



PLANNING STATEMENT

THE CONSTRUCTION OF A COVERED DIGESTATE STORAGE
LAGOON, PERIMETER BUNDING AND FENCING

LEADENHALL FARM, HOLBEACH, SPALDING, LINCOLNSHIRE

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BEESWAX DYSON FARMING LTD



OCTOBER 2020

Planning Statement		
Covered Digestate Storage Lagoon	Beeswax Dyson Farming Ltd	B036-17

Revision	Comments	Author	Date
1	Draft for Client Review	TFC	October 2020

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1 INTRODUCTION

1.1 Context

- 1.1.1 This Planning Application is submitted to Lincolnshire County Council (“the Council”) on behalf of Beeswax Dyson Farming Ltd (“the Applicant”) and seeks planning permission for the construction of a 5,500m³ covered digestate storage lagoon on agricultural land at Leadenhall Farm, Holbeach, Spalding, Lincolnshire.
- 1.1.2 Liquid digestate will be transported to the Application Site on a campaign basis from the Carrington and/or Nocton Anaerobic Digestion (AD) facility for storage, prior to being spread on the Applicant’s surrounding agricultural land as a nutrient rich fertiliser at the required and appropriate time of year.
- 1.1.3 The submission includes the following information, documents and drawings:

Documents

- Planning Statement (this document);
- Planning Application forms;
- Ecology & Protected Species Survey, and
- Flood Risk Assessment.

Drawings

- Drawing no. GPP/BDF/LHL/20/01 titled Site Location Plan;
- Drawing no. GPP/BDF/LHL/20/02 titled Site Layout Plan, and
- Drawing no. DJS-ES-NGH-P432-02 titled Scheme Design.

1.2 The Application Site and its Setting

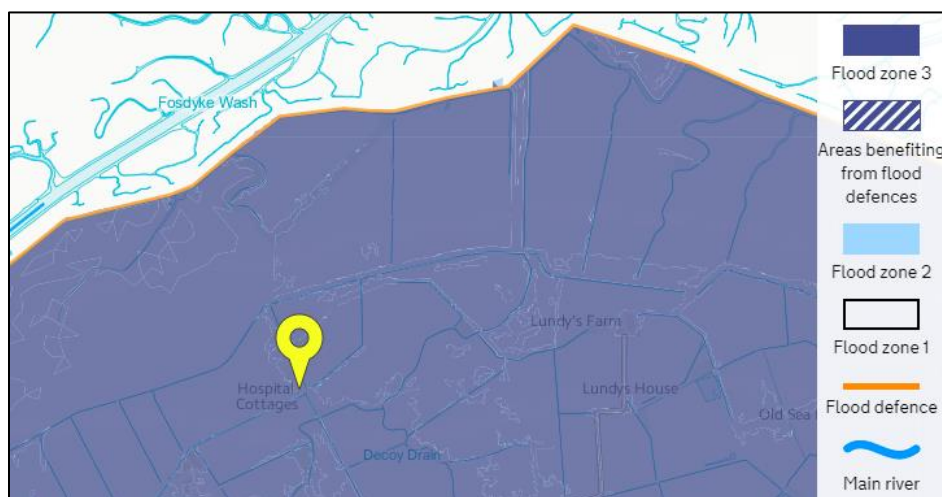
- 1.2.1 The Application Site, which is currently in agricultural use (arable land), is located approximately 2.3 kilometres (km) north of Holbeach St Marks, within the open countryside.
- 1.2.2 The Leadenhall Farm complex is situated approximately 670 metres (m) to the south-west of the Application Site, on the southern side of the internal haul road which serves the farm.
- 1.2.3 The proposed covered digestate storage lagoon will be located in the south-eastern corner of an irregular shaped agricultural field, as shown outlined in red on drawing no. GPP/BDF/LHL/20/01 titled Site Location Plan, with a site area of approximately 0.8 hectares (ha).

The Application Site



- 1.2.4 Land to the north, south, west and east of the Application Site is in agricultural use and the surrounding land is generally flat and open. There is a single residential property which is located approximately 100m to the south-east of the Application Site which is in the Applicant's control/ownership.
- 1.2.5 There are no Public Rights of Way (PRoW) within close proximity of the Application Site, there is however, a Bridleway (Holb 19/4) which is located approximately 430m to the north of the site alongside a drain known as, Decoy Drain.
- 1.2.6 The Application Site is situated within Flood Zone 3a, with a greater than 1 in 100-year probability of river flooding. The nearest major watercourse is the River Welland, which is located approximately 1.5km to the north of the site.

Flood Map for Planning



- 1.2.7 Land to the north, south and east of the River Welland, known as The Wash, is of ecological importance due to the biologically rich saltmarshes and range of breeding and non-breeding birds amongst other qualities and has been designated as a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation (SAC) and RAMSAR site.
- 1.2.8 The designation is approximately 1.5km to the north of the Application Site.
- 1.2.9 There are no Scheduled Ancient Monuments (SAMs) within 2km of the Application Site. The nearest listed building is Leaden Hall, which is Grade II Listed and is located approximately 2km to the south-west of the Application Site.

2 PROPOSED DEVELOPMENT

2.1 Introduction

- 2.1.1 This Planning Application is submitted to the Council on behalf of the Applicant and seeks planning permission for the construction of a 5,500m³ covered digestate storage lagoon on agricultural land at Leadenhall Farm, Holbeach, Spalding, Lincolnshire.

2.2 Description of Development

- 2.2.1 The description of development is proposed to be as follows:

“The construction of a covered digestate storage lagoon, perimeter bunding and fencing”

2.3 Engineering Works

- 2.3.1 The excavation of topsoil, subsoil and clay will be undertaken to create the digestate lagoon void as shown on drawing nos. GPP/BDF/LHL/20/02 titled Site Layout Plan and DJS-ES-NGH-P432-02 titled Scheme Design. Excavated material including clay will be used for the construction of the lagoon embankments and to create the lagoon floor. All excavated material will be utilised on the Application Site and within the development.

Storage Capacity

- Storage volume – Approx. 5,500m³ of liquid digestate

Dimensional Summary

- Area of lagoon – 6,016m²
- Overall depth – 3m
- Digestate depth – 2.25m
- Freeboard – 0.75m
- Crest width – 4m
- Dry slope – 1:3
- Wet slope – 1:4
- Max height of embankment – 1.7m (crest to ground level)

2.3.2 The construction of the digestate lagoon will be carried out using 360 excavators, bulldozers and articulated dump trucks.

2.3.3 The embankments will be constructed in layers and the clay will be compacted using a towed vibrating roller. Perimeter embankments will be seeded with grass and a wildflower mix.

2.4 Lining/Cover

2.4.1 The digestate lagoon will be lined with a 2 millimetre (mm) high-density polyethylene (HDPE) membrane and will have a floating cover which will be approximately 1mm thick. All HDPE liners will be welded together to ensure a water tight seal. The lagoon will have a freeboard of approximately 0.75m.

2.5 Access from the Public Highway/Vehicle Movements

2.5.1 Heavy Commercial Vehicles (HCVs) will access the covered digestate storage lagoon via an existing hard surfaced track from Middle Marsh Road/Leadenhall Road (main farm entrance) as shown on drawing no. GPP/BDF/LHL/20/01 titled Site Location Plan.

2.5.2 Liquid digestate will be delivered to the Application Site by HCVs/tankers on a campaign basis. It is anticipated that approximately 170 loads of liquid digestate will be imported to the site on an annual basis, usually over a three week period (8 loads a day/16 movements).

2.5.3 The Application Site will benefit from a turning area/head for HCVs, which will allow vehicles to leave the site in a forward gear.

2.6 Spreading of Digestate

2.6.1 The stored liquid digestate will be extracted from the lagoon using an overbank pipe. It will then be taken to the surrounding agricultural land by tractor for spreading as a fertiliser and soil conditioner at the appropriate time of year.

2.7 Site Security

2.7.1 The liquid digestate lagoon will be secured by the erection of a 1.8m high K-rail security fence along the crest of the lagoon embankment.

2.8 Hours of Operation

2.8.1 Construction works will be undertaken between 7am and 7pm daily.

2.9 Landscaping

2.9.1 The embankments of the digestate lagoon will be seeded with grass and a wildflower mix.

2.10 Timescales

2.10.1 It is anticipated that the engineering operation will take approximately 6–8 weeks to complete.

3 PLANNING POLICY CONTEXT

3.1 Introduction

- 3.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of a Planning Application must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.1.2 In this instance, the Development Plan consists of the following documents:
- Lincolnshire Minerals & Waste Local Plan (adopted June 2016), and
 - South East Lincolnshire Local Plan (adopted March 2019).
- 3.1.3 The main policies within each document considered relevant to the proposal are set out below.

3.2 The Development Plan

Lincolnshire Minerals & Waste Local Plan

- 3.2.1 The Lincolnshire Minerals and Waste Local Plan (LMWLP) is made up of two parts:
- Core Strategy and Development Management Policies, and
 - Site Locations.

Core Strategy and Development Management Policies

- 3.2.2 The Core Strategy and Development Management Policies (CS&DMP) forms the first part of the Lincolnshire Minerals and Waste Local Plan and sets out:
- The key principles to guide the future winning and working of minerals and the form of waste management in the County up to 2031, and
 - The criteria against which Planning Applications for minerals and waste development will be considered.
- 3.2.3 The main policies of the CS&DMP document are as follows:
- Policy W5: Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Composting;
 - Policy DM1: Presumption in Favour of Sustainable Development;
 - Policy DM2: Climate Change;
 - Policy DM3: Quality of Life and Amenity;

- Policy DM6: Impact on Landscape and Townscape;
- Policy DM9: Local Sites of Biodiversity Conservation Value;
- Policy DM11: Soils;
- Policy DM12: Best and Most Versatile Agricultural Land;
- Policy DM13: Sustainable Transport Movements;
- Policy DM15: Flooding and Flood Risk;
- Policy DM16: Water Resources, and
- Policy DM17: Cumulative Impacts.

South East Lincolnshire Local Plan

- 3.2.4 The South East Lincolnshire Local Plan (SELLP) was produced by South Holland District Council, Boston Borough Council and Lincolnshire County Council.
- 3.2.5 The Plan was submitted to the Secretary of State on 23rd June 2017 and underwent an Examination in Public (EiP). The Plan identifies land and allocates sites, for different types of development, such as housing and employment, in order to meet the area's needs. It also includes policies, against which Planning Applications are considered. The Plan was adopted on 8th March 2019.
- 3.2.6 The main policies of the SELLP are as follows:
- Policy 1: Spatial Strategy;
 - Policy 2: Development Management;
 - Policy 3: Design of New Development;
 - Policy 4: Approach to Flood Risk;
 - Policy 28: The Natural Environment;
 - Policy 30: Pollution, and
 - Policy 33: Delivering a More Sustainable Transport Network.

3.3 Other Relevant Documents

- 3.3.1 The National Planning Practice Guide (NPPG) confirms that the National Planning Policy Framework (NPPF) represents up-to-date government planning policy and must be taken into account where it is relevant to a Planning Application.
- 3.3.2 The following documents are therefore considered to represent a material consideration in the determination of this Planning Application.

- National Planning Policy Framework, and
- National Planning Practice Guidance.

4 ASSESSMENT OF THE PROPOSAL

4.1 Introduction

4.1.1 From an assessment of the Development Plan and other relevant documents, the main issues in the assessment of the proposed development are as follows:

- Principle of the Development;
- Best & Most Versatile Agricultural Land, and
- Environmental & Amenity Considerations.

4.1.2 The following section considers the main planning issues in turn.

4.2 Principle of the Development

4.2.1 The covered digestate storage lagoon will be constructed on what is currently agricultural land (arable) at Leadenhall Farm. The Application Site is located on land which is designated as open countryside within the SELLP (Policies Map).

4.2.2 The storage of approximately 5,500m³ of liquid digestate on the Application Site, will enable nutrient rich digestate to be used at the appropriate time of the year in order to fertilise the immediate and surrounding agricultural land. The use of the digestate as a fertiliser will replace expensive, and less environmentally friendly, inorganic fertilisers currently used on the surrounding farm land.

4.2.3 Liquid digestate is a by-product of the AD process at Carrington and/or Nocton. Whilst the Applicant can reuse the material as a suitable and sustainable fertiliser, it is technically a waste product from the AD process, and therefore, it is appropriate to have regard to the waste policies within the LMWLP.

4.2.4 Whilst Policy W5 (Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Composting) of the LMWLP does not specifically reference the construction of digestate lagoons, they are an integral part of an AD facility in most circumstances, and therefore, Policy W5 is the most appropriate policy for the proposed development.

4.2.5 Policy W5 states that *“planning permission will be granted for anaerobic digestion, open air composting, and other forms of biological treatment of waste outside of those areas specified in Policy W3 provided that proposals accord with all relevant Development Management Policies set out in the Plan, where they would be located at a suitable ‘stand-off’ distance from any sensitive receptors and where they would be*

located on land associated with an existing agricultural, livestock, food processing or waste management use where it has been demonstrated that there are close links with that use”.

- 4.2.6 The proposed development will be located a suitable ‘stand-off’ distance from any sensitive receptors and will have close links with the existing agricultural use, through the provision of an enhanced nutrient rich natural fertiliser for use on the immediate and surrounding agricultural land.
- 4.2.7 Policy 1 (Spatial Strategy) of the SELLP states that *“in the countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits”.*
- 4.2.8 The above policy aspirations are also echoed at paragraph 83 of the NPPF, it also provides support for the economic growth in rural areas in order to create jobs and prosperity through a positive approach to sustainable new development. In order to promote a strong rural economy, planning policies and decisions should enable:

“the development and diversification of agricultural and other land-based rural businesses...”

- 4.2.9 Indirectly, the proposed lagoon will also support the production of renewable energy from local AD facilities and help to promote sustainable waste management and low carbon energy related initiatives.
- 4.2.10 In conclusion, the proposed development will not be located near to any sensitive receptors, will have direct links with the existing farm holding and is necessary in the proposed location being within close proximity of the Applicant’s agricultural land. Therefore, the principle of the development in the proposed location is considered to be acceptable and is fully compliant with the aspirations of Policy W5 of the LMWLP and with Policy 1 of the SELLP in relation to development in the countryside.

4.3 Best & Most Versatile Agricultural Land

- 4.3.1 The Application Site consists of agricultural land, which is currently being used for the growing of crops. Policy DM12 (Best and Most Versatile Agricultural Land) of the LMWLP states that *“proposals for waste development that include significant areas of best and most versatile agricultural land will only be permitted where it can be demonstrated that: no reasonable alternative exists”.*
- 4.3.2 The proposed development will not require a significant area of best and most versatile agricultural land (0.8ha in total) when considering the extent of the wider farm holding and will be to the benefit of the Applicant and the local community in terms of increased crop yield.

- 4.3.3 The proposal is therefore considered to be fully compliant with the aspirations of Policy DM12 which seeks to protect the County's best and most versatile agricultural land from inappropriate forms of development.

4.4 Environmental & Amenity Considerations

Odour

- 4.4.1 Policy DM3 (Quality of Life and Amenity) of the LMWLP seeks to protect occupants of nearby dwellings and other sensitive receptors from unacceptable adverse impacts arising from odour and/or emissions.
- 4.4.2 The proposed digestate lagoon will be fully covered with passive venting pipes for the relatively small amounts of biogas that is generated from the storage of the material.
- 4.4.3 Odour surveys of the Applicant's existing digestate lagoons have determined that odour from the venting pipes serving the lagoon is imperceptible at a distance of more than 5m and flow rates from the venting pipes is expected to be very low.
- 4.4.4 The nearest residential property is approximately 100m to the south of the proposed covered digestate storage lagoon and is in the Applicant's control/ownership. Given the distance of this property, odour nuisance from the proposed development is highly unlikely.
- 4.4.5 It is therefore concluded, that there will be no odour nuisance associated with the proposed development which is fully compliant with Policy DM3 of the LMWLP.

Ecological Impacts

- 4.4.6 An assessment of the potential ecological impacts of the proposed development has been undertaken and the Ecology and Protected Species Survey can be found at Appendix 1 to this report.
- 4.4.7 Policy DM9 (Local Sites of Biodiversity Conservation Value) of the LMWLP seeks to protect local flora and fauna from any unacceptable adverse impacts. In addition, the policy requires that *"any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in a net-gain in biodiversity through the creation of new priority habitat in excess of that lost"*.
- 4.4.8 The Application Site was surveyed on 10th September 2020. During an appraisal of the site, the protected species, which have the potential to be present, were identified as follows:

- Great crested newt;

- Bats (foraging and commuting);
- Common bird species.

Great Crested Newts

- 4.4.9 The Application Site is not considered to offer suitable terrestrial habitat for great crested newts, due to the presence of arable land and short-sward grassland. There are no refugia available for this species on the site, nor is there any aquatic habitat.

Bats (foraging and commuting)

- 4.4.10 There is very little potential for commuting and foraging bats on the Application Site and the proposed development will not impact upon the potential foraging and commuting habitat within the immediate and surrounding environment.

Common Bird Species

- 4.4.12 A number of common birds were seen on or flying over the Application Site during the survey including kestrel, pied wagtail and meadow pit. The hedgerow beyond the southern boundary of the site has the potential to support ground-nesting birds. The field margins have the potential to support ground-nesting birds. The arable field may also offer suitable nesting habitat for common bird species.

Mitigation

- 4.4.13 Precautionary working practices will be carried out during the construction phase of the proposed development with regards to the protection of great crested newts, bats (foraging and commuting) and as set out within the Ecology and Protected Species Survey.
- 4.4.14 In relation to the protection of nesting birds, any vegetation clearance will be undertaken outside of the nesting season, which typically runs from March to late August. Should works be undertaken during the bird breeding season, a search for nests will be carried out by an Ecologist before work begins, and any active nests will be protected until the young fledge.

Ecological Enhancement

- 4.4.15 In order to provide additional and suitable habitats on the Application Site which will encourage high invertebrate activity, including declining pollinators, grassland bunds will be seeded with an appropriate wildflower mix such as Emorsgate EM1 mix (basic all-purpose meadow mix) which will contribute towards ecological enhancement in the immediate and surrounding locality.

Conclusion

- 4.4.16 In conclusion, the proposed development will have no unacceptable adverse ecological impacts. There are opportunities to enhance local biodiversity and to provide some 'ecological gain' through the provision of additional habitats on the Application Site. It is therefore concluded, that the development is fully compliant with Policy DM9 of the LMWLP and with the aspirations of the NPPF.

Water Environment & Flood Risk

- 4.4.17 The interior of the lagoon will be lined with clay that is won during the excavation works. A HDPE membrane will line the lagoon to prevent digestate loss and will therefore avoid any adverse impacts upon the water environment.
- 4.4.18 In accordance with the NPPF, A Flood Risk Assessment (FRA) has been undertaken as the Application Site is located within Flood Zone 3a (highest risk of flooding). The FRA is attached at Appendix 2 to this report.
- 4.4.19 Policy DM15 (Flooding and Flood Risk) of the LMWLP states that *"proposals for waste developments will need to demonstrate that they can be developed without increasing the risk of flooding both to the site of the proposal and the surrounding area"*.
- 4.4.20 The NPPG confirms that 'Waste Treatment' is classified as 'Less Vulnerable'. Table 3 of the NPPG 'Flood Risk Vulnerability and Compatibility' states that less vulnerable development is 'appropriate' in Flood Zone 3a. This fulfils the requirements of the sequential test.
- 4.4.21 The FRA concludes that, although the Application Site is located within Flood Zone 3a, the surrounding area benefits from flood defence measures in the form of embankments including drainage ditches designed to drain the surrounding land into the River Welland. The land is therefore well equipped to deal with a flood event.

- 4.4.22 It is therefore concluded, that the proposal will not give rise to an increased risk of flooding in the locality or have adverse impacts on the water environment. The proposal is therefore fully compliant with Policy DM15 of the LMWLP and national planning guidance relating to flood risk.

Landscape & Visual Impact

- 4.4.23 The Application Site is fairly remote and is located on agricultural land at Leadenhall Farm, within the open countryside. The site does not lie within an Area of Outstanding Natural Beauty (AONB) or a Special Landscape Area (SLA).
- 4.4.24 The nearest residential property is located approximately 100m to the south of the Application Site which is in the Applicant's ownership/control. The nearest properties beyond the Applicant's farm holding, are approximately 1.5km to the south and 1.8km to the east of the site.
- 4.4.25 Policy DM6 (Impact on Landscape and Townscape) of the LMWLP states that *"planning permission will be granted for waste development provided that due regard has been given to the likely impact of the proposed development on landscape and townscape, including landscape character, valued or distinctive landscape features and elements, and important views"*.
- 4.4.26 The Application Site is located within National Character Area (NCA) 46 – The Fens. The local landscape is described as follows:
- "A large, low-lying, flat landscape with many drainage ditches, dykes and rivers that slowly drain towards the Wash, England's largest tidal estuary. Elevations rarely pass the 10m contour, and typically vary by little more than one or two metres over long distances. Much of the land is below sea level, relying on pumped drainage and the control of sluices at high and low tides to maintain its agricultural viability. The level horizons and the huge scale of the landscape create a strong sense of isolation and tranquillity, and a distinctive sense of place"*.
- 4.4.27 The proposal will not require the removal or loss of any existing hedgerows or trees in the locality. The proposed digestate lagoon will retain an agricultural appearance and will not therefore, be an alien feature in the existing rural landscape. The perimeter soil bunds will only be 1.7m high and will be seeded with grass and a wildflower mix so that they assimilate into the local landscape and avoid any adverse visual amenity impacts.
- 4.4.28 Short, medium and long-distance views will be limited, broken by existing field boundary hedgerows and mature trees. The agricultural nature of the proposed development will not give rise to any unacceptable

adverse landscape or visual impacts and will be fully compliant with the requirements of Policy DM6 of the LMWLP and with the NPPF.

Transport

- 4.4.29 Policy DM13 (Sustainable Transport Movements) of the LMWLP relates to sustainable transport. It states that proposals for waste development should seek to minimise road based transport and seek to maximise where possible the use of the most sustainable transport option.
- 4.4.30 The NPPF seeks to ensure that new development does not have an adverse impact upon the operation and safety of the public highway.
- 4.4.31 In this case, digestate will be delivered to the site from Carrington and/or Nocton AD facilities in sealed artic tankers thereby minimising the distance the digestate has to travel. A tractor with a spreader unit will spread the digestate on the surrounding agricultural land in the ownership of the Applicant. Traffic speeds resulting from the proposed development will therefore be generally low (approximately 30mph maximum).
- 4.4.32 The lagoon will have a capacity of approximately 5,500m³ or 5,500,000 litres. Liquid digestate will be delivered to the Application Site by HCVs/tankers (29,000 litre capacity) on a campaign basis. It is anticipated that approximately 170 loads of digestate will be imported to the site on an annual basis, usually over a three week period (8 loads a day/16 movements).
- 4.4.33 Once on the site, liquid digestate will be transported to the agricultural land by tractor and spreader unit using the Applicant's internal farm tracks/roads and fields.
- 4.4.34 The traffic movements associated with the proposed digestate lagoon will not therefore give rise to any unacceptable impacts upon the local highway network or compromise highway safety in the locality. The proposal is therefore compliant with Policy DM13 of the LMWLP and with the NPPF.

5 CONCLUSION

5.1 The Planning Balance

- 5.1.1 This Planning Application is submitted to the Council on behalf of the Applicant and seeks planning permission for the construction of a 5,500m³ covered digestate storage lagoon on agricultural land at Leadenhall Farm, Holbeach, Spalding, Lincolnshire.
- 5.1.2 AD facilities which includes the construction of liquid digestate storage lagoons, being the by-product of the recycling process, are both encouraged and supported in rural locations being reasonably distanced from the nearest sensitive receptors e.g. residential properties.
- 5.1.3 The proposed development is considered to be an appropriate use in the countryside, as the liquid digestate will be used on the Applicant's immediate and surrounding agricultural land as a nutrient rich fertiliser at the required and appropriate time of year. Therefore, the principle of the development on the Application Site is fully compliant with the locational aspirations and policies within the LMWLP and SELLP.
- 5.1.4 The Application Site which is approximately 0.8ha is currently used for the growing of crops. The loss of the agricultural land for the construction of a liquid digestate storage lagoon, will not be a significant loss, in relation to, and when considering, the wider farm holding.
- 5.1.5 In addition, the proposed development will offer benefits to the Applicant and the local community in the form of an increased crop yield.
- 5.1.6 There will be no unacceptable adverse environmental or local amenity impacts as a result of the proposed development in relation to odour, ecology, water environment and flood risk, landscape and visual impacts and traffic and transportation.
- 5.1.7 It is therefore concluded, that the proposal is a sustainable form of development and is fully compliant with the Development Plan and national planning policy. There are no reasons why the proposal should not therefore be supported by the Local Planning Authority.

APPENDIX 1: ECOLOGY & PROTECTED SPECIES SURVEY

APPENDIX 2: FLOOD RISK ASSESSMENT

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