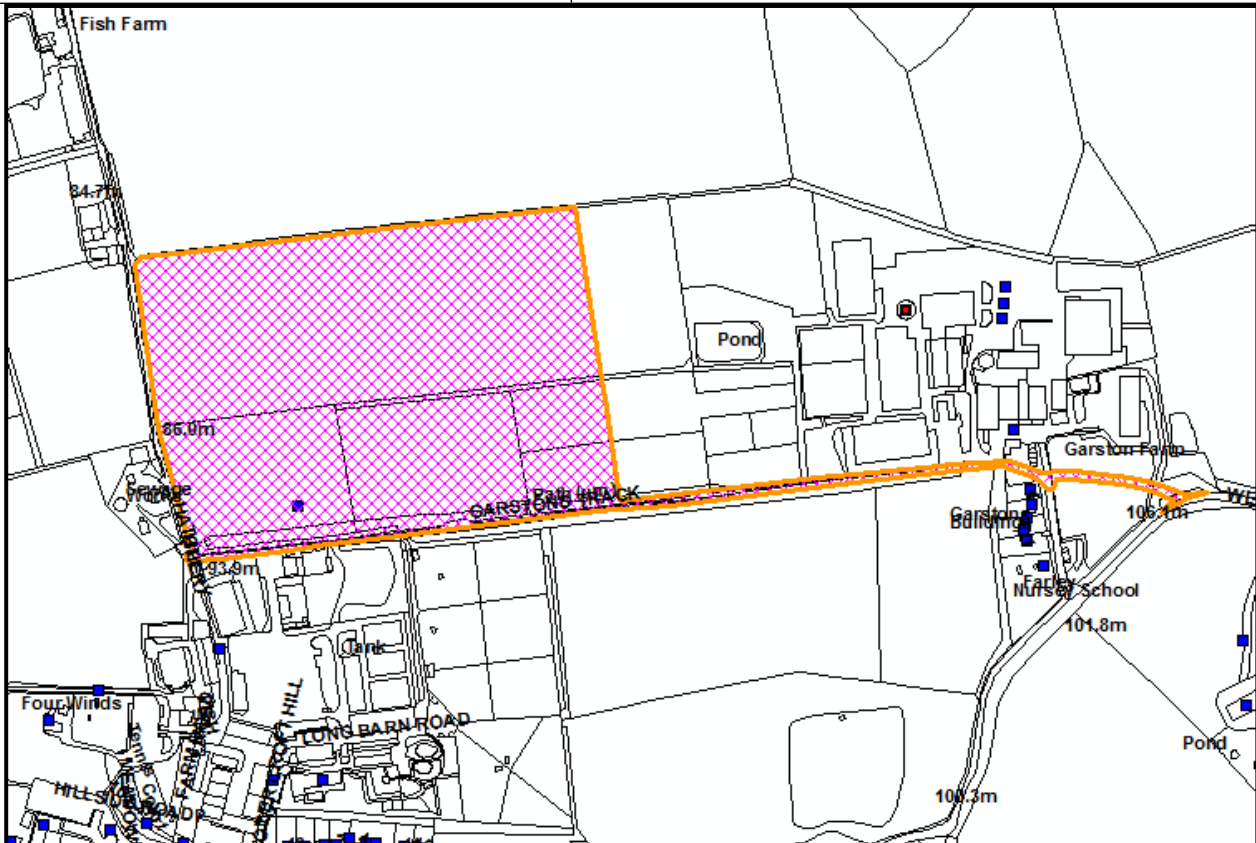


Case No:	18/00703/FUL
Proposal Description:	Section 73 application to vary conditions 2 (Approved Plans), 3 (Interpretations) 4 (Changes to Approved Plans for ADP) 8 (Method Statement on Earthmoving and Re-contouring of Site) and 11 (Materials for Education Building) of planning permission 16/01679/FUL; to allow for changes to layout and infrastructure to form Anaerobic Digester Plant (ADP) and to layout, design and appearance of Education Building.
Address:	Sparsholt College Westley Lane Sparsholt SO21 2NF
Parish, or Ward if within Winchester City:	Sparsholt
Applicants Name:	Ecotricity
Case Officer:	Mr Stephen Cornwell
Date Valid:	9 April 2018
Site Factors:	CIL Zones for Winchester City Council Southern Water Operational Area
Recommendation:	Application Permitted



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Case No: 18/00703/FUL

General Comments

EIA Consideration

In 2014/15 when the proposal for an application combining an Anaerobic Digester and Educational Building was first raised, the proposal was assessed to determine whether any application should be accompanied by an Environmental Impact Statement (EIS). The outcome of that assessment was that the proposal did not cross the threshold requiring an EIS. Whilst the current proposal only seeks to change several elements of the approved scheme, in accordance with the EIA guidance, officers have considered whether or not the overall scheme as now proposed falls within the requirements of the EIA regulations. Whilst those regulations have been updated since the earlier decision, it continues to be the view of officers that this proposal is not EIA development.

Reason for Committee Consideration

This application is reported to the Planning Committee for determination for the following reasons:

At the request of the Parish Councils, whose comments are attached
as appendix A.

At the request of the local Member whose comments are attached as
appendix B.

In response to the number of objections letters received.

This application seeks to vary a major development proposal.

Clarification on Relevant Matters to be Considered in Determination of this Application.

This proposal relates to the consideration of a request to vary specific conditions applied to the original planning permission reference number 16/01679/FUL. As a result of the consultation exercise, the application has drawn significant representations that relate to matters that are outside the scope of the current application and therefore not under consideration at this time. The main focus of attention has been on the change to the feedstock mix with the introduction of straw. This change has then triggered a range of questions over the implications of its use on the original transport assessment in terms of vehicle numbers, the sizes of vehicles to be used, the proposed traffic routes, the ability of the applicant to source the straw from within the 15km supply area, the impact on the local straw market and the potential for other substitute feedstocks (specifically waste) being used. The abilities of the applicants to build and run the AD plant have also been questioned.

The concerns have been raised in virtually every letter of representation received, in the comments from the local member, from Sparsholt Parish Council, Crawley Parish Council and from Stockbridge Parish Council. The latter has submitted two letters including a separate review of the traffic implications following the change in feedstock. The level of concern has reached the degree that a view has been expressed that the authority should seek independent advice for a wholesale review of the project and the ability of the applicants to both deliver the project and operate within the original planning conditions. Attached as appendix C is a list of the questions raised.

Case No: 18/00703/FUL

When planning permission was approved in November 2016 specific planning conditions were imposed that sought to regulate the proposed development. These included a condition that allowed some flexibility in the type of feedstock to be used.

Condition 24 states:

“The feedstock fuel crop source indicated in the submitted application and supporting documentation shall be of grass silage and rye grass or similar grown crop material and shall not include any food, animal, municipal or commercial waste”.

Other conditions regulated the vehicle movements (condition 26) whilst condition 25 set a maximum tonnage that could be brought into the site. A legal agreement was also completed with one element regulating the traffic routing and another restricting the feedstock supply to an area within 15km of the site.

With the presence of condition 24 as outlined above, the use of straw as part of the feedstock mix is allowed and its use does not require any formal consent from the local planning authority. Therefore it is not a matter that is up for discussion or consideration as part of the current application. Consequently, the other questions raised on matters that are also beyond the scope of the current planning application similarly fail to be relevant. The applicant is aware of the interest beyond the scope of the current application and to provide some “comfort” has presented a letter dated 19 June 2018 which offers a series of points for clarification. Fundamentally, the applicant indicates that they are aware of and will operate within the limitations set by the existing planning conditions and the terms of the legal agreement. A copy of this letter is attached as appendix at the back of this report.

On the basis the use of straw is allowed under the existing consent and that the applicant has confirmed they are aware of the limitations set by the planning conditions and terms of the legal agreement, the local planning authority has not considered it appropriate or necessary to seek any external advice from a consultant on a matter that will not form part of the assessment of the current application. Whilst it is noted that the changes to the Anaerobic Digester Plant (ADP) layout has in part been prompted by the need to accommodate the use of straw as part of the feedstock mix, it is not considered that this change in the feedstock should form any part of the assessment. There are other contributory factors to changing the ADP, specifically the choice of the technology provider which entails the adoption of their approach to the handling of feedstocks and production of bio gas.

Having reviewed the nature of the matters raised by respondents and third parties it is not considered that these concerns should feature in the assessment of the current application. Accordingly, the report outlined below will not make any reference to those issues raised that fall outside the legitimate concerns of this application, nor will they feature in the planning assessment. In the event that they are raised by any third party in public speaking, Members are asked to note this advice and give any comments of this nature the appropriate weight in their determination of this application.

Site Description

Sparsholt College is a Further and Higher Educational Institution covering a wide range

Case No: 18/00703/FUL

of land based subject, with a high practical input to courses. The college is located approx. 7.5km to the north west of Winchester and lies just beyond the northern fringe of Sparsholt village. The main access to the campus is off the Winchester to Stockbridge road (B3049) along Westley Lane which has been improved offering the ability for two vehicles to pass each other up to the point where it enters the main campus site (Hillside Road). Beyond this point Westley Lane continues as a winding single width road through to Sparsholt village.

The College consists of a main campus and a smaller group of building around the Equine Centre which lies to the north east of the main campus and is linked back to it by a roadway known as the Garston Track. Adjacent the Equine Centre is the bus turnaround point off Westley Lane. This reflects the closest point that buses get to the campus. Students walk to and from the bus stop from the main campus area using the Garston Track. A further ribbon of farm building extends northward from the main campus on the western side of a track that also accommodates part of the route of a public footpath. The section of Westley Lane at the layby is 30mph with the 60 limit signs located 80m to the north east.

The College occupies about 176 hectares (437acrea) of which 143 hectares (353acres) are farmed. It has 1900 full-time students and 3000 part-time students with a staff complement of 390 full-time and 126 casual/sessional personnel.

In addition to the college, Westley Lane also serves a number of residential properties located off the lane itself, on Hillside Road and a small number of properties on the existing track running down to the Equine Centre from Westley Lane. The first of these properties accommodates Farley Nursery School which runs classrooms in a number of Yurts.

The red lined application site has an area of approximately 8.25ha and forms part of the land holding of Sparsholt College. The site comprises an agricultural field located north of the main college campus buildings on the northern side of the Garston Track. The site is a natural hollow with the land sloping down from the Garston Track and then rising away to the north through the site boundary. The general topography of the surrounding land rises gradually to the east and towards the Stockbridge Road (B3049) to the north east. The site is bounded by hedgerows on its southern boundary to the Garston Track and to the track/footpath on its western boundary.

The site lies within a pattern of agricultural fields to the north, the east and the west, within the college landholding. To the south on the opposite side of the Garston Track are a range of utilitarian buildings, sheds and service yards used for various college studies, with a wider range of more substantial buildings of various ages and designs in the main college campus area beyond to the south.

The site does not lie within any landscape or nature conservation designated area. A public footpath runs through the campus from Hillside Road and runs along the western boundary of the site, continuing northward for a distance of 500m before turning north easterly along a section of ridge before dropping towards the Stockbridge Road.

Proposal

This application seeks to change certain details “agreed” through the following planning conditions that where part of the planning approval granted under reference 16/01679/FUL. The intention behind this application is to enable changes to the layout and
Case No: 18/00703/FUL

plant to be installed to form the ADP and to change the design and appearance of the educational building. The relevant conditions are:

- Condition 2 (Approved plans.....this condition listed all the approved drawings)
- Condition 3 (Interpretations.....this condition referred to specific drawings)
- Condition 8 (Methodology Statement on Earthmoving and re contouring of site...this referred to a specific layout plan)
- Condition 11 (Materials for Education Building.....this condition referred a specific drawing that listed the proposed materials to be used in construction)

These conditions were part of the suite of conditions imposed when planning permission for the anaerobic digester plant, the educational building and the improvements to the access were approved at committee on 13 October 2016.

The applicant has indicated that the changes to the ADP have arisen from the combination of changes in (*government support*) policy which now requires the feedstock to include straw and also resulting from the confirmation of the technology provider. In 2016 the original details of the ADP were kept generic for the purposes of securing a planning permission, but it was always anticipated that once a technology provider had been identified there may be a need to change certain design details.

The changes to the educational building are a direct result of the withdrawal of the £1.4m funding allocated via the Local Economic Partnership and the loss of £500,000 of EU funding. The money was held over as long as possible but due to the review and delay in the government releasing the new Renewable Heat Incentive (RHI) funding arrangements, the LEP money was lost. The applicant is now providing funding for the education building but the overall budget has reduced and this has resulted in a more modest building.

Changes to the ADP

Regarding the ADP, the majority of the proposed changes are minor in nature and reflect the move to a containerised plant where the individual elements arrive and ready to be used one plugged in. The more significant changes are set out below:

The approved layout showed two primary tanks with a further secondary tank. These are to be replaced with two twin ring digester tanks that combine the two stages that would have been performed by the primary and secondary tanks. The original approved primary and secondary tanks were shown as 28m diameter and 30m diameter with a height of 16.2m. The new proposed digester tanks would be 46m diameter with a height of 7.5m plus a 1.25m safety railing.

The new proposal would also see the removal of the reception building (23.8m by 37.7m and 11.7m to ridge) that would have prepared the feedstock prior to it being loaded into the tanks. This is no longer required.

Two tanks were also approved as part of the original permission that would store the liquid digestate that is drawn off the processing tanks. These were shown as 33m in diameter and 16.8m tall. The proposal now is to retain two tanks but these would be 40m in diameter maintaining the height limit but set 1m into the ground.

There are other changes to the plant and equipment to establish the ADP. Excluding the tanks, most of the equipment would appear to be containerised which enables rapid assembly on site. A perimeter security fence will define the ADP site and separates it off from the educational building.

Changes to the Educational Building

Concerning the educational building, the changes would result in the provision of a completely different building. The approved scheme would have seen the creation of a two storey flat roofed building of a contemporary design constructed of dark grey facing block and hit and miss timber cladding. Four classrooms, a display/exhibition space and support facilities would occupy the ground floor with 4 more classrooms and two seminar rooms at first floor.

The proposal now being considered would see a pitched roof steel frame building 42m by 15m clad in metal insulated sheeting. The ground floor would be occupied by four classrooms running down the rear and one side of the building with the majority of the building taken up by an open space annotated as a "technology demonstration hall". This feature takes in the full height of the building. At first floor level there are four additional classrooms sitting on top of the ground floor classrooms, each accessed by a stairway up from the edge of the demonstration hall.

The vehicle access to the educational building would now come off the access running into the ADP and not directly off the Garstons Track. A car parking area is shown on the south side of the building.

In response to comments being raised as part of the general consultation exercise two letters were sent in from the principal of Sparsholt College. It has been agreed with the applicants that these should be treated as coming from the applicant. At the conclusion of the consultation exercise a further letter was submitted again responding to points raised by third parties. A copy of this letter is attached as appendix E. The main points from all three letters are summarised below:

- Wish to make clear operator of gas plant is required by legal agreement to involve students in operation of plant including harvesting, transportation and loading routines of feedstock.
- Education building provides additional opportunities for learning and skills.
- Ecotricity prepared to pay for construction of sizeable but lower cost building that will be gifted to College and used to support Sustainable & Renewables teaching.

- Building of different design to original one but will be extremely useful. Comparable to the smaller renewable teaching centre building recently opened at Berkshire College of Agriculture by the PM.
- Design intended to deliver comparable facility at substantially reduced costs.
- Note views expressed that the smaller less expensive building is indication that education not important to overall project and applicants being untruthful. This is totally incorrect.
- Bio renewable gas plant and education building will combine educational and skilled employment opportunities on offer to students and young people attending new courses in future.
- Aware of email trail that shows circulation of a paper called Community Information Document that is offering prompts for people to use to object to proposal.
- Also note report in Hampshire Chronicle that unnamed campaigner at public meeting admitted view that if current application can be refused then chance whole scheme will be obstructed. Concerned over lack of balance to information being circulated.
- Alternative designed educational building comprises many of the elements of previous building but with reduced seating classrooms. As a comparison College dairy unit does not have any dedicated seating classroom alongside it.
- Provision of any learning and teaching space in close proximity to the gas plant of 8 rooms would be a highly valued asset.
- New design has larger practical teaching and demonstration hall.
- Style of replacement education building is one used elsewhere on campus.
- Proposed building will accommodate up to 8 classroom facilities known as learning pods each capable of containing 16 students.
- Will also contain Technology Demonstration Hall that can be divided into sections for use on teaching/research/training.
- Hall will provide space for site visits/open days/displays of renewable technologies and low carbon providers.
- Full time and part time students will benefit from facility and opportunities will extend from school leavers to senior management of established commercial public and 3rd sector organisations.
- Students will be able to study full life cycle of an AD operation from cropping to operation.
- Education building will provide foundation for College to continue pursuit of sustainable practices in all areas of its curriculum.
- Courses anticipated to be added to curriculum will include but not limited to:
 - Leadership skills for a sustainable workplace
 - Sustainable construction materials and technology
 - Sustainable energy from plant material including wood biomass
 - Photovoltaic systems
 - Water and air heat recovery
 - Wind power
- Courses already offered and would be further developed to include AD are:

Case No: 18/00703/FUL

- Agriculture
- Land Based Engineering
- Conservation Countryside and the Environment
- Horticulture
- Short courses for Agri Tech Businesses including:
 - Introduction to farming and Agri Biomass
 - Safe use of pesticides
 - En & Waste Management
 - Carbon Management

The applicant has confirmed that all the other planning conditions which regulated traffic movements, feedstock quantity and environmental considerations will all remain unchanged. Applicant notes that a new Section 106 agreement would be required as one of the clauses (Sparsholt College travel plan) makes a specific reference to the drawings that show the design and appearance of the education building) which is used as a trigger point for the submission of a new updated travel plan.

The supporting statement that accompanies the application includes 5 appendices:

Appendix 1 a comparative list of changes

Appendix 2 supporting letter from the college

Appendix 3 Revised planning statement

Appendix 4 Technical Assessments

Appendix 5 List of conditions identifying any changes

Appendix four considers if any of the technical assessments that accompanied the original application need to be revisited in the light of the changes proposed. Only the Landscape & Visual Impact Assessment has been identified as requiring a review. An addendum has been submitted assessing the proposed ADP and new educational building in the landscape. The following points have been taken from this updated report:

- When compared to the approved layout there will be a reduction in overall scale and massing of the ADP. This will lessen visual prominence and complexity of built form in views around site and in wider landscape beyond.
- Education building of style seen elsewhere on campus, resultant building will be less noticeable.
- Effect on landscape character likely to remain same as approved scheme.
- Areas for landscaping remain same and proposed landscaping unchanged.
- Original scheme assessed as not impacting on character of wider landscape and causing low level of landscape and visual change.
- Proposed new scheme would have same level of impact or slightly reduced.

Relevant Planning History

14/02672/SCREEN - Request for a screening opinion under the Environmental Impact Regulations for proposed biomass anaerobic digestion facility – Decision: EIA not required 19 January 2015.

Case No: 18/00703/FUL

16/01679/FUL: Biomass-based anaerobic digestion plant including: 3 No. digesters (2 No 'primary', 1 No. 'secondary'); 2 No. digestate storage tanks; biomethane upgrading plant; biogas boiler; standby flare stack; weighbridge & marshalling yard; agricultural feedstock storage (silage clamps); biomass pre-treatment hall; 2 No. buffer tanks (liquid substrate & silage effluent storage); digestate separation station; office, electrical and control building; ground works including bunding and reprofiling using excavated materials; surface water storage lagoon; hard surfacing; means of enclosure; landscaping; upgrading and extension of an existing internal road (Garstons Track) with alterations to an existing access to Westley Lane; and an education building (Class D1) for the 'Hampshire Centre for the Demonstration of Environmental Technologies (RESUBMISSION)- Decision: Application permitted subject to legal agreement with decision notice dated 1 November 2016. |

17/02485/FUL-Installation of energy storage facility comprising up to three battery storage containers with associated equipment, access track, landscaping and fencing, to provide backup electricity to the grid during operational life of 25 years. Application permitted December 2017.

18/00811/NMA- Non Material Amendment to description of development reference 16/01679/FUL: Agreed 10 May 2018. New description now reads:
Biomass-based anaerobic digestion plant including: up to 3 No. digesters; up to 2 No. digestate storage tanks; biomethane upgrading plant; biogas boiler; standby flare stack; weighbridge & marshalling yard; agricultural feedstock storage (silage clamps); biomass pretreatment hall; up to 2 No. buffer tanks (liquid substrate & silage effluent storage); digestate separation station; office, electrical and control building; ground works including bunding and reprofiling using excavated materials; surface water storage lagoon; hard surfacing; means of enclosure; landscaping; upgrading and extension of an existing internal road (Garstons Track) with alterations to an existing access to Westley Lane; and an education building (Class D1) for the 'Hampshire Centre for the Demonstration of Environmental Technologies (RESUBMISSION).

Consultations

Engineers: Highways: To be reported

Head of Environmental Protection: No Objection

- Note minor changes proposed to scheme which was anticipated when original scheme considered as plant details unspecified.
- Have no further comment to make to those in my original consultation response.
- Do not anticipate any material changes to emissions but to be absolutely sure could request revised air quality report.
- Request same conditions attached to any consent granted.

Head of Historic Environment(Archaeology): No Objection

- Previous comments and advice stands.

Environment Agency: To be reported

Case No: 18/00703/FUL

Southern Water: No Objection.

- Comments in response dated 29 July 2016 remain unchanged.

Enterprise M3 LEP: Support.

- Responding specially in relation to skills centre but also support overall development.
- LEP previously approved £1.2m funding to support building of skills centre.
- Project delayed as developer waited for government office to publish information on feed in tariff.
- LEP funding was ring fenced for a period of time but given length of delay funding was eventually lost and allocated elsewhere.
- College could reapply.
- Understand college negotiated with developer for them to fund a smaller version of the skills centre.
- LEP is keen to see the skills centre funded and built.
- The agenda and outcomes of a skills centre associated with renewable/sustainable technologies is not only in strategy of the LEP but also a national strategy and policy.
- Very keen to see this proposal go ahead.

Representations:

Local Member Cllr Mrs Horrill: Objection

- Previously stated in committee report that justification for location of ADP in countryside was based upon educational justification and integral link to agricultural college.
- That assumption now challenged as new application offers reduction of 62% in space of education building. Therefore justification accepted under MTRA4 now broken.
- Proportionality of education building relative to commercial gas installation now completely imbalanced in terms of focus and investment and calls into question validity of application.

Sparsholt Parish Council: Objection

- Changes far from minor and consider application should be refused.
- Original application for green gas mill to support educational need for teaching renewable energies.
- Changes confirm AD was and always has been main priority reducing educational building to an add on facility. Students deserve better.
- LEP funding lost because project did not start on time.
- Education centre modifications a major change to approved application.
- Reducing educational value of scheme by 62% undermines concept and makes proposal unacceptable.
- Scheme no longer meets requirements of MTRA5 & MTRA4 and should be declined.

Crawley Parish Council: Objection

- Application represents substantial reduction in size of educational building.
- Consent originally granted for green gas mill to support teaching recognising a stand alone industrial complex in this location would not be permitted.
- Under these circumstances cannot agree to any diminishment in educational benefit of scheme without commensurate reduction in disruption, danger and difficulty in traffic serving facility.
- Original decision ignored our concerns, now proposed to reduce whatever benefits scheme would have brought to local community.
- Consider scheme seeking to manipulate planning process for financial gain.
- Urge WCC to reject application.

Public Representations

Sixty Nine letters of objection have been received. Main points summarised:

- Proposal will dramatically increase physical footprint of digester tank by 678m² and of the residual tank by 804 m².
- Fitting these within site boundaries will cause unacceptable level of industrial massing and concentration, visually detrimental to open rural landscape.
- No throughput or capacity details given or output of by product compared to approved scheme.
- Original justification to place ADP in this rurally sensitive location was educational benefits provided by high quality bespoke sustainable energy learning centre. This now negated as facility diminished to low grade utilitarian corrugated steel classroom block.
- Educational centre was an important factor of application, reduction shows it is not an important part of the scheme.
- Consider applicants using application as opportunity to submit different and much larger AD design to take advantage of higher financial returns offered by Renewable Heat Incentive.
- If approved scheme both contrary to policy and compounds justified concerns of local residents.
- Proposal now no longer meets requirements of MTRA4 & MTRA5.
- Proposal will see 62% reduction in size of educational centre with corresponding reduction in educational value of scheme.
- Proposed education building is large ugly industrial monstrosity.
- Question educational value of visiting a largely automated ADP.
- Proposals add 73% increase to footprint of ADP resulting in further industrialisation of countryside.
- Changes negate original justification.
- College has no master plan.
- No information offered at public meeting on education courses and benefits being offered.
- Changes should be subject of full review as applied to original scheme.
- Proposal in full view of properties on Garston Track.

Nine letters of support have been received.

Main points summarised:

- Strongly support application.
- Changes will help Hampshire reduce its carbon footprint, for UK to meet climate change targets and provide teaching aid for Sparsholt College.
- Will result in production of renewable energy.
- Will deal with waste in intelligent way.
- Modifications are minor and of no consequence.
- Technology changes mean gas mill has less intrusion than originally approved scheme.
- New education building looks more barn like which is probably more in character with countryside than original building.
- Consider that any objections will fade once plant built and concerns do not materialise.

Relevant Planning Policy:

The Development Plan (for the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004) remains the Local Plan Part 1 (and the remaining saved policies of the Winchester District Local Plan Review) and the determination will need to be made in accordance with these documents unless material considerations indicate otherwise.

Winchester Local Plan Part 1 – Joint Core Strategy (2013)

DS1 – Development Strategy and Principles
MTRA4 – Development in the Countryside
CP6 – Local Services and Facilities
CP8 – Economic Growth and Diversification
CP10 – Transport
CP11 – Sustainable Low and Zero Carbon Built Development
CP12 – Renewable and Decentralised Energy
CP13 – High Quality Design
CP14 – Effective use of land
CP15 – Green Infrastructure
CP16 – Biodiversity
CP17 – Flooding, Flood Risk and the Environment
CP21 – Infrastructure and Community Benefit

Winchester Local Plan Part 2: Development Management and Site Allocations (2017)

DM1– Location of New Development
DM10 – Essential Facilities and Services in the Countryside
DM14 – Masterplans
DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Development Principles
DM18 – Access and Parking
DM19 – Development and Pollution
DM20 – Development and Noise

Case No: 18/00703/FUL

DM23 – Rural Character
DM 26- Archaeology

National Planning Policy Guidance/Statements:
National Planning Policy Framework (2012)
Planning Practice Guidance
Climate Change Act 2008

Supplementary Planning Guidance
Sparsholt Village Design Statement
Winchester District Landscape Assessment

Planning Considerations

On a procedural point, a view has been expressed by some objectors that the scale of the changes is too great to be dealt with under the Section 73 procedure. On the basis that the proposed changes will not result in a different form of development than the one originally approved it is considered that a Section 73 application is a legitimate route for the applicant to seek the scale and nature of the changes proposed. In the event that they are supported, the resultant development would still create an anaerobic digester and an educational building reflecting those elements in the original consent.

When the original application reference 16/01679/FUL was considered by the planning committee in October 2016, the report considered and assessed the full range of issues associated with the proposal under 5 major topic areas. When considering a Section 73 application the legislation makes it clear that the extent of the considerations should be limited to those related to the matter at hand. Section 73(2) of the Planning Act states “On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted”.

Having considered the factors that lead to the decision to support the original application the main considerations with this application are considered to be:

- Whether the policy framework has changed since the original decision was made.
- What role the size of the education building played in the decision to support the principle of the development.
- Whether the impact that the changes to the ADP & Education Building will have on the surrounding area.

The Policy Framework

One consideration is whether the planning policy framework has changed since the original decision was made. Since October 2016 the Local Plan Part 2 has been adopted (April 2017). Having assessed the policies contained in LPP2 it is considered that the original planning assessment undertaken in October 2016 covered all the issues that the LPP2 policies seek to address. Accordingly there is not considered to have been any

Case No: 18/00703/FUL

change to the policy framework that would result in a different decision having been reached.

Whilst the authority is not obligated to follow the decisions made by other authorities when considering similar applications they can offer some indication of the interpretation of both local and national policies. Since 2016 the number of AD facilities within the UK has grown. A limited review of appeal decision would seem to indicate that locations in open countryside are not obstructions to development. Proximity to the feedstock supply (if farm based) and proximity to a grid connection are factors that feature in decisions. Maintaining a secure supply of energy has also featured in a number of decisions. However it is true to say that as with all applications, these factor are weighed against local considerations and in a number of instances appeal applications have been refused. Given the clear approach in the assessment of the original application that sought to link the provision of the ADP at Sparsholt with the provision of an education building which was then links through a specific planning condition, it is not proposed seek to disengage from that link in the determination of this S73 application.

Principle of Development

When considering the principle of the development, the original planning application identified three policy considerations. These where policy MTRA4 (Development in the countryside), policy MTRA5 (Development of major commercial and educational establishments in the countryside) and policy CP12 (Renewable and Decentralised Energy). It is appropriate to review them and assess if the proposed changes would still satisfy them to the same degree as before.

Policy MTRA4 seeks to restrict development in the countryside. It does identify four types of development that could be acceptable but notes regard must be had to the potential impact on the character of the landscape, neighbouring uses, the avoidance of inappropriate noise/light and traffic generation. The original assessment in October 2016 noted that the ADP was a form of development that would not normally be viewed favourably in the countryside. However, the close association with the College was viewed as a significant factor in support. Despite the size of the AD plant it was noted that the proposal did not result in harm to landscape character, pollution or result in traffic issues.

Regarding policy MTRA5 this is supportive of educational and commercial establishments located in the countryside which add to the economic prosperity of the district. These establishments are encouraged to draw up masterplans to guide future development proposals. The absence of a masterplan for the College was not seen as fundamental block to considering this proposal. The linkages between the College and the ADP and the potential benefits arising from the new educational building where considered being in keeping with the intentions of this policy and overriding any concerns.

When considering CP12 the original report noted that this policy supports the principle of renewable and decentralised energy developments but that due weight should be given to

Case No: 18/00703/FUL

7 criteria that sought to protect environmental considerations, the contribution that the proposal would make to energy targets and the CO2 savings, proximity to fuel sources and to connection points to the network. The benefits of the ADP in its contribution towards renewable energy targets and CO2 reductions was noted together with its position relative to the feedstock supply area and the connection point to the gas grid.

When concluding the section on the principle of development the October 2016 report concluded as follows:

“Whilst acknowledging therefore, that the development has an industrial character and is set in a countryside location, it is considered that it is acceptable in principle because the operational side of the application (the anaerobic digester plant) is consistent with Policy CP12 and the enhanced educational offer for Sparsholt College in terms of the expansion into a new technology for renewable energy which accords with the intentions of Policy MTRA5. It is considered that the proposal therefore meets the policy approach contained within local policy subject to control of the details through the use of planning conditions”.

The assessment drew support from CP12 and not just its association with the College. It should be noted that the compliance with CP12 still remains unchanged.

Regarding the links to the College these have to be re-assessed in the context of the education building that is now proposed.

The educational building the facility now being proposed is clearly different to the one that originally formed part of the approved scheme. An analysis of the size of the two buildings indicates that the current proposal would provide 53% of the floor area of the originally approved building. Weight was given in the planning assessment of the original scheme to the delivery of that building in terms of the benefits that would be obtained by the College. These benefits would take two forms Firstly the ability for students to access the ADP and use it as a “study subject” and for them to get practically involved in its operation. Secondly the building would also be used to provide additional space and facilities to learn about sustainability and renewable energy as part of the courses run by the College.

A simple comparison between the two buildings shows that the originally approved facility had more classroom space but less display space than the current proposal. It also looked a more grand building. It has been suggested in discussion that this reflected the availability of the funding that was considered to be available. However, neither of these factors on their own, or in combination should be the critical determinants. The assessment on whether to accept the current proposal as a substitute needs to consider the question of whether the new facility still makes a satisfactory “offer” in terms of benefits to the College. The level of benefits relate to the teaching opportunities available from the proximity to the ADP and from the presence of the educational building to offer both additions to existing courses run by the College and the ability to offer new courses designed around the concepts of renewable energy and sustainable development. It is considered that the provision of courses that include the ability to offer practical work with

an active renewable energy provider and broader courses focusing on or including an element of renewable/sustainable concepts will enhance the offer that the College makes.

In part it must be recognised that the provision of an educational facility focused towards the study of sustainable and renewable technologies must raise the profile of the College as a centre of learning in what is considered to be a developing field. As a comparison it is noted that the Berkshire College of Agriculture has recently opened a facility described as a renewable energy centre within a building half the size of the proposed building at Sparsholt.

In October 2016 there was no consideration in the report on the size of the education building in terms of whether it was adequate or generous in the space offered. The fact that the new building is smaller should not automatically imply it is unacceptable. The applicant, supported by the College still maintains that the reduced building alongside the ADP will offer opportunities for involvement in the operational side and in expanding the curriculum of the College. The Principal has outlined the benefits in his letter which is attached as appendix F. Reference is made to securing a link between the ADP and the College through a legal agreement between them.

Having considered the situation carefully it is considered that the new building will still perform the links to a satisfactory level. Whilst the design of the building has changed the offer remains at a sufficiently strong level to justify continued support for the application as complying with policies MTRA4, MRTA5 and CP12.

Landscape Impact

LPP1 policies MTRA4 and CP12 include the consideration of harm/effect on landscape character. LPP2 policies DM15, DM16, DM17 and DM23 also require development to have regard to its impact on the surrounding area. When the original application was determined it was acknowledged that the development would be seen in the context of the local landscape from a number of vantage points, but the conclusion was that this would not be harmful in landscape terms. In part this reflected the site characteristics with the location in the hollow, that the ADP would not stand out on the skyline and the fact the site would in the wider landscape be viewed as an extension of the College campus. The retention of the boundary vegetation to the south and west together with significant planting was also considered to improve the setting in the landscape. The conclusion of this assessment was that the landscape impacts arising from the scheme could be accepted. This view was supported by the landscape officer at the time.

The changes to the equipment that would form the ADP would be confined to within the originally designated site area. Whilst it is correct that the proposed four tanks would be of a greater diameter than the originally approved ones they are no higher and in part lower. The proposed layout of the site is such that the tanks would not offer lines of sight between them. Consequently the fact there are a lower number of wider tanks does not change this aspect of the scheme. The skyline also continues to be protected. It should also be noted

Case No: 18/00703/FUL

that one of the largest structures on the site was going to be the reception building. This is no longer required and will not form part of the new layout. The addendum to the landscape and character assessment which has been submitted, expresses a view that there would be no change to the impact or slightly less when considering both the changes to the ADP layout and the changes to the Educational Building. This view is supported by the comments of the landscape officer who raises no objection to the proposed changes. Accordingly the resultant development will continue to comply with the relevant policies of LPP1 and LPP2 in terms of landscape impact.

Conclusion

In October 2016 it was anticipated that the layout and equipment to form the ADP was likely to require some adjustment reflecting the final choice of a technology provider. This was recognised in condition 4 (Changes to the Approved plans for the ADP) which made provision to consider changes to the ADP through a condition compliance submission. The need to accommodate the change in the feedstock mix has been a further contributory factor to this review. Even after the proposed changes, the ADP remains within the originally confined area which will allow the original earthbundling and landscaping to be formed. Whilst some of the tanks have a greater diameter they are no taller and in some instances lower. When assessed from a landscape impact perspective, the overall impact is considered to be no different or a slight improvement. These changes are considered acceptable.

The provision of the educational building was considered as an integral part of the original justification of the ADP. This was reflected in the planning conditions that tied the establishment of the ADP to the construction of the educational building. The report considered by members in October 2016 did refer to the design, size and facilities within the educational building that would be provided, but there was no indication that the building under consideration was generous or simply adequate in the facilities it was to provide. A further condition did restrict the use of the educational building to teaching /training but again there was no limitation on the specific nature of the teaching use of the facilities. To a large extent, this reflected the difficulty in imposing further restrictions on the use of the building that would meet the tests of imposing such a restriction.

The current proposal is clearly for a smaller building reflecting a reduction in the teaching space and a building that is of a simpler design. Whilst available space does have some influence on the level of use, to consider the suitability of the current offer it is necessary to look beyond the basic size issue and consider how the space will be used.

Research suggests there are few if any other examples from which any meaningful comparisons can be drawn. In part this reflects the innovative nature of the proposal in terms of the offer that the College is seeking to establish. Berkshire College of Agricultural has recently opened what is described as a Renewable Teaching Centre consisting of 300sqm floorspace. The building under consideration for Sparsholt is twice that size. The Principal of the College continues to express the view that the building will enable the College to broaden its curriculum in terms of offering new courses and add new elements onto existing courses. This is in addition to the direct involvement in the operation of the ADP that the College students will have. If the College is to offer innovative and progressive courses then this type of arrangement and link of this type is central to that approach.

Notwithstanding the reduction in the size of the building, it is still considered that the benefits to the College still remain at a level that would justify continued support for the proposal to the degree that the project is viewed as complying with the intentions of the local plan policies.

Other Matters

One aspect of a Section 73 application is that any approval cannot extend the life of the original planning permission beyond its expiry date. The original consent was issued on 1 November 2016 and consequently that planning permission has to be implemented before 1 November 2019. If this S73 application is supported, then the deadline for its implementation must not exceed 1 November 2019. This requirement is reflected in the wording of condition 1 below.

All the original conditions have been rolled forward but with some adjustments to the wording to reflect the new plans that are associated with this S73 application or to acknowledge that condition compliance matters have been approved. Officers have also reviewed if any of the conditions could be improved upon. The proposed conditions have been discussed with the applicant, particularly those which require pre commencement action. Members may be aware of the government desire to reduce the imposition of conditions that require the submission of detail before any work commences. Agreement with an applicant on this type of condition will shortly become mandatory. (1 October 2018). This discussion has included a review of conditions across the various elements of the site. The applicant has indicated support for the set of conditions which form part of this report.

Planning Obligations/Agreements

The original legal agreement makes specific reference to one of the plans relating to the educational building when identifying the trigger for the submission of a new travel plan for the College. If this application is supported then the relevant clause in the agreement needs amending. The applicant has expressed a desire to retain the existing consent in a condition that it could be implemented if circumstances allowed. This means that the original legal agreement that was signed should be left in a condition that it could be acted upon. A new agreement is proposed that will cover the same requirements addressed in the previous agreement. These are:

- i) Traffic Management Plan for the AD Plant
- ii) The establishment of a Community Liaison Group
- iii) Commercial Feedstock Location (15km zone)
- iv) Road Signs
- v) Employment & Skills Plan (ESP)
- vi) Travel Plan for Sparsholt College

The ESP has already been agreed so that specific clause needs to reflect this.

Recommendation: Approval

Subject to the completion of the legal agreement covering the six areas outlined above and subject to the following conditions:

TIME IMPLEMENTATION

1. The development hereby permitted shall be begun before the expiration of the implementation date as set out in condition 1 of planning permission 16/01679/FUL (decision notice dated 1 November 2016).

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

APPROVED PLANS

2. The development hereby permitted shall be carried out in accordance with the approved drawings and documents unless otherwise agreed in writing by the local planning authority.

Site Plan

- Ecotricity plan entitled Red Line Boundary drawing number 6438_T0240_04 dated January 2016

Educational Building

- Ecotricity plan entitled Revised Education Building Floor and Roof Plans drawing number 6505_T0297_01 dated February 2018.
- Ecotricity plan entitled Revised Education Building Elevations and Sections drawing number 6505_T0294_02 dated February 2018.

Anaerobic Digester Plant

- Ecotricity plan entitled AD Facility Layout Elevation drawing number 6438_T0290_02 dated February 2018.
- Ecotricity plan entitled AD Facility Layout Detail Drawing, drawing number 6438_T0291_03 dated March 2018.
- James Celtic Bio Energy plan entitled Individual Elements Elevations Site Office drawing number SP-AD-005.1 dated 23 November 2015 revision 1.
- James Celtic Bio Energy plan entitled Individual Elements Elevations Back up Power Supply & Transformer Station drawing number SP- AD-005.2 dated 23 November 2015 revision 1.
- Ecotricity plan entitled AD Facility Individual Element Elevation Separator drawing number 6438_T0304_01 dated February 2018.
- Ecotricity plan entitled AD Facility Individual Element Elevation Residue Tank, drawing number 6438_T0305_01 dated February 2018.
- James Celtic Bio Energy plan entitled Individual Elements Elevations Electrical Building drawing number SP-AD-005.5 dated 23 November 2015 revision 1.
- Ecotricity plan entitled Individual Element Elevation Pumping & Oxygen Container drawing number 6438_T0306_01 dated February 2018.
- Ecotricity plan entitled AD Facility Individual Element Elevation Pre-Tank drawing number 6438_T0307_01 dated February 2018.
- Ecotricity plan entitled AD Facility Individual Element Elevation Office/Switchboard, Container, Heating Container and Boiler Container drawing number 6438_T0308_01 dated February 2018.
- Ecotricity plan entitled AD Facility Individual Element Elevation Anaerobic Digester drawing number 6438_T0309_01 dated February 2018.
- James Celtic Bio Energy plan entitled Individual Elements Elevations Biogas Upgrading Plant & Gas Cooling drawing number SP-AD-005.12 dated 23 November 2015 revision 1.
- Ecotricity plan entitled AD Facility Individual Elements Elevation Gas Flare drawing

Case No: 18/00703/FUL

number 6438_T0310_01 dated February 2018.

- James Celtic Bio Energy plan entitled Individual Elements Elevations LPG Tanks drawing number SP-AD-005.14 dated 23 November 2015 revision 1.
- James Celtic Bio Energy plan entitled Individual Elements Elevations Grid Entry Unit drawing number SP-AD-005.15 dated 23 November 2015 revision 1.

General Plans

- SCP plan entitled Proposed Access Arrangements drawing number SCP/14822/F02 revision D dated 21 October 2015.
- Ecotricity plan entitled AD Facility Layout Overall Site & Road Layout drawing number 6438_T0296_02 dated February 2018.
- Ecotricity plan entitled AD Facility Layout Pavements and Finished Surfaces Plan drawing number 6438_T0295_01 dated February 2018.
- Ecotricity plan entitled AD Facility Layout Landscape Sections drawing number 6438_T0298_02 dated February 2018.
- Ecotricity plan entitled AD Facility Layout Sections drawing number 6438_T0293_01 dated February 2018.
- Ecotricity plan entitled AD Facility Layout Proposed Levels drawing number 6438_T0299_01 dated February 2018.
- Ecotricity plan entitled On site Landscaping & Biodiversity Mitigation and Enhancement Strategy drawing number 6438_T0256_05 dated March 2018.
- Drawing entitled Interpretations Plan WCC1 dated 16 July 2018.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved drawings.

INTERPRETATIONS

3. In the conditions a distinction may be made between the whole of the application site (the Site), the Anaerobic Digester Plant (ADP), the Educational Building and the Access area.

- The Site refers to the whole red line application site as shown on the drawing entitled Interpretations Plan WCC1 dated 16 July 2018 and which is attached to this decision notice.
- When any reference is made to the Anaerobic Digester Plant or ADP site this refers to the whole of that facility lying within the area as shown in green on the drawing entitled Interpretations Plan WCC1 dated 16 July 2018 and which is attached to this decision notice.
- When any reference is made to the Education Building or educational facility this refers the whole of that building the parking area and that part of the access to this building as shown in yellow on the drawing entitled Interpretations Plan WCC1 dated 16 July 2018 and which is attached to this decision notice.
- The Access area refers to that part of the site which is shown in orange on the drawing entitled Interpretations Plan WCC1 dated 16 July 2018 and which is attached to this decision notice.
- A distinction is drawn between the use of the term first production of gas and commissioning and first export of gas. When the term first production of gas is used it is meant to imply exactly that.

Reason: For the avoidance of doubt.

Case No: 18/00703/FUL

PRE COMMENCEMENT CONDITION

INTERLINKAGE OF EDUCATIONAL AND ADP DEVELOPMENTS

4. Before any development is commenced on the ADP or Education Building, a phasing plan with specified timings of the critical stages to be reached in the development of the Educational Building and the ADP (commencement, completion, commissioning and occupation/first use or commencement of gas production) shall be submitted to and approved in writing with the local planning authority. This phasing plan shall ensure that the educational building shall be provided for occupation prior to or alongside the ADP first producing gas.

Reason: Planning permission is only given for the ADP commercial production facility in this countryside location based upon the educational justification and integral link to the established agricultural college.

ECOLOGY - BATS

5. Before any development hereby permitted is commenced on the ADP or Education Building, the bat and bird box scheme as set out in appendix 1 of the Ecotricity letter dated 4 January 2017 shall be implemented. In the event that any of the approved boxes are removed or damaged during a period of 5 years after their installation then a replacement box of the same type and quality shall be installed in its place.

Reason: To ensure the provision of roosting opportunities for bats which are European Protected Species.

TREE REPORT AND TREE PROTECTION

6. Prior to the commencement of any site groundwork, ground preparation, or construction, and prior to any equipment, machinery, or materials being brought onto any part of the site for the purposes of the development, updated tree protection plans reflecting the new ADP layout and new Education Building and any changes necessary to the tree protection measures as set out in the Barrell Tree Consultancy Arboricultural Method Statement dated July 2016 to reflect the development hereby permitted, shall be submitted to and approved in writing with the local planning authority. The approved details shall be implemented within the ADP site, the site of the Educational Building or the Access Area, whichever part of the application site the work is to be undertaken upon. These actions shall include:

- i) Tree protection measures (the erection of fencing, and any other protective measures for the protection of any retained tree).
- ii) Construction exclusion zones (nothing shall be stored or placed in any area so fenced).
- iii) Performance specifications for technical or engineering solutions within the root protection areas or construction exclusion zone.
- iv) A Site supervision programme by the appointed project arborist.

No arboricultural works shall be carried out to trees other than those specified, and in accordance with the Method Statement. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation or other works be carried out, without the written consent of the local planning authority. The Arboricultural Officer shall be

Case No: 18/00703/FUL

informed as soon as the construction exclusion zone has been fenced, so that it can be inspected and deemed appropriate and in accordance with the approved Method Statement.

Reason: To ensure the protection of existing trees, trees which are to be retained and areas for future planting.

METHODOLOGY STATEMENT ON EARTHMOVING AND RECONTOURING OF SITE

7. Before commencement of the development of the ADP, the document entitled Sparsholt College Digestion Plant Methodology Statement on Earthmoving & Recontouring of Site (revision 03) dated 3 July 2017 and which was submitted to the local planning authority as an attachment to an email dated 3 July 2017 shall be updated to take into consideration the layout as shown on the approved plans and the details of this permission and the updated document shall be submitted to and approved in writing by the local planning authority.

Once formed, no vehicles, equipment or construction plant shall be allowed onto the earthworks, bunds or grass areas. The earthworks and establishment of the chalk grassland shall then be undertaken in accordance with the details as approved. The bunds and other earthworks shall be formed in accordance with the details as shown on the approved plans:

- Ecotricity plan entitled AD Facility Layout Pavements and Finished Surfaces Plan drawing number 6438_T0295_01 dated February 2018.
- Ecotricity plan entitled AD Facility Layout Landscape Sections drawing number 6438_T0298_02 dated February 2018.
- Ecotricity plan entitled AD Facility Layout Sections drawing number 6438_T0293_01 dated February 2018.

In the event that the available material is found to be in excess of the calculation or below the calculations required to form all the bunds/earthworks as shown on the approved plans, then the applicant shall submit a written proposal to be approved by the local planning authority of how the excess or deficit of material shall be overcome including a priority ranking for the bunding/earthworks so that those considered essential are created first. The agreed scheme shall then be implemented in accordance with the approved details.

Reason: To ensure that the quantity of available excavated material is sufficient to complete the bunding/earthworks as set out on the approved plans.

SURFACE WATER AND FOUL WATER DISPOSAL

8. Before construction work on either the Educational Building or the ADP hereby permitted is first commenced, separate or combined schemes to manage and dispose of surface water utilising Sustainable Urban Drainage (SUDS) techniques and for the disposal of foul water that is intended to service that part of the development, shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include measures for the long term management of any proposal. Regarding the Education Building, the approved drainage details shall be fully implemented before it is first brought into use. Concerning the ADP, the approved details shall be fully implemented before the production of any gas.

Reason: To ensure satisfactory provision of foul and surface water drainage in

Case No: 18/00703/FUL

recognition that the site lies within Sparsholt's groundwater Source Protection Zone and above the Newhaven Chalk Formation which is designated as a principal aquifer.

NOISE MITIGATION SCHEME FOR ADP

9. Prior to the commencement of the development of the ADP a full acoustic report shall be commissioned, in accordance with BS4142:2014. The noise report shall ensure that the plant noise levels are no higher than the existing, pre-development, background noise level at the nearest noise-sensitive residential dwellings. The noise report shall also include one-third octave-band analysis to ensure that any tones present are accurately identified and corrected, in accordance with BS4142:2014. This report shall be submitted to and approved in writing by the local planning authority before the ADP first produces any gas.

A noise validation report, demonstrating compliance with these noise criteria, shall be submitted to and approved by the local planning authority within 3 month of the first export of gas . Any such noise protection measures proposed shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: To protect the amenity of the nearest noise sensitive residential dwellings.

ADDENDUM TO ODOUR REPORT

10. Prior to the commencement of the development of the ADP an addendum to the Air Quality Report dated 18 January 2016 shall be commissioned which addresses the implication on emissions of the change in the feedstock mix. This report shall be submitted to and approved in writing by the local planning authority before the ADP first produces any gas. Any operational management proposals set out in the report to address potential odour concerns shall be implemented as the ADP first produces any gas and shall be maintained thereafter.

Reason: To protect the amenity of the nearest residential property.

MATERIALS FOR EDUCATIONAL BUILDING

11. Before construction of the Educational Building hereby permitted rises above foundation level, details of the colour of the walls and roof of the building shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

MATERIALS & FINISHES FOR ADP

12. Before any plant or equipment that will form the ADP is placed on the site details or samples of the materials or finished colour to be used for the construction of all external surfaces of the development hereby permitted, have been submitted to and approved in writing by the local planning authority. The construction of any buildings or erection of any plant or equipment shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

ARCHAEOLOGY MITIGATION

Case No: 18/00703/FUL

13. Before any development is commenced in that part of the application site referred to as the "red area" in the Archaeological Evaluation report prepared by Oxford Archaeology South and received by the local planning authority on 24 March 2017 and shown on the Ecotricity drawing entitled Archaeological Phasing Plan drawing number 6438_T0285_02 dated April 2017, further field investigations of the "red area" shall be undertaken, written up and then submitted and approved in writing by the local planning authority. Prior to the submission and agreement of the further field investigations access into the "red area" shall be restricted in accordance with the annotations set out on the plan. No development or site preparation shall take place within the "red area" other than in accordance with the further field investigation report approved by the local planning authority. The report shall include:

1. The programme and methodology of site investigation and recording
2. Provision for post investigation assessment, reporting and dissemination
3. Provision to be made for deposition of the analysis and records of the site investigation (archive).

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations, in compliance with policy HE.1 of the Winchester District Local Plan Review.

ARCHAEOLOGY REPORT

14. Following completion of archaeological fieldwork, a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available, in compliance with policy HE.1 of the Winchester District Local Plan Review.

CONSTRUCTION MANAGEMENT PLAN

15. Prior to work commencing on the ADP, the Education Building or in the Access area, a Construction Management Plan (CMP) for that specific element of the development shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include the following details for each and all parts of the proposal (where relevant):

Environmental:

- Dust suppression, mitigation and avoidance measures.
- Measures for minimising construction waste and provision for the re-use and recycling of materials which shall be used in the construction of the development.
- Noise reduction measures, including use and details of acoustic screens and enclosures as required, the type of equipment to be used and their hours of operation.
- Construction period floodlighting and security lighting (if proposed). (note: this must be directed in such a way as not to cause nuisance to adjoining properties or adjacent highway).

Ecological:

- Timing restrictions for staged removal of any vegetation so as not to conflict with breeding seasons.

Case No: 18/00703/FUL

- Measures to be taken to prevent contaminants from entering watercourses or the water environment.

Transportation:

- A traffic management plan for construction vehicles entering and leaving the site, including times of movement so as to avoid peak period traffic .
- Measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway.
- Provisions to be made for the parking and turning of operative and construction vehicles during the period of development including times of movement so as to avoid peak period traffic, neighbour notification, use of pointsmen etc.

The Construction Management Plan shall be adhered to throughout the duration of the construction period. For the avoidance of doubt, this condition only covers construction work on the application site and not any operational phase.

Reason: To ensure that all demolition and construction work in relation to the application is undertaken in a sustainable manner and does not cause materially harmful effects on nearby properties and businesses.

HIGHWAY SPECIFICATION

16. No development will commence on the site until the following details have been submitted to and approved in writing by the local planning authority:

- A specification of the type of construction for the new junction, new section of roads and footpaths including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels together with details of any street lighting and the method of disposing of surface water;
- A programme for making up the roads and footpaths along that section of Garston Track to be used as the access and included within the red lined application site.
- A timetable for the completion of the work.

Reason: In the interests of highway safety.

IMPLEMENTATION OF HIGHWAY IMPROVEMENTS

17. Before any construction commences on the Educational Building or the ADP but excluding the re-profiling of the ground works, the new junction and section of new or improved roadway linking through to the Garston Track, together with the improvements to the Garston Track itself shall be formed and made useable and open to traffic. The exclusion gate limiting the use of the track past the houses shall be installed in the position as shown on the approved plan (ref SCP/14822/F02 Revision D) and kept closed when not in use. All construction traffic for both the Educational Building and the ADP shall use the new link and all traffic associated with the operational use of the ADP and the Educational Building shall use the new Junction off Westley Lane the new section of road and shall approach the ADP via the Garston Track.

The wearing coat of the new access and link road shall be completed in accordance with the approved timetable.

Reason: In the interests of highway safety.

TEMPORARY HIGHWAY SIGNAGE FOR CONSTRUCTION TRAFFIC

Case No: 18/00703/FUL

18. Before the new junction off Westley Lane is first brought into use, details of a temporary signage scheme to be installed at that junction to direct all construction traffic associated with the development to turn right off Westley Lane at this junction and for all construction traffic leaving the site to turn left towards the Stockbridge Road (B3049) shall be submitted to and approved in writing by the local planning authority. The approved signage scheme shall be installed before the junction is first brought into use. The signs shall then be retained and maintained during the construction phase of the development.

Reason: In the interests of highway safety.

PRE OPERATIONAL CONDITIONS

HIGHWAY SIGNAGE FOR OPERATIONAL TRAFFIC

19. Before the new junction off Westley Lane is first brought into use for operational traffic associated with the ADP or use of the Educational Building, details of a signage scheme to be installed at that junction to direct all traffic associated with the two facilities to turn right off Westley Lane at this junction and for this traffic leaving the site to turn left towards the Stockbridge Road (B3049) shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be installed before the junction is first brought into use in connection with the operation of the ADP or the Educational Building. The signs shall then be retained and maintained hereafter so long as the ADP or Educational Building is present including the period of the dismantling of the ADP and the restoration of that part of the site.

Reason: In the interests of highway safety.

LANDSCAPE SCHEME

20. Before the Education Building is first brought into use or the ADP first produces any gas, details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. These details shall include the following, as relevant:

- a) existing and proposed finished levels or contours;
- b) means of enclosure, including any security fencing or retaining structures;
- c) car parking bays layout including cycle rack provision.
- d) hard surfacing materials;
- e) a timetable for the delivery of the above.

Soft landscape details shall include the following, as relevant:

- a) planting plans; including around and in the water feature;
- b) written specifications (including cultivation and other operations associated with plant and grass establishment);
- c) schedules of native plants, noting species, planting sizes and propose numbers/densities, where appropriate;
- d) retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- e) a timetable for the implementation of the soft landscaping.

Reason: To improve the appearance of the site, in the interests of visual amenity.

LANDSCAPE WORKS FUTURE MAINTENANCE

21. All hard and soft landscape works shall be carried out in accordance with the approved details and implementation timetable. The works shall be implemented in accordance

Case No: 18/00703/FUL

with an agreed timetable for the development, or in accordance with the programme agreed by the local planning authority. If, within a period of five years after planting, any tree or plant is removed, dies or becomes, in the opinion of the local planning authority, seriously damaged, defective or diseased, another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the local planning authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape, in accordance with the approved designs.

LANDSCAPE MANAGEMENT PLAN

22. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules, relating to the environmental enhancement proposals within both the red lined application site and the Sparsholt College Land Boundary (shown in Blue) as identified on the Ecotricity Figure A15 entitled Offsite Landscape Mitigation Enhancement Plan drawing number 6438_T0255_03 dated April 2016, included as part of the Landscape and Visual Impact Assessment document dated July 2016 and submitted as part of planning application reference number 16/01679/FUL shall be submitted to and approved in writing by the local planning authority within 6 months of commencement of works on site. The management plan shall include the following information:

- i) A landscape management key plan coordinating all requirements for external areas, as covered by other conditions and including landscape, trees, levels and drainage;
- ii) All plans for the external areas, based on an accurate topographical survey.
- iii) A timetable for the implementation of the actions contained in the management Plan.

The landscape management plan shall be carried out in accordance with the details hereby approved and implemented for a period of 20 years following completion of landscape works on site, as approved by the Local Planning Authority.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by features that contribute to the landscape.

PARKING

23. The car park bays and cycle racks intended to serve the ADP or the Educational Building as shown on the Ecotricity plan entitled AD Facility Layout Detail Drawing, drawing number 6438_T0291_03 dated March 2018 shall be constructed, surfaced, marked out and made available for use by that element of the development in accordance with the approved plan and to the following timetable; regarding the ADP, before first exports any gas and regarding the education building, before it is first brought into use. These areas shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that adequate on-site parking and turning facilities are made available.

OPERATIONAL CONDITIONS

USE RESTRICTION - EDUCATIONAL BUILDING

Case No: 18/00703/FUL

24. The education building hereby permitted shall not be used for any other purposes other than teaching and research as part of Sparsholt College or for learning about the operation of the adjoining ADP facility. Outside term time the permitted use of the educational building may be extended to include academic conference and summer school events. The buildings shall be used for no other purpose including any other purpose in class D1 of the Town and Country Planning Act (Use Class) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order.

Reason: The development is of a type that would not be acceptable for use in this countryside location other than as part of the host college.

FEEDSTOCK CROP FUEL

25. The feedstock fuel crop source indicated in the submitted application and supporting documentation with planning application reference number 16/01679/FUL shall be of grass silage and rye grass or similar grown crop material and shall not include any food, animal, municipal or commercial waste.

Reason: To define the type of ADP operation and to support the sustainability credentials that the submission is based upon.

FEEDSTOCK QUANTITY

26. The amount of feedstock imported to the ADP hereby permitted shall not exceed 60,000 tonnes in any calendar year.

Reason: To ensure that the traffic impacts on the surrounding road network are limited to those specified within the application details.

FEEDSTOCK DELIVERIES & DIGESTATE MOVEMENTS

27. The number of feedstock deliveries to the ADP hereby permitted and the traffic movements associated with the collection of digestate from the ADP, shall not exceed by month or net daily average, those set out in table 6.1 (Forecast Annual Deliveries by Month (Vehicles), as set out on page 30 of the Transport Statement entitled Sparsholt College Green Gas Mill and Education Building Resubmission dated July 2016 and which has been submitted as part of the supporting documentation with the planning application reference 16/01679/FUL. The operator of the ADP shall record all deliveries of feedstock to the site and the movement of digestate off site, logging the following information (where applicable):

- the date and time of the arrival of each delivery of feedstock;
- the date and time of arrival of any vehicle collecting digestate;
- the company or farm name of the hauler;
- the location of the supply farm or satellite clamp;
- the location of the intended recipient of the digestate;
- the registration number of the vehicle;
- the weight of the feedstock delivered;
- the quantity and type (solid or liquid) of digestate being exported;
- the departure time of the vehicle on leaving the site.

These records shall be retained for a minimum of two years and shall be made available for inspection by the local planning authority within 48 hours notice of such a written request.

Case No: 18/00703/FUL

Reason: To ensure that the vehicular traffic entering and leaving the site adhere to the measures to reduce the impact on the local road system in accordance with the details as set out in the supporting Transport Statement which accompanied the planning application.

HOURS FOR FEEDSTOCK DELIVERIES & DIGESTATE COLLECTION

28. No feedstock shall be delivered to the site or any digestate moved off site outside the hours of 0700 to 2000hours on any day.

Reason: To ensure that the impacts associated with the development are controlled in the interests of the amenities of the surrounding area and nearby residential properties.

SHEETING

29. Unless fully enclosed by virtue of the design of the vehicle or trailer, all delivery vehicles including any trailer arriving at the ADP and carrying feedstock, shall be sheeted so that no part of the load is open to the elements and any vehicle leaving the site which is carrying any solid digestate shall also be sheeted.

Reason: To ensure that no material is deposited from the vehicle onto the roads during transit to the detriment of other road users and that cause dis-amenity to the area concerned.

HEIGHT OF MATERIAL IN THE STORAGE CLAMPS

30. The maximum height of any feedstock placed in a storage clamp shall not exceed 6m above the base level of the clamp.

Reason: To ensure that the storage area does not have any adverse impact on the character of the open countryside.

COLOUR OF CLAMPING SHEETS

31. Before any sheeting is used to protect any feedstock in the storage clamps from the weather, details of its colour shall be submitted to and approved in writing by the local planning authority. Only sheeting of the approved colour shall be used.

Reason: To protect the visual character of the open countryside.

EXTERNAL LIGHTING

32. Prior to the installation of any external lighting associated with the use of the Educational Building site and/or the ADP production site, details of the lighting to be installed shall be submitted to and approved in writing by the local planning authority. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles) The lighting shall be installed, maintained and operated in accordance with the approved details unless the local planning authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from light pollution.

POST OPERATIONAL CONDITIONS

DECOMMISSIONING AND RESTORATION OF SITE

33. In the event that the ADP ceases to operate and no gas is produced for export from the site for a period of 24 months, then the ADP shall be decommissioned and the land returned to its former use. All structures, plant and equipment shall be dismantled and any hard surfaced areas broken up. All materials from these operations shall be removed from the site. Prior to any works associated with this condition commencing, a scheme setting out the full extent of the proposed works, the retention of any planting/vegetation/water features and the proposed final ground levels, any seeding to be undertaken and a timetable for the completion of all the works shall be submitted to and approved in writing by the local planning authority. The decommissioning works shall be undertaken in accordance with the approved details. For the avoidance of doubt, the educational building is not included within the requirements of this condition.

Reason: To maintain the appearance of the site in the interests of the visual amenity of the area.

Informatives:

1. This permission is granted for the following reason:

The development is in accordance with the policies and proposals of the Development Plans set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

The Local Planning Authority has taken account of the following Development Plan policies and proposals:

Winchester Local Plan Part 1 - Joint Core Strategy (2013):

DS1 - Development Strategy and Principles

MTRA4 - Development in the Countryside

CP6 - Local Services and Facilities

CP8 - Economic Growth and Diversification

CP10 - Transport

CP11 - Sustainable Low and Zero Carbon Built Development

CP12 - Renewable and Decentralised Energy

CP13 - High Quality Design

CP14 - Effective use of land

CP15 - Green Infrastructure

CP16 - Biodiversity

CP17 - Flooding, Flood Risk and the Environment

CP21 - Infrastructure and Community Benefit

Winchester District Local Plan Part 2 (2015):

DM1 – Location of New Development

DM10 – Essential Facilities and Services in the Countryside

DM14 – Masterplans

DM15 – Local Distinctiveness

DM16 – Site Design Criteria

DM17 – Site Development Principles

Case No: 18/00703/FUL

DM18 – Access and Parking
DM19 – Development and Pollution
DM20 – Development and Noise
DM23 – Rural Character
DM 26- Archaeology

2. All building works, including demolition, construction and machinery or plant operation, should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised bank or public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

3. No materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

4. The applicants attention is drawn to the fact that it is an offence to undertake works that affect the habitat of protected species without first undertaking appropriate surveys and providing a mitigation strategy and first obtaining and complying with the terms and conditions of any licences required, as described in Part IV B of Circular 06/2005. They should accordingly liaise with Natural England to ensure that the provisions of the following legislation are satisfied before any work is commenced on site pursuant to the permission hereby granted: Parts IV and Annexe A of Circular 06/2005 'Biodiversity and Geological Conservation'; Section 40(1) of the Natural Environment and Rural Communities Act 2006 and Regulation 3(4) of the Conservation (Natural Habitats & c) Regulations 1994 and section 74 of the Countryside and Rights of Way Act 2000.

5. The applicant / developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development.

A formal application to requisition water infrastructure is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119 or www.southernwater.co.uk

The exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised. All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation mounding or tree planting should be carried out within 4 metres of the public water main without consent from Southern Water.

Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

6. Under current legislation and guidance, SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical

Case No: 18/00703/FUL

that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should specify the responsibilities of each party for the implementation of the SUDS scheme; specify a timetable for implementation, provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Following initial investigations, there is currently inadequate capacity in the local network to provide a water supply to service the proposed development. Additional off-site mains, or improvements to existing mains, will be required to provide sufficient capacity to service the development. Section 41 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to supply a specific site.

7. The plans approved in relation to this planning permission are those shown on the accompanying schedule of drawings received. Development shall be undertaken in accord with such approved plans, unless the local planning authority has first approved in writing alternative plans in variation thereto or amplification thereof.

8. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible. For further advice on this please refer the Construction Code of Practice <http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-ofconsiderate-Practice>

9. Conditions discharge: The applicant is advised that one or more of the Condition attached to this permission need to be formally discharged by the local planning authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk.

10. The implementation of this planning permission is also regulated by the terms of a Legal agreement under Section 106 of the TCPA 1990. This agreement should therefore be read in conjunction with this decision notice.

Case No: 18/00703/FUL

I am writing to formally place on record my objection to the above planning application following the submission of plans by Ecotricity and the dialogue with the applicant and their consultant at a public meeting hosted by Sparsholt Parish Council on the 17th May.

I would also formally request this application is taken to Committee for decision.

I object to the application on the following grounds:-

1. That you yourself advised in your report dated July 2016 that the planning permission granted at that time ...”is only given for the ADP commercial production facility in this countryside location based upon the educational justification and the integral link to the established agricultural college”.

I now challenge that assumption with the new application which is offering a much reduced specification of education building and a significant reduction in size – a reduction of 62% in the space between the two submissions and that it no longer meets the basis on which this industrial complex in the countryside was approved. I cannot now see the justification for approval for this updated educational facility given the requirements of MTRA4.

2. The proportionality of the educational building relative to the commercial scale gas installation is now completely imbalanced in terms of focus and investment and calls into question the validity of the application. The reduction in learning space and facilities significantly reduces the capability of the building and hence the educational benefits to students on which this application was originally approved.
3. The mix of feedstock crop fuel of rye grass/grass silage and now straw is not proven in a commercial operation and this is exacerbated by the fact that the applicant has never built an AD plant. Despite my formal request to the planning authority to seek professional advice regarding this technology you have refused to do so. I regret this decision since the public would have been much reassured that we had done due diligence with this application given the lack of knowledge we have as a planning authority in this area.

It is clear to me as a planning authority we are taking the view that the project will evolve with multiple amendments to the planning permission and that the villages impacted will have to be the watchful eye.

4. The feedstock mix has also led to the consultant advising that they had every intention they would source the crops from the 15km radius but were unable to confirm this. Although we have conditions in place that would necessitate a further request to change the planning permission if this were the case, it is a perfect example of the uncertainty surrounding this venture and why we should be seeking better clarity and halting this latest application. Infact the green credentials so heavily emphasised in earlier submissions are now seriously in doubt.

Kind regards,

Case No: 18/00703/FUL

Caroline Horrill
Leader & Portfolio Holder for Housing
Cllr for Wonston & Micheldever Ward
Winchester City Council
City Offices, Colebrook Street
Winchester, SO23 9LJ

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Request for Committee Consideration by Sparsholt Parish Council

APPENDIX B

Application number 18/00703/FUL

Sparsholt Parish Council strongly object to this application to vary some of the conditions applied to the approved application 16/01679/FUL. As we set out below the changes are far from minor (as required under section 73) and we therefore consider that this application should be refused.

The original approved application was for a “green gas mill” to support an educational need for the teaching of renewable energies.

The WCC Case Officer stated in his submission to the planning committee on October 13th, 2016 ***“The proposal of an industrial complex would not normally be viewed favourably under the relevant policies for the protection and safeguarding of the countryside. In this proposal the link to and benefit of expansion of the training and skill base offered by the College from the new technologies that this proposal offers to students would enable the development to form part of the “educational offer” of the college. As the college is based in the countryside the provision of a facility to enhance the scope of instruction offered which is applicable to the curriculum the college offers is justified whilst acknowledging the development is also a commercial operation producing energy for wider consumption”.***

Condition 04 applied to the approved plans dated 16th October 2018 state:

INTERLINKAGE OF EDUCATIONAL AND ADP DEVELOPMENTS

Before any development is commenced on site, a phasing plan with specified timings of the critical stages to be reached in the development of the Educational Building and the ADP (commencement, completion, commissioning and occupation/first use or commencement of gas production) shall be submitted to and approved in writing with the local planning authority. This phasing plan shall ensure that the education building shall be provided for occupation prior to or alongside the ADP first producing gas.

REASON: *Planning permission is only given for the ADP commercial production facility in this countryside location based upon the educational justification and integral link to the established agricultural college*

Now we see Ecotricity seeking changes to the conditions for approved plans that confirm that the AD is and always has been the main priority. The proposed changes to the education centre would now appear to be the “add on” facility. The students and Sparsholt College deserve better than a corrugated barn to take them into the 21st Century. The funding of £1. 3M for the building of the approved educational building was lost because of Ecotricity’s failure to start the project on time. We therefore find it totally unacceptable that the educational facility is now clearly second class to the AD needs, through the failure of Ecotricity to meet the terms of the M3 LEP grant

The Education Centre modifications are a Major change to the approved application. The proposed change will see the educational capacity of the building slashed by 62% compared with the approved building. The whole concept of the renewable energies technology centre led to the council approving the scheme proposed under MTRA (5) –

Case No: 18/00703/FUL

despite there being no Master Plan for Sparsholt College. MTRA (5) clearly states that *because of their sensitive rural locations, masterplans should be prepared prior to development which identify the site opportunities and constraints, promote sensitive land and building stewardship, promote sustainable development, and maximise sustainable transport opportunities, whilst limiting impacts on the surrounding environment and communities.*

Reducing the educational value of the scheme by 62% undermines the concept and would make the construction of an industrial scale plant in the countryside unacceptable in terms of the poor return now being provided to the community. It therefore no longer meets the requirements of policy MTRA5 and has already been agreed by the Council it does not meet with the requirements of policy MTRA4.

MTRA (4) states *that in the countryside, defined as land outside the built-up areas of Winchester, Whiteley and Waterlooville and the settlements covered by MTRA 2 and 3 above, the local Planning Authority will only permit the following types of development:*

- *Development which has an operational need for a countryside location, such as for agriculture, horticulture or forestry; or that*
- *Development proposed in accordance with this policy should not cause harm to the character and landscape of the area or neighbouring uses or create inappropriate noise/light and traffic generation.*

The changes to the Educational Centre must be refused on these policy grounds.

Feedstock

We note that Ecotricity now say that, to comply with EU legislation and qualify for the Renewable Heat Incentive, Straw will make up at least 50% of the proposed AD's feedstock

They claim that the use of straw will not result in a decrease in the gas output from the revised plant versus the approved application and will not increase the overall traffic movements. However, they have not produced evidence to support these statements and were unable to provide any credible calculations when challenged. They have never operated an AD anywhere and there are NO examples of the proposed feedstock combination anywhere in the U.K. Their claims might be theoretical at best but again provided no evidence.

Ecotricity have no agreements in principle in place with farmers that might indicate where the Feedstock is coming from and are therefore unable to guarantee that all Feedstock will come from evenly distributed farms across the 15km radius, so traffic volumes on particular routes could be massively greater than proposed. If predominately from the South, then the majority of the traffic volume will travel along Chilbolton Avenue.

If Ecotricity fail to find sufficient Feedstock locally they have admitted they would be forced to seek an exemption from the 15km condition. Further, Ecotricity have indicated that while they think the number of vehicle movements might not be increased, the size of the vehicle/trailer combination would probably have to increase to transport the more voluminous straw; again, no credible evidence was provided. This would have very serious implications for the traffic movement plan. Accordingly, we cannot accept that the change in Feedstock to be 50% straw is minor - the implications of the change are potentially far more Major than Ecotricity are admitting in their selective minor change submission.

They do not have the experience or expertise to support their claims that these are minor changes in conditions. If the Council were even to consider permitting these changes then that must be on the recommendation of an independent expert with knowledge of the

setup proposed and based on credible calculations to support all of Ecotricity's claims otherwise we consider that it must be refused.

Straw has recently become an expensive commodity and Ecotricity may be unable to obtain sufficiently low-cost straw anywhere. The project would then no longer be economically viable. While Ecotricity have made it clear they would not use waste to fuel the AD, the ownership of the plant could change, and the new owner would put pressure on the council to allow waste to be used. Once the plant has been built on College property it would be very difficult for the Council to resist this very significant change. As this is a highly likely outcome of the proposed changes and in the absence of contracts demonstrating financial viability we strongly recommend that the Council reject these so called minor changes.

In Conclusion

Ecotricity appear to be determined to build this huge Commercial project with little consideration to the local communities and the College's need for a respectable teaching facility. We do not support these Major changes despite them being dealt with under Section 73 as Minor changes to the conditions imposed under 16/01679/FUL. Policies MTRA 4 and MTRA 5 in our opinion are being manipulated to achieve building something that is inappropriate in the countryside with roads and transport needs that cannot support the volumes of traffic once the site is commissioned. We therefore require this latest application by Ecotricity be declined.

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APPENDIX C

Summary Of Questions Raised That Do Not Relate To Current Planning Application Under Consideration

Cllr Mrs Horrill

- Mix of feedstock that includes straw not proven in a commercial operation and applicant has never built an AD plant.
- Have requested planning authority seek professional advice regarding this technology but note this not acted upon. Consider public would be more assured if this had occurred.
- Feedstock mix led to uncertainty that supplies will be kept to within 15km zone and applicants unable to confirm this which only adds to uncertainty and why we should be seeking better clarify and halting this latest application.
- Green credentials so heavily emphasised in earlier submissions now seriously in doubt.

Sparsholt Parish Council:

- Note change in feedstock and claims this will not affect operation of project. This not backed up by any evidence.
- Claims theoretical at best as no other AD operating in UK with its mix of feedstocks.
- No agreement with farms in 15km supply area, no information on traffic levels.
- At public meeting applicants admitted they may source feedstock from beyond 15km supply area..
- WCC needs independent expert to review if applicants claims are sound otherwise proposals should be refused.
- Straw price increased recently which means viability of scheme in question.
- Ownership of plant might change and LPA may be pressed to allow waste to be used.
- In the absence of contracts demonstrating financial viability strongly recommend application rejected.

Crawley Parish Council

- Application includes change to 50% straw fuel. Applicant stated this may need to be sourced from outside 15km supply area which reduces green credentials and raised prospect of larger more frequent vehicles passing through Crawley.
- Vehicle movements would occur along road categorised as unsuitable for HGVs and which are avoided by local farm traffic.
- Concerned of potential accident risk.

Stockbridge Parish Council (1st letter)

- Concerned by change to approved feedstock to include straw.
- Not convinced it will be possible to operate within limitations imposed on traffic movements by other conditions.
- Concerned this first step in incremental change to project.
- New RHI will require 50% use of waste material will straw now defined as a waste product? It is in fact useful material and not a waste product.
- Straw not considered a good feedstock as it has low gas potential. Therefore will need more feedstock to produce same quantity of gas.
- Please confirm other conditions on no waste, maximum imports and sheeting will still apply.

Stockbridge Parish Council (2nd letter)

- Following April letter members of PC and our consultant attended the Sparsholt public meeting.
- Consider Ecotricity responses to questions vague and ill informed, not giving impression this a viable project.
- Meeting raised more questions and concerns regarding compliance with planning conditions and viability.
- No indication effect of change to feedstock will have on transport plan regarding delivery of feedstock and removal of digestate. Since more water will be consumed in process.
- There is lack of detail on type of vehicle needed to move straw which is highly relevant to number of journeys and their impact on other road users and the areas they will move through.
- SPC has engaged specialist to review transport implications and attach his comments in separate report. This shows vehicle movements will increase not decrease and that over one third of movements will involve longer less manoeuvrable vehicles.#
- Ecotricity acknowledged it might not be possible to source sufficient straw within 15km radius and some straw will need to be brought in from other parts of country, kept at feeder points and then brought to the AD.
- Using local straw will impact on the straw market in area affecting supply and price.
- Volume of digestate will increase as more water used in process if straw used. Digestate is source of fertiliser but also highly polluting if it gets in watercourses. It can only be spread on land at certain times of year so vehicle movement will be focused during these times.
- Project will only work with subsidy.
- If WCC still supportive request detailed transport plan produced and clear idea of how plan would be policed.

Three page report entitled "Comments on Transport Aspects of Proposed Change in Feedstock" (main points summarised)

- Original application referred to use of 15 tonne loads.
- At meeting Ecotricity said specialist trailers used to move straw. This means standard commercial curtain trailers.
- Based on bale size of 1,2m x 0.9m x 2.4m (0.5 tonnes) means 30 bales =15 tonnes.

Case No: 18/00703/FUL

- Two major objections to use of this size of trailer, it exceeds weight that can be towed by any agricultural vehicle on roads and secondly these trailers twice as long as trailers first proposed.
- Also restricted to 20mph and potential conflict with rules governing use of red diesel. Later relates to viability of project.
- Based on above calculations vehicle movements will increase from 4000 to 4121.
- Larger trailers also less manoeuvrable and slower which will cause congestion if travelling through/around Winchester and affect traffic on B3049.

Points taken from General Letters from members of public

- Original scheme approved to use locally grown grass silage as feedstock.
- This amendment requests use of straw is change from harvested crop to use of agricultural residual and waste fuel sources.
- Allowing use of straw would open door for use of other process residue and waste feedstocks such as slurry, food waste and sewage which all attract higher green energy feed in tariff income.
- Use of waste feedstocks will attract vermin and result in smells and waste liquids.
- No information on source of straw or vehicle movement number or method of transport.
- Roads leading to College inadequate plant should be located next to motorway dual carriageway or railway.
- Question claim it will not increase traffic numbers.
- Concerned over slow speed of straw carrying vehicles.
- Council should seek transport plan on use of straw.
- No information on source of straw.
- Use of straw will result in more loads on bigger vehicles as bulk density of straw is much less than that of silage. Also result in more vehicles carry digestate away from site.
- Chemical composition of straw very different to grass which makes it unsuitable for use in AD. Straw has 25% lignin which is harder material to process.

- Straw is not a waste material but valuable bi product, subject to market forces on pricing with health and safety issues of dust and fire on storage and transportation.
- Question viability of AD scheme with an 11 year payback period.
- With uncertainties around future energy policy risk plant ending up as eyesore.
- Council should seek independent technical advice on equipment and viability of proposed AD.
- 2016 approval need opening to re-examine process as approval given on dubious grounds.
- Applicant has no supply contracts.
- Scheme totally dependent on subsidy that might change in future.
- More traffic will pass through Crawley impacting on residents.
- No turning facility at end of track for the four residents on Garston Track.
- Vehicles will obstruct residential entrances off Garston Track.
- No contracts in place to show feedstock will be sourced within 15km zone.
- Applicant has no experience of operating plant like this.
- Ecotricity stated vehicle trailer size will have to increase to accommodate voluminous straw.
- Use straw will result in more vehicle movement resulting in more traffic hazards and vehicles travelling through Sparsholt village.
- Scheme relies on subsidy to be viable, price of straw risen 200% in last 12 months so given this price volatility how can they be confident of supply.
- Applicant says straw will be stored at “central farms” before being transported on to ADP.
- Significant local objections to proposal including 7 local parish councils.
- Question benefit of this facility over building other agriculturally related plant such as flowermill.
- Hampshire does not have a surplus of straw so will need to import from beyond 15km zone.
- Applicants said at public meeting they will need to use curtain trailer HGVs to move straw.

- Can foresee traffic impacts on other road users, fumes smells disturbance and impact on listed buildings and conservation areas.
- Westley Lane dangerous road and junction with Stockbridge Road is nothing less than horrible.
- Do not consider that straw falls within the agreed condition and officers should not advise committee that they do not need to consider this fundamental change.
- At recent meeting Ecotricity said 15 tonne trailers to be used. On basis these can carry 16-24 bales each weighing 350-450kg means a trailer can only move 7200-8400kg. This means larger vehicles needed to move straw with resulting greater impacts on lanes and surroundings.
- Do not accept that straw will produce same level of gas.
- LEP letter says grant may be available for different building.
- Traffic will impact on residents of Chilbolton Av.
- No local gas connection means more HGV tankers to move gas.
- Desiccated lignin not ideal feedstock.
- Proposal result of ill conceived government policy.
- Can foresee problems finding land to dispose of liquid digestate given regulations on level and timing of year when land can accept material.

Our Ref: 6438_P0268_05

Mr Cornwell
 Development Management
 Winchester City Council
 City Offices
 Colebrook Street
 Winchester
 Hampshire
 SO23 9LJ

19th June 2018

Dear Mr Cornwell,

Section 73 Application – Clarification Note

Following the close of the consultation, Ecotricity wanted to clarify a number of issues raised in the objection letters. A further note on the educational opportunities has been provided by Sparsholt College to address comments relating to the perceived 'reduction in educational value' of the revised education building.

Ecotricity is not seeking to change the use of the plant, or lesser its commitments to education provisions. The commitment to the new road link to the bus loop and the obligations in the existing Section 106 Agreement remain.

Comment	Response
<p><i>Potential increase in traffic - both in size and number of vehicles, causing further local congestion on busy routes and potential knock-on safety issues.</i></p>	<p>The vehicle movements associated with the project is conditioned (Condition 26). This condition is not being amended. The routing plan is still a requirement of the Section 106 Agreement, and therefore the roads previously identified as main transportation routes remain the same – this excludes Sparsholt village as already confirmed.</p> <p>The bulk density and the greater gas output from straw mean less straw is needed to ensure 50% of gas is from this source. Therefore, with straw bales weighing some 400 – 600kg respectively the predicted vehicle numbers arriving at site will be less than 1,100 – see the tables at the end of this document. The vehicles will carry 12-14.5 tonnes of straw. The trailers are expected to be some 8.8m long, and 2.4m wide. Grass and rye requires more vehicle movements due to the lower dry matter content (meaning it contains more water) and therefore more feedstock is required to achieve the same gas output, compared to straw. The total vehicle numbers remain conditioned (12,794 two way movements per annum) and therefore a control Winchester City Council can enforce against. No further information is expected to be required on this point, with this information already being approved.</p>
<p><i>The educational building is the very reason that the company obtained planning permission</i></p>	<p>The educational element, relating to the building use, remains as before. The amendments proposed are primarily necessary to reduce cost, but they will also allow greater flexibility for teaching renewables and sustainability as the design includes a larger demonstration hall, and smaller classrooms – which are more appropriate for class sizes at Sparsholt College and the technical and practical courses it runs for students. The previous AD plant and Education Building have been approved in this location in line with policy</p>

Comment	Response
	MTRRA5. There are educational links within the AD plant itself and this is further encompassed in the education building. Further information on the educational opportunities for the AD plant are provided in a separate note.
<i>Ecotricity have never operated an AD Plant or provided any examples of the proposed feedstock combination.</i>	Ecotricity has a reputation as a developer and operator of renewable energy projects. Furthermore we will be working with the manufacturer of the plant (Biogest) who have been involved in the build and operation of sites across Europe. Biogest are a leading Austrian biogas plant operator who have installed in excess of 140 plants across Europe. The feedstock proposed has been approved by the plant designer and is used elsewhere, and at least one plant in East Riding of Yorkshire uses the same mix.
<i>Ecotricity have not produced any evidence to support that the gas output will not decrease</i>	The biomethane output of straw is 169m ³ per tonne of feedstock ¹ . This compares to grass and herbal leys of 93 m ³ per tonne of feedstock. Therefore rather than a 100% from grass and herbal leys, some 40:60 ratios by dry matter of grass and herbal leys to straw will be used within the plant. 60,000 tonnes of feedstock is conditioned and therefore controllable by Winchester City Council. See Condition 25.
<i>No methodology of transportation of straw is given</i>	The straw will be transported on sheeted delivery vehicles. These will resemble the tractor and trailers approved under the original permission. This is conditioned at Condition 28 of the permission.
<i>Very significant growth of the AD Plant and fundamentally different nature of operation proposed</i>	The gas output will remain the same, the size and number of the digesters has decreased in height but increased in width. WCC's Landscape Officer notes this would have a decreased impact upon the visual amenity. The feedstock input limitation of 60,000 tonnes, see Condition 25, remains enforceable. The nature of the operation is not fundamentally different to the permission granted, in that this subsequent application also relates to a biomass-based anaerobic digestion plant for biomethane production.
<i>Ecotricity admitted that feedstock may have to come from further afield than the agreed 15k radius.</i>	There appears to be some confusion regarding this point. A 15km radius is required in the Section 106 Agreement already signed and agreed between Ecotricity and Winchester City Council. The 15km radius remains an obligation of the Section 106.
<i>If Ecotricity cannot feed the plant they will use supermarket waste and animal matter</i>	The plant approved is a 'biomass based anaerobic digestion plant' – with Condition 24 noting 'similar grown crop material'. This condition is not being amended. As a company with a vegan ethos at its heart Ecotricity will not be using animal inputs. We would prefer to see food waste tackled at source, rather than providing a commercial output for it.
<i>Ecotricity will seek further amendments for the feedstock</i>	Ultimately the feedstock is controlled via conditions on the planning permission and any application to use waste, for instance, would necessitate a further planning application – to Hampshire County Council rather than Winchester City Council.
<i>No clarity on how the straw will be processed or sourced</i>	The straw will be processed within the AD plant itself – hence the minor changes to the layout. The straw will be sourced from the local area (15km radius).
<i>Challenge the green credentials of this company – due to feedstock and size of vehicles</i>	Any product produced on the land will be moved to an end user or consumer at some point, hence necessitating vehicle movements. As technology develops Ecotricity would look to change the tractors to those powered by biomethane. The green credentials of producing green gas over conventional fossil fuel can be explained via the sustainability criteria of growing feedstock, transporting it to site, and producing gas for the grid. The carbon absorbed whilst growing the feedstock is then released during the anaerobic digestion process – this is used in homes and businesses like fossil fuel gas. The green credentials of Ecotricity as the Applicant is not a planning matter – however

¹ Carlsson and Uldal, 2009 as referenced in the Systematic assessment of feedstock for an expanded biogas production – Linköping University

Comment	Response
	for note Ecotricity has been a developer and operator of renewable energy projects for over 20 years. Our electricity supply to customers is 100% green sourced from renewable projects, and our gas is currently 12% green. It is our aim to continue increasing this.
<i>There are no contracts in place with farmers at the moment</i>	This is a commercial point for Ecotricity. Negotiations are ongoing with farmers. The aim is for contracts to be in place before construction commences.
<i>The straw will result in a lack of straw for other uses</i>	There will not be a lack of straw for the livestock farmers in the West of England because the source of straw we rely on is currently chopped behind the combine harvester for expedience to ensure that follow on crops establish in a timely manner. We do not need to leave the straw to dry following the combine and therefore avoid this concern. Our process and equipment copes with wet straw effectively so the quality in this instance is not paramount – so long as it doesn't contain mould.
<i>Vehicle size used to haul straw compared to those hauling grass will be harder to overtake</i>	In line with other goods vehicles (weighing more than 7.5 tonnes) the straw haulage vehicles are permitted to travel up to 30mph in built up areas and up to 50mph on single carriageways. Drivers will be advised to drive to conditions, and this may mean a reduction to 20mph. The silage or grass trailer with a payload of 15 tonnes will be some 2.4m wide, and 6.2m long. In comparison the straw trailers will have a trailer length of approximately 8.8m and 2.4m wide. As noted above, these will be sheeted in line with Condition 28.

Should you have any queries please do not hesitate to contact me on the details below.

Yours faithfully,

Laura White
Project Manager
Telephone:
Email:

AD Traffic Movements based on 50% Straw						
Month	Vehicle Movements					
	Feedstock Deliveries (no. of delivery vehicles)			Liquid Digestate Collection (no. of collection vehicles)	Net Monthly Vehicle Arrivals	Net Average Daily Two-way Vehicle Movements (arrivals and departures)
	Direct to Application Site		From Satellite Sites			
Grass	Straw	Silage				
Jan		92	162		254	16
Feb		92	162		254	18
Mar		92	162	337	591	38
April		92	162	337	591	39
May	567	92		337	995	64
June		92		337	429	29
July	340	92		337	769	50
Aug		92		374	466	30
Sept	227	92		337	655	44
Oct		92	162		254	16
Nov		92	162		254	17
Dec		92	162		254	16

Approved Traffic Movements (Table 6.1)						
Month	Vehicle Movements					
	Feedstock Deliveries (no. of delivery vehicles)			Liquid Digestate Collection (no. of collection vehicles)	Net Monthly Vehicle Arrivals	Net Average Daily Two-way Vehicle Movements (arrivals and departures)
	Direct to Application Site		From Satellite Sites			
Grass	Forage Rye	Silage				
Jan			285		285	18
Feb			286		286	20
Mar			286	337	623	40
April			286	337	623	42
May	800			337	1137	73
June		400		337	737	49
July	480			337	817	53
Aug				374	374	24
Sept	320			337	657	44
Oct			286		286	18
Nov			286		286	19
Dec			285		285	18



Mr Stephen Cornwell
Development Management
Winchester City Council
City Offices
Colebrook Street
Winchester
Hampshire
SO23 9LJ

19 June 2018

Dear Mr Cornwell

The Gas Mill and Education Building at Sparsholt College

At the Planning Committee meeting in October 2016, when the Planning Application was approved, I explained that the Bio Digester ("Gas Mill"), is a practical facility which will form an important part of the applied practical experience, teaching and learning for existing agricultural students in much the same way that the College Dairy Unit or Pig Unit also does. The nature of the education which takes place at Sparsholt College very much concerns applied practical skills relating to occupational competence and fully operating farm based enterprises are intrinsic to that. This will involve agriculture students extending their experience and work based competence by:

- a) using tractors and trailers as part of routine farm duties to haul feedstock to the plant from farmland in the vicinity and the transfer of digestate back to farmland;
- b) using grassland harvesting machinery in the field when harvesting operations are taking place on farmland in the area;
- c) using wheel loading equipment in the digester plant to load and unload feedstock to the digesters as part of routine farm duties.

Ecotricity are obligated, by legal agreement, to include students within the practical operations of plant as described above. Had Ecotricity not agreed to this, we would not have wanted to have the Gas Mill on the college site.

For other full-time courses at Sparsholt College, most notably those students attending Conservation and Wildlife, there will be lectures and elective studies so that they can experience the use of crop material in a bio digester at a commercial scale.

Further curriculum development which will involve the use of the Gas Mill to underpin this will involve:

- a) the offer of elective modules on Renewable Energy to the existing Wildlife and Countryside Management Foundation Degree and Honours Degree Programmes;

- b) the design and offer of Apprenticeship Standards (including Degree Apprenticeships where applicable) for renewable energy plant operation to be offered directly to those businesses (like Ecotricity), operating bio methane digester implants;
- c) the combination with the Sparsholt University Centre validating university (University of Portsmouth) of renewable energy study modules, interns and postdoctoral researchers on aspects of the process engineering involved with bio methane gas production and all of the variables in that process.

The Education Building alongside the Gas Plant had been conceived as an addition to the Learning and Skills facility and Sparsholt College sought matched funding from the Local Enterprise Partnership (LEP) to pay for a substantial part of that building. Regrettably, many months of delay by central government in finalising the new regulation which provides Ecotricity with the necessary certificates led to the LEP funds having to be repaid.

In the absence of these funds, Ecotricity provided an alternative design for an Education Building which comprises many of the same elements of the previous building, but where the much larger internal single space provides a greater floor area than the previous design in order to undertake a range of activities directly relating to the demonstration of renewable and sustainable technology. The presence of warm water, carbon dioxide and mineral nutrients from the AD Plant (Gas Mill), provides a number of opportunities to enable small-scale demonstrations and experimental test rigs for the extension of food production:

- a) warm water aquaculture;
- b) hydroponics;
- c) aquaponics;
- d) algae production in relation to the above through a bioreactor demonstration rig.

Sparsholt College has a national reputation for its aquaculture (fish farming) specialism and the opportunity to develop these elements in a facility alongside the bio digester are likely to be of direct use to existing fishery management/fish farming students and future courses based around novel growing systems for plants and fish yet to be designed.

The opportunity of the single space building also provides an ideal opportunity to demonstrate to existing students, school groups and local businesses a range of energy production and utilisation through small demonstration rigs and cut away fuel processing systems including:

- a) wood fuel technology;
- b) photovoltaic technology;
- c) battery storage;
- d) small-scale charging;
- e) electric tractors;
- f) a test rig for demonstrating the polymerisation of methane to long chain hydrocarbons e.g. propane and the demonstration of the same.

The opportunity of the single space in this building also provides an ideal opportunity to demonstrate to existing students, school groups and local businesses how fibre from the bio digestate can be used in other applications including materials, growing medium and in vertical growing systems.

Sparsholt College is delighted to have this facility, as we were with the prospect of the previous design. We will be utilising it to its fullest capacity, notwithstanding that whilst the footprint of the building is comparable to that previously, the absence of a second floor reduces the floor area.

The Gas Mill and its associated Education Building in their amended designs are important facilities for teaching and learning at the College and the original decision to grant Planning Consent remains entirely justified with this Section 73 amendment, as it did in its original form.

Yours sincerely

T D Jackson
Principal