

FAO: Mark Niland
South Holland District Council
Planning & Development
Council Offices Priory Road
Spalding
Lincolnshire
PE11 2XE

Our ref: AN/2023/135169/04-L01
Your ref: H17-1097-23
Date: 14 June 2024

Dear Mark Niland

**Proposed plant based protein extraction facility and anaerobic digester plant
Land east of Surfleet Bank and West of Woad Farm**

Thank you for re-consulting us on the above application, on 17 May 2024 and for allowing us additional time in which to respond.

Environment Agency position

We have reviewed the submitted drainage strategy dated 22 April 2024, ref: '0360-REP-3000', prepared by Jackson Consulting Engineers and consider that it satisfactorily addresses our earlier concerns.

We therefore **withdraw our previous objection**, dated 24 April 2024; however, we would like to draw your Local Authority's and the applicants' attention to the following information.

Advisories

Surface water drainage

We strongly advise that pollution prevention measures are adopted to ensure that there is no risk to surface water quality in the event of an accidental spillage from the anaerobic digester plant. We note that the submitted drainage strategy does not state measures that will be taken to ensure that any accidental spillage is retained and will not enter the watercourse.

Flood risk

The South Holland hazard mapping found in your Strategic Flood Risk Assessment shows that the site could experience flood depths of up to 0.25 metre arising from a breach in the defences during a flood that has a 1% chance of occurring in any one year up to 2115. We therefore advise and support that appropriate mitigation measures are incorporated into the development, including the raising of electrical supply and switchboard equipment above the predicted flood level, as outlined in the submitted flood risk assessment dated December 2023, ref: 'ECL1181/ P&R', prepared by Ellingham Consulting Ltd.

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Government guidance on flood resilient construction

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience

https://www.ciria.org/CIRIA/Resources/Free_publications/CoP_for_PFR_resource.aspx

British Standard 85500 – Flood resistant and resilient construction

<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

Flood issues outside of our remit

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge
- Details and adequacy of flood proofing and other building level resistance and resilience measures
- Details and calculations relating to the structural stability of buildings during a flood
- Whether insurance can be gained or not
- Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased.
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Environmental Permitting

The proposed development may require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12 if waste activities are carried out.

The plant-based protein extraction activities may require an environmental permit under Environmental Permitting Regulations 2016, Schedule 1, Section 6.8 the treatment of animal and vegetable matter and food industries.

The anaerobic digestion activities will require an environmental permit under Environmental Permitting Regulations 2016, Schedule 1, Section 5.4 disposal, recovery or a mix of disposal and recovery of non-hazardous waste, if the plant has a capacity to treat over 100 tonnes per day. If the plant has a capacity to treat less than 100 tonnes per day an environmental permit is required as a waste activity.

In circumstances where an activity/operation meets certain criteria, an exemption from permitting may apply. More information on exempt activities can be found here:

<https://www.gov.uk/guidance/register-your-waste-exemptions-environmental-permits>

We note that on page 2 of the submitted design and access statement dated 11 December 2023, ref: '3952' it states that space has been allocated for a future waste recycling plant. This activity will also require an environmental permit under the Environmental Permitting Regulations 2016.

The applicant/operator is strongly advised to contact the Environment Agency and request the enhanced pre-application service to discuss the proposals as it may be appropriate to combine all the activities within one environmental permit which will depend on size and capacity of plant and production rates, discussions will include points raised in the planning application form and other queries regarding the various activities being undertaken at the site:

- Waste storage and collection would need to be managed and contained in accordance with the permit with contingency planning for digestate;
- Foul sewage is proposed to be disposed of via a package treatment plant; the capacity of the anaerobic digester plant and plant based extraction capacities would need to be discussed;
- Details of the sustainable drainage system would need to be considered to be appropriate for a permitted activities as usually an impermeable surface with sealed drainage is required.

The applicant is advised to find out more information about the permit application process online and to send a pre-application enquiry form via the gov.uk website: <https://www.gov.uk/government/publications/environmental-permit-pre-application-advice-form>.

We also recommend that the applicant contacts the Environment Agency through the below contact details to discuss the issues likely to be raised:

- National Customer Contact Centre, PO Box 544, Rotherham, S60 1BY
- enquiries@environment-agency.gov.uk
- Telephone 03708 506 506
- Telephone from outside the UK (Monday to Friday, 8am to 6pm GMT) 44 (0) 114 282 5312

Movement of waste

The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable to any off-site movements of wastes.

The code of practice applies to you if you produce, carry, keep, dispose of, treat, import or have control of waste in England or Wales.

The law requires anyone dealing with waste to keep it safe and make sure it's dealt with responsibly and only given to businesses authorised to take it. The code of practice can be found here: <https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

Danielle Maclean-Spencer
Sustainable Places Planning Advisor

Direct dial: 07826 875888

Direct e-mail: danielle.maclean-spencer@environment-agency.gov.uk

