

**APPLICATION NUMBER: WSCC/003/19/F
COUNTY MATTER WASTE**

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

To: Aardvark EM Limited
Higher Ford
Wiveliscombe
Taunton
TA4 2RL

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

**Amendment of condition 2 of planning permission WSCC/061/16/F to
amend design of silage clamps at Land at, Wicks Farm, Ford Lane, Ford,
Arundel, BN18 0DF**

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions) submitted to this Council on and subject to the conditions specified hereunder:

Commencement

1. The development hereby permitted shall be begun before 22 November 2019.

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 (dwg 1492/D001, v.2, dated 04/05/2016);
 - Site Plan (dwg 1492/D002, v.3, dated 13/11/2018);
 - Wicks Farm Landholding (dwg 1492/D028, v.1, dated 05 May 2016);
 - Site Cross Section (dwg 1492/D004, v.3, dated 11/11/2018);
 - Oxygen Generators Elevation (dwg 1492/D003, v.1, dated 07/03/2016);
 - Vehicle Weighbridge Elevation (dwg 1492/D005, v.1, dated 07/03/2016);
 - Control Room and Site Office Elevation (dwg 1492/D006, v.2, dated 13/04/2016);
 - Workshop/Machinery Store Elevation (dwg 1492/D007, v.2, dated 13/04/2016);
 - Glasshouse Elevation (dwg 1492/D008, v.2, dated 13/04/2016);

Date: **11 April 2019**

Signed: **Michael Elkington**, Head of Planning Services

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- Digester Tanks Elevation (dwg 1492/D009, v.1, dated 29/03/2016);
- Separators Elevation (dwg 1492/D010, v.1, dated 08/03/2016);
- Pasteurisation Tanks Elevation (dwg 1492/D011, v.1, dated 08/03/2016);
- Liquid Storage Tanks Elevation (dwg 1492/D012, v.1, dated 08/03/2016);
- Biomethane Storage Tanks Elevation (dwg 1492/D013, v.1, dated 08/03/2016);
- CO2 Storage Elevation (dwg 1492/D014, v.1, dated 08/03/2016);
- Flare Elevation (dwg 1492/D015, v.1, dated 09/03/2016);
- Macerator Pumps Elevation (dwg 1492/D016, v.1, dated 21/03/2016);
- Mixer Feeder Elevation (dwg 1492/D017, v.1, dated 09/03/2016);
- CO2 Liquefaction Plant Elevation (dwg 1492/D018, v.1, dated 21/03/2016);
- Biogas Upgrade Plant Elevation (dwg 1492/D019, v.1, dated 09/03/2016);
- Compressor Elevation (dwg 1492/D20, v.1, dated 09/03/2016);
- Digestate Lagoon Elevation (dwg 1677/D003, v.1, dated 27/04/2016);
- CHP Elevation (dwg 1492/D022, v.1, dated 09/03/2016);
- LV Distribution Elevation (dwg 1492/D023, v.2, dated 13/04/2016);
- DNO Substation/Transformer Elevation (dwg 1492/D024, v.1, dated 09/03/2016);
- Private Substation Elevation (dwg 1492/D025, v.1, dated 09/03/2016);
- Biomethane Upload Stanchions Elevation (dwg 1492/D026, v.1, dated 14/03/2016);
- Container Layout for HMP Stoken (dwg M376, rev.P3, dated 24/12/2010);
- Proposed Elevations (drawing GA-001 Rev. A, 19 November 2018); and
- Additional Landscaping Scheme 'Landscape Proposals' (1196/08.01a, dated 13/09/2017).

Save as varied by the conditions hereafter.

Reason: To secure a satisfactory development.

Surface Water Drainage Scheme

3. No development shall be carried out until a surface water drainage scheme has been submitted to and approved in advance by the County Planning Authority. The scheme shall include:

- Design for 1:100 year return period;
- Inclusion of 40% for climate change;

Submission of Land Drainage Consent (where applicable)

- Inclusion of pollution/siltation control measures relating to both sealed and unsealed areas.

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Thereafter, the surface water drainage details shall be implemented in full as approved and maintained throughout the operation of the development hereby permitted.

Reason: To accord with paragraphs 103 and 120 of the NPPF (2012) to ensure that the development does not result in adverse impacts through flooding and pollution.

Foul Drainage Scheme

4. Prior to the commencement of development a scheme of foul water drainage must be submitted to and approved in writing by the County Planning Authority. Thereafter, the drainage scheme shall be implemented in full as approved.

Reason: To protect the water environment.

Odour Management Plan

5. Prior to the commencement of this development, an Odour Management Plan shall 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.

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

Archaeology

6. 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;
 - 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

7. 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 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.

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

Hours of Construction and Deliveries

8. 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.

Access and Visibility Splays

9. No part of the development shall be first operated until such a time as the vehicular access serving the development has been constructed in accordance with the approved drawing 151638/SK01, entitled 'Proposed Access General Arrangement', dated 27/11/2015 and until the visibility splays shown on approved plan 151638/T02, entitled 'Proposed Access Visibility Splays', dated 27/11/2015, has been provided, with no obstruction to visibility at or above the height of 0.6m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety.

Protection of Trees

10. All retained trees on the site (shown on dwg 1196/07, dated 30/03/2016) shall be protected throughout construction in accordance with British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations.

Reason: To protect existing trees in the interests of amenity and the environment.

Landscaping Scheme

11. All soft landscaping comprised in the approved Landscape Mitigation Planting plan (ref. Figure 7, dwg 1196/07, dated 30/03/2016) shall be carried out in the first planting season following the commencement of the development. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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Reason: To compensate for the impact upon retained trees and provide additional visual screening in the interests of the local landscape.

Waste materials

12. Only materials produced on land shown on the approved Location Plan (dwg. 1492/D028, v.1, dated 05 May 2016)) as being 'Landholding under the control of Wicks Farm' and ancillary to the agricultural use of the site shall be processed in the AD plant.

Reason: Other waste materials raise environmental and amenity issues that would require consideration afresh.

Site Throughput

13. No more than 50,000 tonnes of feedstock material shall be processed at the site in any 12 month period. A record of daily tonnages managed at the site, along with the source shall be made available for inspection within seven days of a request from the County Planning Authority.

Reason: To protect the amenities of local residents and the highway network by controlling the site's throughput.

Hours of Use - Feedstock Reception / Movements

14. With the exception of staff required to maintain the ongoing anaerobic digestion process, there shall be no HGV movements to or from the anaerobic digestion facility and no external operations associated with feedstock reception or loading of feedstock hoppers with solid feedstock outside the following hours:

07.30 and 18.00 Monday to Friday; and

07.30 to 12.30 Saturdays.

There shall be no such operations at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of local residents and control the impacts of the development.

Vehicle Movements

15. The number of HGVs (all vehicles exceeding 3.5 tonnes associated with the operation of the anaerobic digestion plant and gas exportation) travelling to and from the development hereby permitted shall not exceed 25 on any weekday (50 HGV movements), 12 on any Saturday (24 HGV movements) on the public highway. A record of daily HGV movements to/from the site shall be made available for inspection within seven days of a request from the County Planning Authority.

Reason: To protect the amenity of local residents and control impacts upon Ford Lane.

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Signage

16. Prior to the anaerobic digestion facility being brought into use a sign which is visible and legible to drivers exiting the site, shall be installed advising them of the vehicle routing requirements and the need to adhere to them. Once installed the sign shall be maintained as such throughout the operation of the facility.

Reason: in the interest of highway safety and the amenity of the area.

Noise

17. Vehicles coming to and operating at the site that are required to emit reversing warning noise, shall use only white noise/broadband alarms rather than single tone alarms.

Reason: To protect the amenities of local residents.

Lighting

18. Unless a scheme is agreed in advance and in writing, no external lighting shall be installed either on the building or anywhere within the site. This exclusion shall not prohibit the installation of sensor-controlled security lighting which shall be designed and shielded to minimise light spillage beyond the site boundary.

Reason: In the interest of surrounding amenity.

Decision Notice

19. A copy of this decision notice together with the approved plans and any schemes and/or details subsequently approved pursuant to this permission shall be kept on site at all times and the terms and contents thereof shall be made known to supervising staff on the site.

Reason: To ensure that the site operatives are conversant with the terms of the planning permission.

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 10th of April, 2019. 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).
- B. For the purposes of Condition 15, HGV is defined as: a vehicle for the carriage of goods having a maximum laden weight exceeding 3.5 tonnes, excluding tractors and trailers and any other vehicles that are used in association with the on-farm

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agricultural operations linked to the Site but which are not construction vehicles associated with the Development.

- C. In accordance with paragraph 38 of the National Planning Policy Framework (2019), 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.

APPENDIX A: TOWN AND COUNTRY PLANNING ACT 1990

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 IS RECOMMENDED THAT YOU CONSULT A SOLICITOR IF YOU ARE IN ANY DOUBT.

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

- (f) 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.

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- (g) 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.

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