

Application No: WSCC/019/17/F
COUNTY MATTER

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015

To Wicks Farm (Biogas) Ltd
c/o Aardvark EM Limited
Higher Ford
Wiveliscombe
Taunton
Somerset TA4 2RL

In pursuance of their powers under the above mentioned Act and Orders, West Sussex County Council hereby notify you that they **PERMIT** the following development, that is to say:-

Proposed installation of a digestate lagoon with associated pipework and landscaping to replace the digestate lagoon approved under planning permission WSCC/061/16/F (WSCC/026/16/F as amended) at Land at Wicks Farm, Ford Lane, Ford, Arundel, West Sussex, BN18 0DG

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions if any) submitted to this Council on 12 May 2017 (and in accordance with the relevant correspondence a copy of which is attached *) and subject to the conditions specified hereunder:-

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 of the Town and Country Planning Act 1990.

Approved Plans

2. The proposed development shall not take place other than in accordance with the approved drawings and documents save as varied by the conditions hereafter:

- Site Location (ref. 1677/D001) dated 27 April 2017;
- Proposed Site Plan (ref. 1677/D002) dated 27 April 2017; and
- Digestate Lagoon Elevation (ref. 1677/D003) dated 27 April 2017.

save as varied by the conditions hereafter.

Reason: To secure a satisfactory development.

Signed

Date **31 Jul 2017** Head of Planning Services..... **Michael Elkington**

***N.B.** The reasons for imposing the above conditions are as specified after the conditions.
The words in brackets do not apply unless a copy of the relevant correspondence is attached.
Your copy of the application, determined as above, is returned herewith for your records.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES AT APPENDIX A OF THIS FORM

Continuation Sheet

Odour Management Plan

3. Prior to the commencement of this development, an Odour Management Plan which shall be consistent with the Odour Note (by Air Quality Consultants) dated April 2017 and be submitted to and approved in writing by the County Planning Authority. The Plan shall include mitigation for any odour that may arise from the digestate lagoon and the operational anaerobic digestion plant. Thereafter, the approved scheme shall be implemented in full and maintained throughout the operation of the development.

Reason: In the interests of the amenity of local residents, and the environment.

Archaeology

4. No development shall commence within the site until:
- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.

Reason: To enable the recording of any matters of archaeological interest.

Construction Management Plan

5. The development hereby permitted shall not commence until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Management Plan. The plan shall include warning signage to be displayed on the public footpath during the construction phase, construction vehicle movements, construction operation hours, construction vehicular routes to and from the site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of Public Transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: To mitigate the impact of construction traffic during the construction period and in the interests of highway safety on the local highway network.

Date **31 Jul 2017** Signed
Head of Planning Services..... **Michael Elkington**

Continuation Sheet

Hours of Construction and Deliveries

6. Construction (including site clearance) of the development hereby permitted, involving the use of plant/machinery/equipment/vehicles and the deliveries of construction materials/plant/machinery/equipment being received by or dispatched shall only take place between the hours of:
08:00 and 18:00 on Monday to Friday inclusive;
08:00 and 13:00 on Saturdays; and
Not at any time on Sundays, Bank Holidays or Public Holidays.

Reason: In the interests of the amenity of local residents.

Landscaping Scheme - Additional Screening

7. Within 6 months of the grant of planning permission, a detailed landscaping scheme containing a Planting Schedule for additional screening and a long term maintenance plan shall be submitted to and approved in advance and in writing by the County Planning Authority. Thereafter, the approved scheme shall be implemented in full in the next available planting season. Any planting that dies, is removed or become seriously damaged or diseased within a five year period following planting shall be replaced in the next planting season with others of similar size and species, unless the County Planning Authority gives written consent for any variation.

Reason: To provide additional visual screening in the interests of the local landscape.

Access Maintenance

8. Prior to the commencement of construction works, an access maintenance statement should be submitted and formally approved in writing by the Local Planning Authority. The access maintenance statement should identify measures to be taken to ensure that vegetation clearance is undertaken to allow a 1.2m wide access point to be maintained throughout the construction and operational period of the lagoon.

Reason: In the interests of public right of way user safety.

INFORMATIVES

- A. Agreement under Section 106 of the Town and Country Planning Act 1990 - This permission shall be read in conjunction with an agreement made under Section 106 of the Town and Country Planning Act 1990 and the Supplemental Deed varying the Principal Agreement dated 21 March 2017 with respect to planning permission WSCC/026/16/F as amended by WSCC/061/16/F. The S106 Agreement, as amended confirms HGV routeing and is based upon a Traffic Management Plan submitted by the Applicant through a Transport Assessment (ref. R/C151638/02/Iss7, dated 24/03/2016) and Transport Assessment Addendum (ref. C151638/04/Iss2, dated 15/07/2016).

Date **31 Jul 2017** Signed
Head of Planning Services..... **Michael Elkington**

Continuation Sheet

- B. With reference to Condition 7, the Applicant's attention is drawn to the WSCC Tree Officer's comments made on 31 May 2016 (under planning permission WSCC/026/16/F as amended by WSCC/061/16/F) on the northern, eastern and western site boundaries of the main anaerobic digestion facility site, whereby details for screening (including the species, sizes and spacing of all planting, and the design) shall be provided.
- C. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the County Planning Authority has approached the determination of this application in a positive way, and has worked proactively with the applicant by providing pre-application advice; and discussing issues of concern as early as possible, including those raised by consultees and third parties. As a result, the County Planning Authority has been able to recommend the grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

This information is only intended as a summary of the reasons for the grant of planning permission. For further details on the decision please see the report by contacting County Planning, West Sussex County Council or visiting the website at www.westsussex.gov.uk/planning

Date **31 Jul 2017** Signed
Head of Planning Services..... **Michael Elkington**

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES.

THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT.

TOWN AND COUNTRY PLANNING ACT 1990

1 Appeals to the Secretary of State

- (a) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- (b) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get online at www.planning-inspectorate.gov.uk or by writing to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.
- (c) The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (d) The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- (e) In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

2 Purchase Notices

- (a) If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- (b) In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

- 3** Further correspondence about this application should quote the reference number at the top right hand corner of the form.