 2010 and the current proposal only differs from the earlier one in that it proposes the use of an alternative access and access road to address the highway concerns that have been raised.

1.3. The current application was deferred at the Regulatory Committee meeting of 27 October for further information clarifying: the impact of the AD plant

on the environment; plant technology; the origins and amount of feedstock for the plant and associated vehicle movements; procedures in the event of an emergency; gas storage issues and; land use matters.

1.4. The main issues arising from the application are the: visual impact on the countryside; location and the proximity of the South Downs National Park (SDNP); the proximity of nearby houses gives the potential for amenity disturbance to residents; impact on the local highway network and; land use . The sustainability and renewable energy benefits of the proposal also need to be considered.

1.5. The access road as permitted under No. F.20661/039/CMA is within the SDNP and covers a distance of approximately 1,000 metres. It is planned to be used by the AD traffic, to overcome highway objections. Concerns have been raised over the legality of the access road, but it is advised that the relevant planning permission is extant as the relevant 'pre-development' conditions have been discharged and it has been partially implemented. There are no restrictions on the road being used by the proposed AD,, subject to the conditions and highways agreements of permission F.20661/039/CMA being met in full.

1.6. The AD would contribute to renewable energy objectives, reduce carbon and demand for landfill. It also implements new green technology in accordance with Planning Policy Statement 22: Renewable Energy (2004) Key principle (i, iv)). The application also accords with the aims of policy S5 (Capacity Requirements for Recycling, Composting and Recovery and Treatment) and policy DC13 (d, f) of the Hampshire Minerals and Waste Core Strategy (HMWCS), as it uses waste as a direct energy source (gas) for the adjacent brickworks, which in turn will provide waste heat to the AD. The development would not sterilise the clay resource in the area as required in policy S15 of the HMWCS and the proposal offers potential economic development as seen in the East Hampshire District Local Plan: Second Review (March 2006), Policy IB3.

1.7. It is also considered that the proposal is in accordance with other policies of the HMWCS, as it would not materially harm the character of the area (DC3) or prejudice the purpose of the nearby South Downs National Park (DC2) as the development is sited adjacent to industrial buildings and will not have a significant visual impact.

1.8. The amenity of residents, countryside users and the local physical environment would not be harmed (DC8, DC7 and DC10) as there is not anticipated to be any harmful pollution, amenity or ground water health or odour impacts associated with the development. The proposal would be acceptable in terms of highway safety and convenience (DC6).

1.9 It is recognised that the development is not strictly in accordance with Policy DC13 (b), as part of the application is on land that does not meet the definition of previously developed land (PDL) as set out in Planning Policy Statement 3 (PPS 3) June 2000. However, this policy point is not of

sufficient significance to outweigh the many merits of the application. Overall, the application accords with the development plan and permission is recommended accordingly.

2. Site and Planning History and Proposal

Site

2.1. The site comprises 2.04 hectares and comprises land and buildings that are within a long established brickworks. The proposal would cover an area of approximately 4,409m² (including the lagoons). There is currently 6,197m² of buildings for the brickworks, so this proposal increases the existing footprints of built structures by 71%. The brickworks is capable of making bricks and tiles from clay potentially available from the adjoining land owner. The works are capable of providing approximately four million bricks per annum. The brickwork access is via Honey Lane, with two vehicle entrances and does not have a limit on the amount of vehicles allowed to enter the brickworks. However, the AD plant proposal seeks to use the access road as permitted under 20661/039/CMA and not Honey Lane.

2.2. The nearest dwellings are 'Kiln Cottage' and 'Ajax', approximately 30 metres from the edge of the application site to the south of the proposed lagoons and buildings. Lavenders and Upper Oakwood are directly south of the lagoons by approximately 100 metres.. A row of trees run north to south, within 20 metres to the west. The boundary of the South Downs National Park is within 20 metres to the west and is adjacent to the site on all sides. There is a Site of Importance for Nature Conservation (SINC) approximately 634 metres to the north-east. There are within 180 metres of the proposed lagoons some ponds to the north, which have ecological value for wildlife (Great Crested Newts). To the east is an area known as the Backland Plantation. Immediately adjacent to the west is farmland, Agricultural Class 4 (not best and most versatile quality).

2.3. The site is underlain by mudstone and clay over a principal aquifer known as the Folkstone Formation. Accordingly, the site is in a highly sensitive location for the water environment as groundwater levels may be very near the surface. Within the Oaklands-Oakhanger-Southlands Source Protection Zones are two public water supply boreholes at 280 metres north east and 380 metres east of the site boundary.

Planning history

2.4. The site has been used for brick production since planning records have been kept. The Waste Planning Authority (WPA) has granted permissions since 1980 for clay extraction, landfill, waste recycling, new buildings and a new haul road. The land is identified as countryside in the local plan (East Hampshire District Local Plan: Second Review 2006). However, the land within the built area of the application (to the east) is regarded as developed land (brownfield) due to the previous land uses. The land where

the proposed lagoons would be situated (to the west) is technically not PDL as it was a former clay pit restored with inert waste to agriculture.

Proposal

2.5. The applicant seeks permission for the construction of an anaerobic digester (AD). This particular design uses lagoons to house the vessels that contain the digestate material and a feedstock handling building will house the maceration and pasteurisation process plant. The annual throughput is estimated to be 22,750 tonnes of food waste and farm yard manure (see Appendix 2). The delivery and manual working hours would be limited to Monday to Friday 07.00 to 18.00 and 0700 to 1230 on Saturdays. The AD would be in operation 24 hours. There is onsite storage for 600 tonnes of waste at any one time (about two weeks worth).

2.6. The AD process would produce biomethane gas that needs to be cleaned before using at the Brickworks or pumping into the National Grid. All the vehicle movements associated with the operation of the AD will use the access road across Chapel Farm to Oakhanger Lane. The proposal is described below under the following headings: waste processing; lagoons, gas generation; access and landscaping.

2.7. The brickworks site currently includes approximately 6,197 m^2 of built floor space. The proposal would produce another 1,295 m^2, an increase of approximately 20%. The existing chimney is 18 metres high and the proposed separation towers as part of the gas conditioning units are 12 metres high; a difference of five metres. The exiting large store shed on site is 11 metres at its highest point and the proposed process shed would be 10 metres high.

Waste processing

2.8. It is proposed to import farm yard manure (FYM) and food waste. The annual throughput is estimated to be 22,750 tonnes, as this would supply the optimum waste stream to feed the digester which has been designed to produce 200m^3 biomethane/hour (the operational brickworks requirement of energy). It is best practice to run the operation to this figure, otherwise the pH of the process changes and the gas production slows. FYM is not a major contributor to gas yield, but its virtue is in providing additional bacteria. The plant anticipates taking up to 2,500 tonnes slurry/FYM per annum. The bulk of the waste to be imported is food, which is to be predominantly domestic food scraps, but some shop waste may be included.

2.9. The food waste and FYM would be tipped from enclosed delivery vehicles into the process shed which is fitted with a bio-filter and run under-pressure to prevent odour escaping. The plant is to be built with a de-packing stage, which sorts out the material in case of packaged waste and accidental finds (such as dropped cutlery). The separated packaging will be compacted and put into containers, which are to be collected when full by waste operators.

2.10. The waste is fed via a mechanical loader into a macerator and then it enters a hermetically sealed process. All fluids are moved round the system by submerged electric pumps – which are broadly similar to concrete pumps and powerful enough to move both the feedstock and the digestate. Again, as it is sealed, no odour can escape. This material is passed to the anaerobic digestion vessels within the lagoons.

2.11. Here the waste is agitated and digested through the anaerobic process water warmed by waste heat from the brickworks. This process produces gas and liquid. These products are pumped back into the process shed and separated from each other. It emerges from the digestion process within the sealed system as odourless, pasteurised digestate or as gas, to be burnt in the brickwork kilns. The remaining digestate is in solid, liquid and water form. A series of presses will remove half of the dry matter as solids, ie 900 tonnes per year. The liquid is pasteurised to 70 degrees Celsius to extract the solid matter and produce a solid digestate (fertiliser to PAS110 standard). The liquid residue is stored in sealed containers before exporting off site. The water is potable and can be either discharged to a water course or pumped to irrigation storage for use on fields. The separated solid digestate, which is akin to the finished material on green waste composting sites will be moved via either a conveyor belt or Archimedes screw. This is then stored on-site before being collected by vehicles dropping off food waste or by the agricultural vehicles depositing the FYM from neighbouring farms. The digestate will be spread on agricultural land or used as cattle bedding. This process is outlined in Appendix 4, as a flow diagram.

2.12. All these activities will take place to the east of the site (see attached plan) and comprise:

(i) a process shed (houses macerators, pasteurisers and mechanical loader) 50 metres x 40 metres x 10 metres;
(ii) feedstock storage tanks and bunds 25 metres x 11 metres x four metres;
(iii) digestate storage tanks and bunds 11 metres x 11 metres x four metres;
(iv) solid digestate shed 10 metres x eight metres x seven metres;
(v) two x propane storage tanks (of 4000 litres each) 4.5 metres x 1.5 x three metres; and
(vi) weigh bridge 15 metres x two metres x 0 metres.

2.13. A visitor centre is proposed in the application. This would not involve any additional building, as reception and toilet facilities are present in the brickworks office. There are 13 existing car parking spaces which will can be used.

2.14. All the plant would all be automated (except for the mechanical loader). In the event of failure, an alarm would be sent to the operator.

2.15. The actual emergency operating procedures are produced by the installers of the plant, however, the design of the AD plant is planned to prevent blockages from occurring in the first instance. All feedstock is chopped to 2 millimetres (some AD plants accept 20 millimetres particles) which prevents particles building up and blocking a rotating blade. In this proposal there is no blade to be blocked anyway. In the unlikely event of a blockage, each vessel can be controlled independently and emptied into other spare vessels through water pressure. Other key emergencies that are planned for are:

(i) power failure: all pumping stops, gas continues to be produced and is diverted to the flare. All automatic and fail safe. Upon return of supply, plant automatically returns to routine production;

(ii) pipe rupture: the rupture is detected automatically (thorough loss of pressure and/or leak detectors in the pipeline conduit). All pumping to the pipe stops. Gas diverted if necessary, as per power failure. If the rupture is in a case pipe then that section of pipe is shut and gas diverts to the flare;

(iii) digester vessel rupture: detected by leak detector. All pumping to vessel stopped. Digestate pumped out to feedstock storage, to be re circulated. Digester repaired and operations continue.

Lagoons

2.16. The two lagoons housing the digester vessels have multiple roles:

(i) to provide support to the tanks. The feedstock density is almost the same as that of water. This means that the structural load on the tanks is near zero. This in turn allows the tanks to have sophisticated shaping without large amounts of structural support;

(ii) to provide a method of maintaining digestion temperature. By holding the lagoon at 38 degrees Celsius heat loss is reduced from the digestate, thereby ensuring efficient digestion; and

(iii) to act as a thermal buffer, increasing the thermal mass of the digester thereby easing the variation in temperature.

2.17. These lagoons would be housed approximately three metres below the current ground level and would be heated by directing the heat from the kiln exhaust. The creation of the lagoon will generate spoil, which will all be used in the creation of the bunds around the sides and incorporated in the site development. There is no spoil to be exported. The volume to be excavated has been calculated as follows:

(i) Lagoon: 3m x 3om x 40m =3,600m^3;

(ii) Lagoon slope: (1/2 x 3m x3m) x (30m +30m+ 40m + 40m) = 630m³; and

(iii) Creation of bund volume: ((3m x3m) + (3m x 7w)) ((30m + 30m + 40m +40m) = 4,230m³.

2.18. The lagoons are located in the PDL to the west of the application site and comprise:

(i) two x lagoons 40 metres x 30 metres x 3 metres (three metres above ground level) each (cover a total area of 105 metres x 60 metres x 6 metres);

(ii) AD vessel tank is 5 metres x 4 metres x 3 metres;

(iii) six rows of eight AD tanks in each lagoon;

(iv) lagoon to be created via excavating old clay pit that has been infilled with inert material;

(v) gas flare; and

(vi) 2 x 2 metre high green weldmesh fencing (around whole operational areas).

2.19. It is suggested by the applicant that there is no other alternative to siting the lagoons nearer to the AD plant and the brickworks. The land to the north east of the application site is constrained by power lines that run above and below ground. There are risks to the water resources as the Gault Clay liner is more sensitive in this area. In addition, the area to the east are used for clay storage for the brick works and moving the lagoons here could compromise their operational viability of the existing works. Furthermore, the clay reserves could be sterilised by relocating the lagoons and this is not desired. Finally locating the lagoons on this area would result in a more prominent visual impact as they would be on a slope to the north.

2.20. The lagoons would not be visible from outside the site due to the existing land forms and screening (see attached Site Plan with Photo Viewpoints A-E in Appendix 3). The existing bunds to the south of the lagoons, act as a screen, and are approximately two metres high sit on land that rises up to three metres higher than the ground level to the south. This is further screened by existing dense evergreen planting to the south, between the houses and the bunds. The lagoon will also have an insulation cover that would be rigid and thick enough to withstand any animal trespassing through the security fencing. This will protect the vessels and water.

2.21. Additional planting of oak and hazel trees is proposed around the lagoon area.

Gas generation

2.22. The resulting biomethane gas from the AD is pumped directly from the tanks in the lagoon to be filtered, monitored, colour added and then injected into the brickworks or the National Grid via the new operational huts. The associated gas production has a processing limit. The gas cleaner has a limit of 300m³ per hour. Increasing flow above this would require a larger or additional unit. During periods of demand of less than 200m3/hour, surplus gas will be injected into the grid. During periods of demand of over 200m3/hour all the gas produced will be used in the works, with the shortfall being drawn from the grid. Over any long period of operation all the gas produced will be used in the kilns. The anaerobic digester also require heat and it is proposed that this will come from the kiln exhaust, which means that the AD will not be able to run efficiently without the kilns operating. The linking of the AD plant to the kiln exhaust is fundamental to the entire project.

2.23. There is a requirement to store propane on site to manage calorific value of gas injected into mains. The quantity stored is under 12,500 kilograms (25,000 kilograms is The Control of Major Accident Hazards [COMAH] Regulations limit.) The gas line from the digesters to the units will run at domestic gas pressure (110mb). The gas hut extension is to allow an upgrade of the existing valve, to function two ways. The detailed design of the connection of the AD plant pipes to the gas conditioning units and onward is being performed by Scottish and Southern Energy, the local gas network operator and so it will be built to their standards and installed by suitably qualified domestic gas fitters. No specific certification is required, although the entire construction will be covered by the Construction Design and Management (CDM) Regulations.

2.24. The applicant states that the plant will be built to a number of industry standards to cover all the elements of the process, these include; Heath and Safety Executive HSG150 (Health and safety in construction) and HSG43 (Industrial robot safety), the BS4250 (Specification for commercial butane and commercial propane) and LPGA Code of Practice 1 (Bulk LPG Storage at Fixed Installations).

2.25. The gas plant is housed to the east, adjacent to the building and Honey Lane and comprise ;

(i) two x gas conditioning units seven metres x 2.5 metres x 12.3 metres;

(ii) propane injection three metres x three metres x 3.4 metres;

(iii) analyser hut three metres x three metres x 3.4 metres; and

(iv) gas hut extension 3.9 metres x 3.8 metres x three metres.

Access

2.26. Farmyard manure/slurry is to be brought from neighbouring farms via the access road. As mentioned above, the access road has been permitted under planning permission F.20661/039/CMA and been implemented to the satisfaction of the WPA, although not yet completed. Initially the manure will come from Chapel Farm, which produces up to 2,500 tonnes per year. This expected to be in agricultural vehicles such as open trailers, and will collect fertiliser (solid digestate), but not involve any road usage. If other local dairy or beef farms want to send their manure then that will be pumped, and thus not create road movements.

2.27. A minimum of 40 lorry loads per week would be required to supply the AD with material (see Appendix 2) in three or four axle container lorries, which can be seen everyday on the highway network carrying waste. Approximately one tanker will be used per day to export liquid digester and there may be an additional lorry movement a week on the highway network, to export any packaging of imported waste from the site. This results in approximately 100 vehicle movements per week on the road network. This would be in addition to the lorry traffic associated with the brickworks.

Landscaping

2.28. The proposal would involve the loss of 2,400 m^2 of low quality habitat by being turned into a lagoon but mitigated by the following measures:

(i) 1,280 m^2 of grass/wildflower plantation on the lagoon bunds;

(ii) 900m^2 of grass/wildflower plantation on the tops of the bunds;

(iii) 1,500 m^2 of grass/wildflower plantation between the fences;

(iv) 300 metres of new hedges; and

(v) 1,300 m^2 mixed woodland.

2.29. The proposal is not an EIA Development under the Environmental Impact Assessment Regulations 1999 and an environmental statement has not been submitted.

3. Development plan and other planning policy

3.1. The South East Plan comprises waste policies that inform the preparation of waste development documents. In the light of the Government's intention to revoke regional spatial strategies limited weight should be given to the South East Plan. Other parts of the development plan, the HMWCS and EHDLP, are the more relevant to the determination of this application.

3.2. The most relevant policies from the Hampshire Minerals and Waste Core Strategy (HMWCS) DPD (2007) are:

(i) S3 – Net Self-Sufficiency

(ii) S5 - Capacity Requirements for Recycling, Composting etc.;

(iii) S15 – Sterilisation of Mineral Deposits

(iv) DC2 - Sites with International and National Designations;

(v) DC3 - Impact on Landscape and Townscape;

(vi) DC6 – Highways;

(vii) DC7 – Biodiversity;

(viii) DC8 - Pollution, health, quality of life and amenity;

(ix) DC10 - Water Resources

(x) DC13 (b, f)- Waste Management and Recycling (including Aggregate Recycling Facilities).

3.3. The East Hampshire District Local Plan (EHDLP): Second Review (2006):

IB3 Industrial and Business Development in the Countryside.

3.4. Planning Policy Statement 22: Renewable Energy (August 2004): Key Principles (i) and (iv).

3.5. National Infrastructure Plan 2010:
‘1.3 The Government aims to provide an endowment for future generations by building the foundations of a growing, low carbon economy. The UK must meet ambitious targets to reduce greenhouse gas emissions by 34 per cent relative to 1990 levels, with 15 per cent of energy from renewable sources by 2020.’
‘4.10 A low carbon supply base of energy and long-term reduction in the dependence on imported hydrocarbons; the expansion of technologies such as anaerobic digestion to produce heating gas from sewage, industrial, commercial, residential and farm waste;’

3.6. The Coalition Agreement May 2010 (support of cut carbon emissions, decarbonise the economy and support the creation of new green jobs and technologies).
“We will introduce measures to promote a huge increase in energy from waste through anaerobic digestion.”

3.7. Secretary of State’s Speech to Future Source, “Waste – New thinking for a new economy”, 15 June 2010.

"Finding ways not just to use less energy, water and natural resources – but by using the waste we do produce as the valuable raw material it actually is.
"To do this we need to start thinking now about our future infrastructure needs, including greatly increasing our anaerobic digestion capacity."

4. Consultations

4.1. **The local Member, Councillor Kemp-Gee,** has raised objection due to the anticipated adverse impacts to the countryside, local highway network, the purpose of the South Downs National Park, local wildlife, protected species, the principle chalk aquifer and local residents. The proposal is believed to be contrary to the Minerals Plan. The security of linking the AD proposal with an operating brickworks is uncertain and a reason for concern.

4.2. **Environment Agency** has no objection to the development, subject to a number of conditions relating to the potential for contaminated land: risk assessment, site investigation scheme, options appraisal and remediation strategy, verification report and plan, sampling and monitoring evidence. A surface and foul water scheme and restriction of piling locations are also recommended as conditional requirements.

4.3. **Highway Authority** has no objection subject to the following three requirements:

(i) haul road and off-site highway requirements of planning permission 'F.20661/039/CMA' have been completed to the satisfaction of the WPA;

(ii) Heavy Goods Vehicles (HGVs) associated with the permitted use shall only enter and exit the site via the haul route and C176 Oakhanger Road towards/from Bordon; and

(iii) there shall be no more than 110 tonnes of material per day transported to the site for purposes pursuant to the planning permission.

4.4. **Natural England** has no comment, however, they "would expect the Local Planning Authority to assess and consider the possible impacts resulting from this proposal on protected species when determining this application".

4.5. **South Downs National Park Authority** recognises that there would be some benefits to waste reduction and use of the heat to sustain the brick works operations. They raise concerns as to the use of the access road as it passes through the SDNP in part and intersects two public rights of way, but do not object as long as the WPA is satisfied that there will be no harm

arising from the proposal. If permission is granted, conditions relating to the lorry movements, external lighting, the noise and odour produced, external finishes and planting should be imposed.

4.6. **CPRE Hampshire** has no comment.

4.7. **East Hampshire District Council** advises on the information available the development is likely to give rise to significant environment harm to the amenity of the occupiers of neighbouring properties. The development would also cause demonstrable harm to the character and appearance of the countryside, and adversely affect the intrinsic quality of the South Downs National Park. The development is therefore contrary to policies GS1, GS3, HE1 and IB3 in the Local Plan, policies S1, S7, DC1, DC6, DC8 and DC13 in the Minerals and Waste Core Strategy, Planning Policy Statement 7, and Department for Environment, Food and Rural Affairs (DEFRA) Circular on English National Parks and the Broads dated March 2010.

4.8. **Environmental Health Officer - East Hampshire District Council** has no objection subject to conditions on the following points: odour, noise, pest control, wheel washing. In addition, the AD plant cannot be operational unless it is clearly contributing to the operation of the brick works.

4.9. **Ministry of Defence - RAF Odiham** has no objection.

4.10. **Selborne Parish Council** raises objections of the grounds of:

(i) increased traffic movement on unsuitable roads;

(ii) increase in noise pollution;

(iii) light pollution from the flare;

(iv) odour pollution through transit of waste on/off site;

(v) the link between the existing operations and the proposal is not verified and do not need to be co-located;

(vi) change of use from farm land to waste operation next to the South Downs National Park;

(vii) the proposal “should not be judged against the County Council’s Minerals and Waste Plan”;

(viii) the amount of locally produced manure is questioned;

(ix) the spreading of the end product on land;

(x) the risk of leakage and contamination from the lagoons;

(xi) "the access road does not have permission or a link to the highway"; and

(xii) "the access road crosses a number of footpaths".

4.11. **The Oakhanger Preservation Society** objects due to the following reasons:

(i) the location of the proposal is not near a major road network, but in a rural area adjacent to the SDNP;

(ii) the local road network is unsuitable and would be damaged,

(iii) there would be noise, dust, smells and general disturbance and;

(iv) despite 22,700 tonnes of food waste being brought in, the gas will be directed into the national grid and not directly to the brickworks.

4.12. **South East Water** has no objection subject to the implementation of adequate controls on waste handling and water monitoring.

4.13. The **Heath and Safety Executive** has been notified of the proposal but not made any comment.

4.14. **Hampshire Fire and Safety** has been notified of the proposal but not made any comment.

5. Representations

5.1. As at 14 July 2010 nine letters of support had been received referring to:

(i) renewable energy;

(ii) reduction of carbon (32,000 tonnes);

(iii) possible reduction of landfill (15,000 tonnes per year of food waste diverted);

(iv) potential economic development;

(v) application of new green technology; and

(vi) potential educational benefits.

5.2. As at 14 October 2010 up to 80 letters of objection (including one of the four nearest houses) had been received concerning:

(i) location of waste operation in rural location and proximity of houses;

(ii) application linked to existing use;

(iii) visual intrusion;

(iv) proximity of South Downs National Park;

(v) environmental pollution;

(vi) flood risk;

(vii) noise;

(viii) odour;

(ix) air quality;

(x) highways safety and amenity;

(xi) the validity of the access road planning permission; and

(xii) the completion of the junction of the access road onto the highway.

5.3. At the October meeting of the Regulatory Committee a number of deputations were received that covered the following points:

(i) Relevance of policy S14 (Safeguarding of Existing Development) from the HMWCS;

(ii) Brickworks an unsuitable location for an AD;

(iii) Concerns about smell, noise and intrusion to nearby neighbours;

(iv) Site not been identified in the County Plan and didn't anticipate the kilns producing enough heat to sustain the lagoons;

(v) Procedural errors with the application;

(vi) DC13 stated that the anaerobic digester could not go on a restored mineral and waste site;.

(vii) Possible water pollution and harm to the countryside and South Downs National Park; and

(viii) Traffic.

Members queried the propane storage close to the road and whether any checks had been done with regards to health and safety.

6. Site Visit

6.1. Eleven Members of the Committee, Councillors Allgood, Mrs Bailey, Beagley, Carter, Joy, Mrs McEvoy, Neal, Pearce, Mrs Porter, Price, with

Councillor McIntosh in the Chair, undertook a site visit on 12 July 2010 to view the site.

6.2. It was confirmed that a proposal had been received for the construction of an anaerobic digester including lagoons, feed stock handling building and gas conditioning plant on the existing brickworks site and adjacent land to enable the production of sufficient biomethane to supply all the energy that the brickworks require at the Selborne Brickworks.

6.3. It was confirmed that food waste would be emptied into a sealed process building and it would then go through several processes whereby gas and liquid energy was produced and the gas energy sold to the National Grid. It was also confirmed that bricks were not currently being produced on the site due to low demand, but that the energy sold to the National Grid would be bought back at a reduced rate when the works became operational again. The connection to the gas main was close to the road, some of the smaller buildings and equipment would need to be housed near there to complete the final process before going to the National Grid.

6.4. Members were shown the current large building on the site and it was confirmed that the new proposed building would be slightly smaller, although the same height. It was confirmed that lorries would drop off the food waste and then be washed down before leaving the site. Lorries would use the entrance along Honey Lane and although there was a farm track on site, this would not be used by the lorries and there was no public access via this track onto the site.

6.5. The lagoons would be housed approximately three metres below the current ground level in an area of the field currently filled with inert waste. Although no emissions had been detected from this area from the waste the applicant would be required to take over responsibility for monitoring this area if the proposal were to go ahead.

6.6. It was confirmed that although several footpaths surrounded the nearby areas, the buildings and site would not be clearly seen from any of them. There are a few parts of the Hangers Way footpath in the South Downs National Park that may overlook parts of the site, but it was anticipated that this would only be the uppermost part of some of the roofing.

6.7. Members requested photos of the views of the site from Hangers Way and also details on the vehicle movements and routing around the site in the final report.

7. Commentary

7.1. The County Council as Waste Planning Authority is required under the Town and Country Planning Act to determine planning applications in accordance with the development plan and other material considerations. The following paragraphs assesses the application in relation to relevant

topics covered by the development plan (references to HMWCS unless otherwise stated) then takes into account other material considerations. It finally addresses matters that are not relevant planning considerations or are matters of limited weight.

Land Use (DC 13)

7.2. Although the proposed development is located within the countryside - as the East Hampshire District Local Plan indicates – it is largely a site on previously developed land and is compliant with policy DC13. However, it is recognised the lagoons fall within land previously dug for clay and in filled with inert spoil. Under Planning Policy Statement 3: Housing (PPS3) June 2010, this does not fall under the definition PDL. However, it is difficult to argue that this can be a justification for concluding the development overall is a departure from the development plan. The different elements of the application are all closely linked as one planning unit. It is also noted that the surrounding rural land provides a source of FYM and provides a green land bank to spread the associated digestate and water as a fertiliser and irrigation source. Furthermore the symbiosis of the plant with the existing brickworks and AD plant is further evidence of a good land use fit. On this basis the inevitable conclusion is the development complies with DC 13 (d, co-located with complementary activities).

7.3. There has been a number of references to the application being directly linked, or not, to the existing brickworks. However, the gas is expected to be used directly by the brickworks and the brickworks would also provide the heat for the lagoons in accordance with HMWCS - DC13 (f, recovery and treatment sites energy will be generated and used and the by-products, including heat, will be reused or recycled). As the primary justification of the location of the proposal is given to be the financial support of the brickworks, it is suggested and reasonable that the co-dependency of the proposal and the brick works be clearly linked by way of planning conditions. In essence this would mean that the AD plant cannot operate unless the brick works remain, providing the industrial location and contextual setting of buildings and activity. If there is a period of non-activity at the brick works, this may be considered as a trigger for the AD plant to cease work. If the AD plant is redundant, then it would need to be removed and the land reinstated to it’s former condition.

South Downs National Park (DC2))

7.4. The SDNP is immediately adjacent to the site. This has given rise to many concerns over the potential impact of this proposal on to the SDNP’s designation and visual intrusion in general. However, the South Downs National Park has been consulted and raised no objection, subject to the amenity, landscaping and highways concerns are addressed sufficiently and the waste activity is linked to the brick works.

Visual impact and Landscape (DC 3)

7.5. There are a number of footpaths in the region, such as Hangers Way, that have partial views of the site. It is confirmed through photographs supplied, that the buildings and site would not be clearly seen from any of them. There may be parts of the site overlooked, but the proposal would not have a significant impact on the enjoyment of these views as the site is previously developed land and contains tall and large industrial structures. The tallest proposed chimney would rise to a height of 12.3 metres, which is approximately five metres shorter than the existing brick works chimney. The process shed would not be any higher than the existing buildings either. Therefore, the scale of the development is appropriate within the surrounding countryside.

7.6. The proposal would increase the footprint of built structures significantly if the lagoons are taken into account. However, the actual buildings will add little additional impact to the existing industrial buildings. It is considered that the siting and layout is acceptable.

7.7. The lagoons are nearest the houses, known as Upper Oakwood and Lavenders. However, the applicant's case there are no other options for siting the lagoons has some force.

7.8. In terms of visual impact the lagoons would not be visible from outside the site due to the existing land forms and screening (see attached Site Plan with Photo Viewpoints A-E in Appendix 3). This is further screened by existing dense evergreen planting to the south, between the houses and the bunds and will benefit from additional planting as conditioned. The lagoon will also have an insulation cover would also serve to reduce the visual intrusion, as the vessels and water will be covered. The gas flare next to the lagoons would only be operated in the event of a plant failure and burn off any excess gas. It would not give out any significant light as it is colourless and in any event the flame would be shrouded, and not noticeable beyond the site.

7.9. The colours, cladding and materials of the buildings are to match the existing structures and incorporate the rural landscape by way of condition. In additional, whilst it is accepted that 2,400 m² of PDL will be lost, this is inert landfill and is of low quality habitat. The proposal offers additional planting around the site and improvements to the boundary screening.

7.10. Therefore, in light of all the above, the proposal is not considered to be contrary to policies DC2 (Sites with International and National Designations) and DC3 (Impact on Landscape and Townscape) as the SDNP would not be significantly impacted upon and the impact on the rural landscape could be mitigated against with additional planting and design details.

Noise, odour and air quality (Policy DC8).

7.11. The proximity of the houses are of concern for local residents, and other consultees. However, the anaerobic digestion process is fully sealed under normal operating conditions and the process building would be equipped with an air filter and pressure system, there are no air quality or odour impact anticipated if the proposal is managed properly. In addition, details have been provided as to the procedure if there is to be a break down or emergency, which mitigate the risk of a significant amenity incident.

7.12. The concerns of noise have also been investigated. It is considered that there is potential for disturbance, but the sources of noise would be contained within the sealed building or from the electric generators applied to the pumping of waste and the agitation of the anaerobic digester vessels in the lagoon. The use of electric generators is not considered to generate any significant noise to be an impact on the amenity of the local residents or users of the surrounding countryside, as the noise assessment for the brickworks has been applied for comparison. There will also be a noise limit condition that is more stringent than that currently imposed on the brick work site by the EHO, to safeguard resident's amenity.

7.13. The Environmental Health Officer (EHO) at East Hampshire District Council initially raised concerns over the siting of the proposal so close to houses. However, the EHO has since raised no objection subject to extensive construction and operational requirements to mitigate any odour, noise, air quality or pest disturbance. These mitigation measures have been submitted in the form of the Selborne Brickworks Environmental Management Plan (Draft) (as attached in Appendix 1) and includes reference to lighting. In addition to this, planting will be secured via condition along the access road to limit the dust disturbance to nearby residents at Chapel farm junction. Although the AD plant itself will operate 24 hours a day, the hours of delivery and associated activity will be limited. It is recognised that the management maintenance and use of the AD plant technology and associated end products would be governed by a number of regulatory bodies (Environment Agency, DEFRA) that regulate operational aspects of the development.

Pollution (DC8)

7.14. Potential environmental pollution and flood risk have been raised as concerns as the proposal would involve the creating of a large pit to sink the lagoons into, which would disturb fairly recently tipped inert waste. South East Water also sought confirmation that the integrity of the Gault Clay liner would not be compromised, as this could harm the Oaklands-Oakhanger-Southlands Source Protection Zones which contain two drinking water wells. It is considered that the proposal would not harm the water system and the lagoons would be double lined with an artificial membrane, in the event of a digestate vessel failure. Systems will keep the water purified and prevent algae and water contaminants. Furthermore, the pasteurisation of the digestate process makes any water left over from the

digestate process, of a potable (suitable for drinking) standard and so can be discharged into the area and is not a risk to the water system.

7.15. In addition, there would be large quantities of food waste and manure being stored and processed on site. However, the Environment Agency has not objected to the proposal subject to land contamination and water management schemes to be approved via condition. Similarly, South East Water are satisfied with the proposal subject to appropriate waste handling and water monitoring. Furthermore, the proposal would be regulated by the Environment Agency and Department for Environment Food and Rural Affairs (DEFRA) and East Hampshire District Council.

7.16. Concerns of potential fire risk have also been raised. It is understood that at existing AD plants the prime concern of the Fire Service has been the availability of water. On that basis, the plant at Selborne Brickworks is well catered for. Within 400 metres it has over 3,000,000 litres of fresh water available. Within a further 400 metres there is at least as much again in the reservoir on the South side of the existing haul road.

7.17. In light of all the above information and mitigation proposals, the proposal does accord with Policy DC8 (Pollution, Health, Quality of Life and Amenity).

Protected species and biodiversity (DC7,)

7.18. There is the possibility for great crested newts (GCN) to make use of the site, as they have been recorded to the north of the site. These are European protected species under the Habitats Directive 1992 and therefore need to be assessed as prescribed by Regulation 3(4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended by The Conservation (Natural Habitats, &c.) (Amendment) (England and Wales) Regulations 2009. Accordingly, the suitable assessment would need to take place with appropriate mitigation measures prior to construction and during operations. The possibility of nightingales in the area are noted and these benefit from protection under the Wildlife and Countryside Act 1981. Accordingly, any disturbance to these birds, their eggs or their nests could be illegal. As the proposal is not expected to have a direct impact on these birds, but would result in changes to the boundary trees the applicant would be expected to comply with the provisions of the legislation. It is considered that the appropriate scheme has been submitted to the WPA for the great crested newts and the nightingales are protected by other legislation, and so the proposal complies with policy DC7 (Biodiversity).

Renewable energy (S5)

7.19. The proposal would contribute to the ambitions of renewable energy, reduction of carbon (32,000 tonnes) and possible reduction of landfill (15,000 tonnes per year of food waste diverted) and application of new green technology. All of which are aims represented in Planning Policy

Statement (PPS22): Renewable Energy (August 2004) Key principle (iv) and Policy S5 (Capacity Requirements for Recycling, Composting and Recovery and Treatment).

7.20. The Key Principles of PPS 22 (i) also require Waste Planning Authorities to take into the viability of the proposal and consider whether or not "environmental, economic, and social impacts can be addressed satisfactorily". Whilst not a development plan document, this is a material consideration to also be taken into account. It is accepted that the educational benefit for the proposal would be minimal as this is not envisaged by the applicant to involve large, constant groups of people and the employment benefits are limited to a total of 11 employees. However, it is considered that the environmental and amenity impacts can be mitigated where they occur through condition to within acceptable limits. Moreover, the support for AD in recent Government statements also gives weight to the support for the development

Economic development (EH District Plan: Policy IB3)

7.21. There is also the argument of potential economic development as seen in The East Hampshire District Local Plan: Second Review (March 2006), Policy IB3 (Industrial and Business Development in the Countryside) and educational benefits suggested.

Highways and access (DC6)

7.22. Highways safety and amenity has been raised by a number of consultees as an area of concern. This view is understood, as the Highways Authority has strong objections to any large vehicles on the local highway network in the vicinity of the site, in particular Honey Lane, Blackmoor Road, Latchford Lane/Roman Road. Consultation with maintenance engineers has reported that damage to the surface and verges of this local network caused by lorries, has resulted in significant expense to repair and that the structural make-up of the road itself is not of adequate construction for frequent lorry traffic due to restricted width and alignment. The inclusion of passing places or improvement of a small bridge is not expedient and cannot offer a solution, even if a financial contribution was made by the applicant.

7.23. It is recognised that lorries have previously used the northern approach Latchford Lane/Roman Road (C70) and surrounding network in connection with the site. In addition, there are other industrial and agricultural uses permitted in the locality. However, this is insufficient justification to allow further lories on the C70.

7.24. In light of these constraints and the relatively low numbers of lorry loads proposed (approximately 20 a day), the applicant's proposal to use the access road as previously permitted under 20661/039/CMA is an acceptable solution. The Highways Authority does not have an objection to this approach. This would include all construction works of the AD and the operation of the waste facility except for agricultural vehicles servicing the

site as this could push traffic onto the roads unnecessarily or create an illogical, longer route. To make this possible, the access road will need to be completed to the standard required by the Highways Authority and as per the conditions attached in 20661/039/CMA. A limit on the number of vehicles generated is also required and would be imposed by condition. However, this would not cover vehicles servicing the brickworks as it has a separate unfettered planning status. Given the above the proposal is acceptable and accords with Policy DC6 (Highways).

Waste source (S3)

7.25. The sustainability of the operation of the AD plant in terms of feedstock (food waste) has been queried. The applicant states that the Department of Energy and Climate Change (DECC) says that every year the UK produces 100 million tonnes of organic waste material capable of conversion to biogas. The Waste and Resources Action Programme (WRAP) estimates that 8.3 million tonnes of food waste is created every year, or approximately 150 kilograms per person. This implies that Hampshire produces over 150,000 tons per annum; Surrey similarly.

7.26. Food waste comes in three broad categories:

(i) food/shop - unpackaged source segregated – either domestic kitchen scraps or commercial (restaurants and the like);

(ii) food-shop – packaged – out-of-date baked beans and sandwiches, etc; and

(iii) baking/food processor waste – bakeries, vegetable processors, etc.

7.27. The quantities of non-domestic waste are not accurately known. If they do not go to AD, then they are incinerated, composted or go to landfill. The Selborne plant intends to take as much unpackaged source segregated waste as it can, and if necessary take packaged waste. As explained above, the plant is being built with a de-packaging stage to accommodate packaged waste as necessary. Notwithstanding the potential market in Hampshire, the proposal would help contribute to Hampshire's waste infrastructure to met the need for waste treatment. The wider region has to be taken into account when planning for this, as Waste Planning Authorities are required to achieve an arithmetic balance (net gain) of infrastructure for waste coming in and going out of the County. Accordingly the application contributes to the objectives of policy S3

Summary

7.28. In conclusion, there are many benefits to be gained from the development in terms of sustainability, waste use, green technologies, employment, and education. The environmental concerns have been investigated and there is no harm anticipated to the countryside, South Downs National Park, wildlife or water resources. There are some houses nearby, but the

potential odour, noise, air quality and light impacts can be managed as not to be a disturbance. The highways constraints have been addressed satisfactorily and the operation of the waste plant will be physically linked to the brick works for as long the brickworks are operational.

7.29. It is considered that the proposal would be in accordance with the development plan as it would contribute to the ambitions of renewable energy, reduce carbon and landfill and application of new green technology (Planning Policy Statement 22: Renewable Energy (August 2004) Key principle (i, iv)). The proposal accords with the aims of policy S5 (Capacity Requirements for Recycling, Composting and Recovery and Treatment) and policy DC13 (d, f) of the Core Strategy, as it uses waste as a direct resource and the waste heat from the adjacent operations will be utilised. The proposal offers potential economic development as seen in The East Hampshire District Local Plan: Second Review (March 2006), Policy IB3 and the development would not sterilise the clay resource as required in S15 of the Core Strategy.

7.30. It is also considered that the proposal is in accordance with development management policies of the Core Strategy as it would not materially harm the character of the area (DC3) or prejudice the purpose of the nearby South Downs National Park (DC2). This because it is partly on and adjacent to previously developed land with industrial buildings and so have low visual impact.

7.31. The amenity of residents, countryside users and the local physical environment would not be harmed (DC8 and DC7) as there is not anticipated to be any pollution, health or odour impacts associated with the development. The proposal would be acceptable in terms of highway safety and convenience (DC6).

7.32 It is recognised that the development is not strictly in accordance with Policy DC13 (b), as part of the application is on land that does not meet the definition of previously developed land (PDL) as set out in Planning Policy Statement 3 (PPS 3) June 2000. However, this policy point is not of sufficient significance to outweigh the many merits of the application. Overall, the application accords with the development plan and permission is recommended accordingly.

8. Recommendation

8.1. That planning permission in respect of the construction of an anaerobic digester including lagoons, feedstock handling building and gas conditioning unit on the existing brickworks site and adjacent land to enable the production of sufficient biomethane to supply all the energy that the brickworks require, all vehicle movements associated with the operation of the Anaerobic Digester plant will use the access road across Chapel Farm from Oakhanger Lane that has the benefit of planning permission at the Selborne Brickworks, Honey Lane, Selborne, Alton, Hampshire GU34 3BS (Application No: 20661/045) (Site Reference: EH015) be approved for the above reasons, subject to conditions in integral Appendix B.

Links to the Corporate Strategy

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	no
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	no
Corporate Improvement plan link number (if appropriate):	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document	Location
The construction of an anaerobic digester including lagoons, feedstock handling building and gas conditioning unit on the existing brickworks site and adjacent land to enable the production of sufficient biomethane to supply all the energy that the brickworks require, all vehicle movements associated with the operation of the AD plant will use access road across Chapel Farm from Oakhanger Lane that has the benefit of planning permission at The Selborne Brickworks, Honey Lane, Selborne, Alton, Hampshire GU34 3BS (Application No: 20661/045) (Site Reference: EH015)	Environment Department The Castle Winchester

CONDITIONS

Commencement

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

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

2. The Waste Planning Authority shall be notified by the applicant of the commencement date of the development hereby permitted (the construction of the anaerobic digester) in writing. The Waste Planning Authority reserve the right to determine this date if appropriate.

   Reason: To ensure the mitigation requirements of the development occur within the correct timeframes and is an acceptable development.

Complementary land uses

3. The use of the development hereby permitted shall only operate for as long as the brickworks remains in business as determined by the Waste Planning Authority.

   Reason: To ensure that the location and scale of the development is appropriate in the setting of the countryside and South Downs National Park.

4. The development hereby permitted shall be removed and the land reinstated to its former condition within 12 months of the brickworks use changing to another land use as determined by the Waste Planning Authority.

   Reason: To ensure that the location and scale of the development is appropriate in the setting of the countryside and South Downs National Park,.

Restriction of Permitted Development Rights

5. Notwithstanding the provisions of Parts 4, 8 and 25 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) fixed plant or machinery, buildings, structures and erections or private ways shall not be erected, extended, installed or replaced at the site without the prior agreement of the Waste Planning Authority in writing.

   Reason: To protect the local amenity and environment.

Hours of Working

6. Unless otherwise agreed in writing by the Waste Planning Authority no lorries shall enter or leave the site except between the following hours: 0700-1800 Monday to Friday and 0700-1230 Saturday. There shall be no lorries entering or leaving the site on Sundays or recognised public holidays.

   Reason: In the interests of local amenity.

Landscape

7. Within 12 months of development commencing the planting as detailed in the landscaping scheme (received 6 October 2010), together with requirements made by the Waste Planning Authority (dated 15 October 2010), shall be completed to the satisfaction of the Waste Planning Authority. The maintenance for the landscaping shall be continued for the duration of the development as approved.

   Reason: In the interests of visual amenity.

8. Prior to operation of the hereby approved development, details for planting along the entire length of the access road (as shown on Site Plan, dated 05 August 2010) shall be submitted to and approved by the Waste Planning Authority in writing. The scheme shall be implemented as approved prior to operation of the development.

   Reason: In the interests of visual and local amenity.

9. Samples and/or details of the materials and finishes to be used for the external walls and roofs of the proposed buildings and plant shall be submitted to and approved by the Waste Planning Authority in writing before the development commences.

   Reason: In the interests of visual amenity and to secure a satisfactory development.

Protection of Water Environment

10. Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

    (i) a preliminary risk assessment which has identified:

        (a) all previous uses;
        (b) potential contaminants associated with those uses;

(c) a conceptual model of the site indicating sources, pathways and receptors;
(d) potentially unacceptable risks arising from contamination at the site.

(ii) a site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;

(iii) the site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

(iv) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved.

Reason: To protect the Folkstone Formation (a Principal Aquifer).

11. Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy (as in Condition 8) and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: It may be necessary for remediation to be carried out prior to development commencing, to ensure the protection of the Folkstone Formation (a Principal Aquifer).

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Waste Planning Authority) shall be carried out until the developer has submitted an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with, and obtained written approval from the Waste Planning Authority.

Reason: To ensure the protection of the Folkstone Formation (a Principal Aquifer).

13. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface and foul water has been submitted to, and approved in writing by, the Waste Planning Authority. The scheme shall be implemented as approved.

    Reason: To ensure the protection of the Folkstone Formation (a Principal Aquifer).

14. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Waste Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved plans and particulars of the permission.

    Reason: To ensure the protection of the Folkstone Formation (a Principal Aquifer).

Noise, air and odour

15. Noise measured at the boundary of any residential dwelling outside the site, shall not exceed the following levels:

    (i) during the day (0700 to 2300) - 50dB LAeq when measured for a one hour period. The LAeq (one hour) (plant in operation) shall be no more than 5dB above the LAeq (one hour) (plant not in operation);

    (ii) during the night (2300 to 0700) - 45dB LAeq when measured for a five minute period 60dB LAFmax (at any time). The LAeq (five minutes) (plant in operation) shall be no more than 5dB above the LAeq (one hour) (plant not in operation).

    Reason: To prevent noise disturbance to the residents of the houses and countryside users.

16. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers' specification at all times. Any vehicle requiring a reversing alarm shall be installed and maintained to operate 5dB above the ambient noise level or fitted with and use effective silencers.

    Reason: To minimise noise disturbance from operations at the site.

17. Prior to operation of the hereby approved development, the structure of the loading bay shall produce negative pressure. This shall be maintained for the duration of the development.

    Reason: To protect the local amenity from odour or air quality harm.

18. Prior to operation of the hereby approved development, high speed roller shutter doors shall be installed and maintained where vehicles enter and exit the loading bay. These shall operate automatically. These shall be maintained for the duration of the development.

    Reason: To protect the local amenity from odour or air quality harm.

19. Food waste shall only be stored in the loading bay for a maximum of ten days before use.

    Reason: To protect the local amenity from odour or air quality harm.

20. Prior to operation of the hereby approved development, the draft Pest Management plan (vermin, insects and birds) shall be updated and submitted in writing to the Waste Planning Authority for approval. The plan shall be implemented as approved for the duration of the development.

    Reason: To protect the local amenity.

21. Prior to operation of the hereby approved development, the draft odour management plan shall be updated and submitted in writing to the Waste Planning Authority for written approval. The plan shall be implemented as approved for the duration of the development.

    Reason: To protect the local amenity.

22. There shall be no offensive odour detected beyond the boundary of the site as determined by the Waste Planning Authority. If offensive odour is recorded by the Waste Planning Authority more than once within a period of 21 days, then the operator must not accept any deliveries of waste until such time as the problem is remediated to the satisfaction of the Waste Planning Authority in writing.

    Reason: In the interests of local amenity.

23. Prior to operation of the hereby approved development, details of a wind direction indicator (such as a windsock or wind vane) shall be submitted in writing to the Waste Planning Authority for written approval. The indicator shall be implemented as approved for the duration of the development.

    Reason: To protect the local amenity as likely emission paths and areas of potential odour impact can be identified in the case of abnormal emissions for recording.

Storage

24. There shall be no storage of any waste or end product other than that within the approved anaerobic digestion plant or sealed building facilities. There shall be no waste or end product materials exposed to the environment.

    Reason: To ensure the protection of local amenity and the environment.

Lighting

25. There shall be no outside lighting installed in connection with the development, unless a lighting scheme is submitted to the Waste Planning Authority for approval in writing. Any scheme should include details of all outside lighting, including floodlighting, safety lighting and illumination from within the plant, and measures to prevent light pollution.

    Reason: In the interests of visual amenity.

Highways

26. There shall be no commencement on site until as the details of the offsite works as shown in principle on plan 'BCF/CF/08-03/10692' have been agreed to a preliminary stage and the appropriate approval to carry out the works have been secured to the satisfaction of the Waste Planning Authority.

    Reason: In the interests of highway safety.

27. No plant or building (excluding footings) shall be erected until such time as the access road (as permitted un No. F.20661/039/CMA) and the off site highway works as shown in principle on plan 'BCF/CF/08-03/10692' have been completed to the written satisfaction of the Waste Planning Authority.

28. The access road and associated landscaping as hereby permitted and under F.20661/039/CMA, shall be maintained to an acceptable standard, as determined by the Waste Planning Authority.

    Reason: In the interests of highway safety and amenity.

29. There shall be no more than 22,750 tonnes per year of food waste and farmyard manure a year and a maximum of 110 tonnes of material per day shall be delivered to the site. A written record of tonnage entering the site associated with the permission hereby granted shall be kept onsite and shall be made available to the Waste Planning Authority for inspection upon request.

    Reason: To impose a maximum limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site.

30. All private, commercial and waste vehicles, except those handling farm yard manure associated with the hereby permitted use shall only enter and exit the site via the access road (as permitted under F.20661/039/CMA) and the C176 Oakhanger Road towards/from Bordon.

Reason: In the interests of highway safety.

31. All waste except farm yard manure imported via private, commercial and waste vehicles associated with the hereby permitted use shall be exported in fully enclosed containers.

Reason: In the interests of the amenity.

32. The vehicle circulation and parking shall be as shown in the 'Selborne Brickworks Traffic and Parking Plan Food Waste Movements Detail' (received 5 August 2010).

Reason: In the interests of local amenity.

33. Measures shall be implemented to prevent mud or waste from vehicles leaving the site being deposited on the public highway. These measures shall be maintained for the duration of the development. In the event that any mud or waste is deposited on the highway, it shall be cleaned off at the end of each working day.

Reason: In the interests of highway safety.

Rights of Way

34. Prior to the development hereby permitted commencing, the warning signs as detailed on the 'Signage and Warning signs for footpath crossings of the haul road' (received 10 September 2010) shall be constructed to the written satisfaction of the Waste Planning Authority.

Reason: To safeguard public rights of way.

Nature Conservation

35. The 'Ecological management plan for Great Crested Newts' (received 6 October 2010) shall be implemented and maintained for the duration of the development.

Reason: To protect Great Crested Newts, which are a protected species under The Conservation of Habitats and Species Regulations 2010.

Advice note

It is a criminal offence to accidentally or wilfully disturb or harm those birds, their nests or eggs as protected under The Wildlife & Countryside Act (1981). Therefore, no works shall be carried out which would cause disturbance to any Nightingales on the site, unless approved by DEFRA.

Annexe to Reason for Conditions (as required by Article 22 of the Town and Country Planning (General Procedure) Order 1995 – as amended)

PLANNING POLICY STATEMENT 22: RENEWABLE ENERGY (2004)

Regional planning bodies and local planning authorities should adhere to the following key principles in their approach to planning for renewable energy:

(i) renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily;

(iv) the wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.

HAMPSHIRE MINERALS AND WASTE CORE STRATEGY DPD (2007)

S3 – Net Self-Sufficiency

By 2016, Hampshire will achieve 'net self sufficiency, in waste management capacity and waste will be disposed of at the nearest appropriate site. No provision will be made for London's waste in the period to 2016, provision post 2016 will be considered by a review of the Strategy.

S5 - Capacity Requirements for Recycling, Composting and Recovery and Treatment

Waste management capacity (including specialist facilities as detailed in Policy S7) will be provided in the period to 2020, as follows:

Recycling and Composting – facilities for the reception, storage, segregation and processing of 1.86 million tonnes a year of municipal, commercial and industrial waste (and associated bulking-up, transfer and contingency storage facilities); Recovery and Treatment - facilities for the reception, storage and treatment of 0.93 million tonnes a year of municipal, commercial and industrial waste (and associated bulking-up and transfer facilities).

S15 - Sterilisation of Mineral Deposits

Proposals for permanent development which would sterilise mineral deposits shown on the Key Diagram, or subsequently in the Hampshire Minerals Plan or on the Proposals Map, will be resisted unless provision is made for extraction prior to the commencement of development, or other planning considerations apply.

DC2 - Sites with International and National Designations

Minerals and waste development, which is likely to prejudice the purpose of the following designated sites and their settings, will not be permitted unless the reasons for development outweigh the likely adverse impact, taking into account the requirements of relevant legislation and guidance.

Internationally Designated Sites:

European Sites (Special Protection Areas, proposed Special Protection Areas, Special Areas of Conservation, proposed Special Areas of Conservation) and Ramsar sites (Wetlands of International Importance); Nationally Designated Sites:

The New Forest National Park, the proposed South Downs National Park and Areas of Outstanding Natural Beauty; National Nature Reserves, Sites of Special Scientific Interest; Scheduled Ancient Monuments; Listed Buildings, and sites on the National Register of Parks and Gardens of Special Historic Interest; Registered Battlefields. In all cases, applications will be subject to the most rigorous examination.

DC3 - Impact on Landscape and Townscape

Minerals and waste development will only be permitted if due regard is given to the likely visual impact of the proposed development and its impact on, and the need to maintain and enhance, the distinctive character of the landscape or townscape. If necessary, additional design, landscaping, planting and screening, including planting in advance of the commencement of the development, should be proposed.

DC6 – Highways

Major mineral extractions, landfills and ‘strategic’ recycling, aggregate processing and recovery and treatment facilities, will be permitted provided they have a suitable access to and/or route to the minerals and waste lorry route as illustrated on the Key Diagram. In all cases, minerals and waste development will only be permitted if it pays due regard to the likely volume and nature of traffic that would be generated by the proposal and the suitability of the proposed access to the site and of the road network that would be affected. Consideration should be given to highway capacity, road and pedestrian safety, congestion and environmental impact, and whether any highway improvements are required and whether these could be carried out satisfactorily without causing unacceptable environmental impact.

DC7 – Biodiversity

Minerals and waste developments will only be permitted if due regard is given to the likely effects of the proposed development on biodiversity and, where possible, proposals should conserve and enhance biodiversity. Development

likely to adversely impact upon 'regionally or locally designated sites or protected species' – designated in adopted Local Plans or Local Development Frameworks (including Sites of Importance for Nature Conservation (SINCs), Species of Principal Importance for Biodiversity, Regionally Important Geological Sites and Local Nature Reserves) shall only be permitted if the merits of development outweigh the likely impact.

DC8 - Pollution, health, quality of life and amenity

Minerals and waste development will only be permitted if due regard is given to the pollution and amenity impacts on the residents and users of the locality and there is unlikely to be an unacceptable impact on health and/or the quality of life of occupants of nearby dwellings and other sensitive properties. Where necessary minerals and waste developments should include mitigation measures, such as buffer zones between the site and such properties.

DC10 - Water Resources

Non-hazardous landfill developments in areas that overlie major aquifers, and Groundwater Source Protection Zones I , II & III, and mineral extraction or inert landfill in areas that overlie major aquifers and Groundwater Source Protection Zone I will not be permitted .

All minerals and waste developments will only be permitted if they are unlikely to have an unacceptable impact on coastal, surface or ground waters and due regard is given to water conservation and efficiency.

DC13 - Waste Management and Recycling (including Aggregate Recycling Facilities)

Waste management developments (excluding landfill) will be permitted provided that the site:

b. Re-uses/redevelops previously developed land and/or redundant agricultural and forestry buildings (including their curtilages), or

d. Is on employment land, preferably co-located with complementary activities, and

f. In the case of recovery and treatment sites, incoming waste shall be subject to pre-treatment, either on or off site to maximise the potential for recycling, and where technically possible, energy will be generated and used and the by-products, including heat, will be reused or recycled, and

THE EAST HAMPSHIRE DISTRICT LOCAL PLAN: SECOND REVIEW (2006).

IB3 - Industrial and Business Development in the Countryside

Planning permission for industrial or business development in the countryside will not be permitted unless it is for the reasonable expansion or intensification of an established industrial or business use within an existing site, provided it would not:

(i) result in an over-intensification of use on the site;

(ii) harm the character or appearance of the site or of the countryside;

(iii) generate traffic of a type or amount inappropriate to rural roads or, requires improvements which would harm the character of rural roads in the area, particularly sunken lanes;

(iv) harm the amenity enjoyed by occupiers of nearby properties; or

(v) lead to excessive use of the car.

Appendix 1 - Selborne Brickworks Environmental Management Plan (Draft)

Appendix 2

Vehicle movements arising from the anaerobic digester (November 2010)

1. Calculated trips.

INPUTS	Tons / Year	Daily lorry loads (Road)	Daily lorry loads (Haul Road)	Comment
Food Waste	20,000	7.49	7.49	75 tons / day.
Packaging	1,250			
FYM / Slurry	2,500		0.47	None on road
Total	23,750			
OUTPUTS				
Biogas	2,150			Not on road
Packaging	1,250	0.23	0.23	
Digestate	20,350			
Comprising				
Extracted solids	*916*		0.17	Not on road, return load for FYM transport
Extracted water	*14,576*			Discharged or pumped to irrigation storage
Liquid Fertiliser	*4,859*	1.52		Could be replaced by pumping across Honey Lane
Total	23,750			
TOTALS		**9.24**	**8.36**	

2. The data used to generate these figures is summarised in the table below:

Food waste Load	10	tons
Working days / year	267	365 - 52 Sundays -26 Saturday mornings -20 public holidays
FYM Load	20	tons
Amount Packaged	10,000	tons
Packaging load	20	tons

3. Comments.

   a. The requirement for 110 tons/working day covers the eventuality of lower yielding feed stocks being used.

   b. The digester and the gas conditioners both impose a limit on the amount of biogas that can be produced, which is the brickworks demand of 200m^3/hour.

Appendix 3 – Site Plan with Photo Viewpoints and Photos A-E

Appendix 4- Sealed process flow diagram.