

## BRESSINGHAM AND FERSFIELD PARISH COUNCIL

<b>Subject</b>	<b>Planning Application No. 2022/1108</b>
<b>Title</b>	“Application for the construction of an Anaerobic Digestion facility, comprising: 1 no. digester tank and 1 no. secondary digester/digestate storage tank, silage clamps; liquid and dry feed system; digestate separation, handling and pasteurization; biogas upgrading and mains gas- grid connection; carbon capture; CHP; agricultural building; office buildings; weighbridge; 3 no. covered digestate storage lagoons; and associated plant, vehicular accesses, roads and landscaping (including earth bunds).”
<b>Applicant</b>	<b>Deal Farm Biogas Limited</b>
<b>Date of Response</b>	<b>8th November 2022</b>

### **Planning Consultee Response to Additional Reports, with publication date 27th October 2022.**

This Planning Consultee Response is made by  
**Bressingham and Fersfield Parish Council.**

**Bressingham and Fersfield Parish Council reiterates its recommendation that Planning Application no 2022/1108 be refused.**

Bressingham and Fersfield’s parishioners have made absolutely clear their opposition to grant of planning consent to Deal Farm Biogas Limited for Construction of an Anaerobic Digestion Facility, first in their response to planning application 2021/2788, then again in their response to planning application 2022/1108 and now to the additional Reports submitted by the applicant and published to the planning portal on 27th October 2022.

**There is nothing in the additional reports that negates our previous response to application no 2022/1108 or causes us to reconsider any part of it.**

**This supplementary response is to the applicant's Transport statement addendum.**

It is to be read in conjunction with our previous response to this application, published on 22nd July 2022.

#### **1. POTENTIAL BREACH OF DUTY OF CARE**

The proposed facility, if it were to be allowed, would be a **large-scale industrial biogas-production plant with the capacity to process 50,000 - 60,000 tonnes of feedstock per year**, totally unsuitable for its proposed location, damaging to the environment and carbon positive overall.

The applicant claims that it will limit feedstock input to 23,950 tonnes per year and has estimated traffic movements accordingly.

However, given that an AD plant cannot run at its greatest possible efficiency (i.e. to maximise biogas output per unit of input) at anything other than full capacity, the claim of feedstock limitation conceals a commercial need and opportunity to scale up biogas production at any time, and at little if any additional cost.

It is reasonable, therefore, to continue to base our estimates of scale of throughput and traffic movements on the total capacity available and not on the throughput claimed by the applicant.

South Norfolk Council cannot realistically expect to monitor or enforce the traffic movements and mass of feedstocks stated in application 2022/1108, if it were to approve the application, even if Conditions were to be applied to the approval.

**Therefore, there is a duty of care to reject application 2022/1108 on the grounds that what might happen if it were to be granted is neither enforceable nor controllable.**

## **2. TRAFFIC MOVEMENTS**

It is noted that a Memorandum of Understanding between the applicant and Aves and Partners has been reproduced in the Addendum, to suggest a commitment between them for supply of feedstock to the AD Plant.

The Memorandum of Understanding is not a legally binding document and there is no such commitment between them. **Therefore, it is appropriate, for the purpose of consideration of the AD Plant Planning Application, to assume that the volume of Aves and Partners' traffic will not be reduced.**

Bearing in mind that grant of this application would lead inevitably to the proposed AD plant being used at full capacity, it is reasonable to maintain our previous estimate that up to **5475 additional vehicle movements per year i.e. 15 movements per day** would be created if Application no 2022/1108 were to be granted.

## **3. UNDERMINES RESIDENTS' QUALITY OF LIFE AND SAFETY**

We represent the views of our Parishioners in opposing in the strongest terms the proposed "haul route" with "highway improvements" that have been proposed in the Transport Statement Addendum.

The proposed route leaves the A1066 at a dangerous junction with limited visibility and passes along single track lanes in its entirety, following a disjointed route incorporating 90% bends and blind three-way junctions.

It is proposed to construct 36 passing places along the 2.7 miles long route illustrating clearly that the route is wholly unsuitable for the traffic it would be expected to carry.

Equating to approximately 1 passing place every 125 yards, most of the proposed passing places are, effectively, a road widening exercise, to be formed on both sides of our rural lanes, destroying them and putting other road users in danger.

**Crucially**, taking into account the estimated increase in traffic that the proposed AD plant would create, and the inevitable increase in traffic speed and recklessness as drivers attempt to outrun each other to avoid stopping in passing places, **it is clear that road safety and quality of life cannot be maintained for the pedestrians, cyclists and horse riders that are accustomed to use the route, should this development be allowed.**

**It has not been demonstrated that road safety will be maintained. This, alone, is sufficient for the application to be refused.**