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Date:	20 January 2023	Contact name:	Sarah Simpson
Your reference:	9/7/22/1108	Telephone:	01733 300300
Our reference:	PC4115-RHD-ZZ-XX-CO-Z-0001	Email:	sarah.simpson@rhdhv.com
Classification:	Project related		

Dear Jon

Response to Letter Dated 28 November 2022

Further to your letter dated 28 November 2022 with respect to the above planning application, please see below for clarifications on points raised in that letter in relation to the submitted Transport Statement Addendum (TSA).

Throughput of Feedstock

Issue raised: The letter reiterates NCC's concern relating to the level of feedstock given the presence of two digesters on the site.

This concern misunderstands the nature of the AD process in generating energy. As is set out at section 3.4 of the TSA, the energy generated by any AD plant is determined by the bacterial process, residence time (the duration that feedstock is retained in the digester), and feedstocks used. This process can be designed in different ways depending on the types, quantities and availability of different feedstocks available in the locality of any given AD plant site. The quantum of feedstocks throughput on an AD plant is therefore principally a function of the design process and not of the design of the physical AD plant infrastructure (in this case the concern as to the total volume of tanks). As such, forecast feedstocks can be estimated and total throughput defined and controlled by import limits imposed on a site, which are auditable (and therefore enforceable) through weighbridge data in the usual way.

There is no intent to increase throughput. The application seeks consent for a limit on throughput and it is in the applicant's interest to ensure that the proposed plant and AD process designed is suitable, efficient and commercially viable at the prescribed feedstock tonnages. Once the AD plant is operational, any increase whatsoever to the feedstock tonnages over and above the consented limits would be subject to a further planning consent and associated conditions.

Issue raised: further condition (no. 3) is proposed which would seek to limit the number of HGVs which could access the site each day. I would strongly question if such a condition would pass the tests set out within the NPPF as the drivers of HGV's would still have a legal right to use the public highway, granted under an Act of Parliament (the Highways

Act 1980) and your authority would be unable to prevent that legal use by condition. In addition it is not clear how it would be enforced, by Your Authority, particularly given the other activities in the area which would continue.

It is our understanding that NCC as highway authority has accepted similar constraints to haul routes in recent decisions. These have been secured via the use of a condition which references a document (typically a Traffic Management Plan) in which the haul route, hauliers' contractual obligations, and monitoring and sanction process is set out.

Most recently, the Royal HaskoningDHV team has been involved in the Boreas offshore windfarm project. While this is a Development Consent Order (DCO) project rather than Town and Country Planning Act application, the concerns and limitations with respect to a right of passage on a highway as set out in the Highways Act are the same for both projects.

The Norfolk Boreas Offshore Wind Farm Order 2021¹ required submission of a Traffic Management Plan at an early stage, to be agreed with the highway authority. The Traffic Management Plan² was submitted in October 2020 and includes at Section 3.4, details on the agreed delivery routes and how compliance will be managed, and Section 5 outlines how it will be monitored and enforced. This Traffic Management Plan was agreed by NCC Highways. It is noted that the scale of the Boreas scheme means that a formal Traffic Management Plan Coordinator will be established by the contractor. This person will have sufficient resource over the lifetime of that contract to monitor compliance using the sites' booking system. For the Deal Farm AD plant, such an approach is not appropriate given its scale. For this reason, in-vehicle GPS tracking is a more appropriate means of monitoring compliance, as it requires a proportionate level of resource.

Regardless of which means of monitoring is used, failure to follow the agreed delivery routes can and should be a trigger for enforcement and/or sanctions at the Deal Farm site, in the same way that it is for the Boreas sites (see para. 167 of the Boreas Traffic Management Plan). Given that for both sites, compliance with haul routes will form part of the hauliers' contractual obligations with the sites, there is no conflict with rights of passage under the Highways Act.

Further details on the potential planning conditions are set out in the recently submitted "Section 106 Agreement and Planning Condition Heads of Terms and Supplementary Note" prepared by Howes Percival.

Catchment Area

Issue raised: Given that the assumptions and claims made within the TSA any agreement would need to be both legally binding and in place for the life of the AD plant to ensure both the timeframe and the quantity of material (feedstock & digestate) is from a 'local' catchment as outlined.

Without these assurances, our significant concern remains that there is the possibility that a significant level of (if not all) feedstock would be sourced (and digestate transported) further afield than the 5 km 'local' catchment. In this scenario, all traffic would be 'new' and in addition to the existing traffic on the network, as the landowners permitted operations (and associated traffic) could continue on the network.

Further details regarding an enforceable position with respect to the locality of feedstock is set out in the recently submitted "Section 106 Agreement and Planning Condition Heads of Terms and Supplementary Note" prepared by Howes Percival.

¹ [The Norfolk Boreas Offshore Wind Farm Order 2021 \(planninginspectorate.gov.uk\)](https://planninginspectorate.gov.uk/)

² [EN010087-002562-8.8 Outline Traffic Management Plan \(Version 7\) \(Clean\).pdf \(planninginspectorate.gov.uk\)](https://planninginspectorate.gov.uk/)

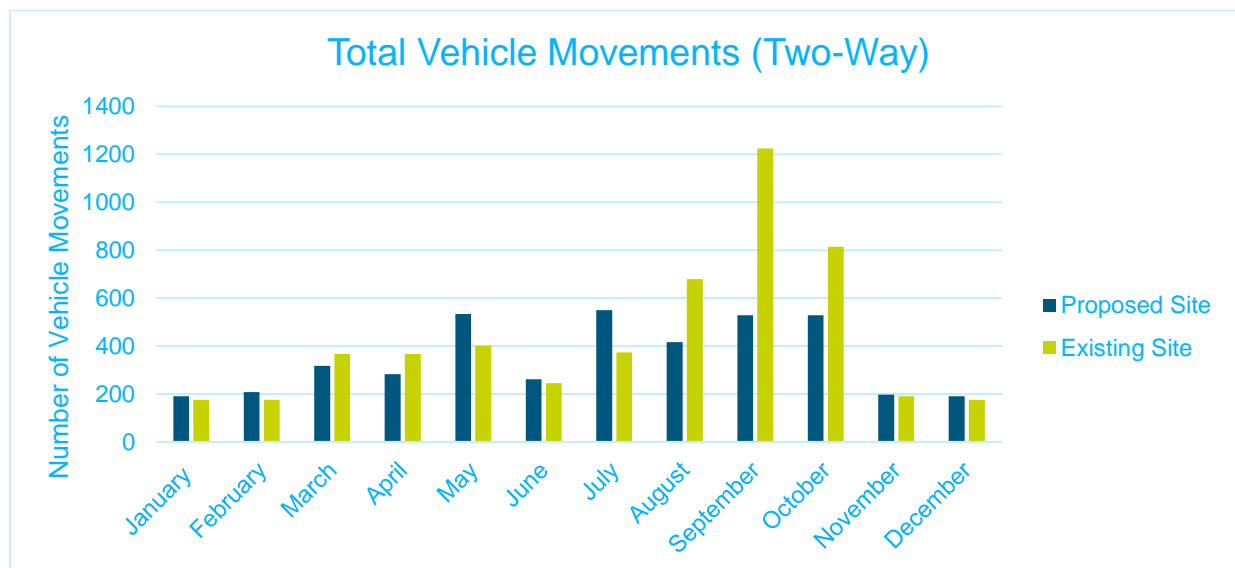
Traffic Generation

Issue raised: within the original TS it was outlined that there were typically 4,141 two way vehicle movements per annum (data from the past 5 years), whereas the current TSA suggest this figure has increased to 5,128 pa. Given this significant discrepancy, and without any detailed evidence to explain why this figure is so significantly higher, this raises doubt of the baseline figure for the assessment.

The discrepancy between the two calculations were due to the Royal HaskoningDHV team identifying formula errors in the Excel spreadsheet which was used to inform the original Transport Statement. In addition, some of the vehicles used in the original spreadsheet were based on all movements using larger payloads. Based on our experience elsewhere, we know that there can be some variation in payloads and therefore our calculations use more appropriate vehicles and payloads which result in a modest change in numbers. Once these matters had been incorporated, the trips estimate was rather different than had been set out in the originally submitted TS. For this reason, all spreadsheet data and our “workings” were provided in the TSA to enable the reader to replicate and check our basis of calculation.

Issue raised: Also previously, at the request of the HA, the applicant provided a more detailed breakdown of the traffic figures including a monthly breakdown however this is not included within the TSA.

Please accept our apologies, we had not seen that this was a requirement. A graph detailing the existing and proposed monthly breakdown is provided here.



Noting that many of the feedstocks import periods are governed by harvest periods, the proposed conditions set out in the TSA seek to smooth any significant annual peak periods for import movements, while allowing for a short exception for harvest peaks.

Issue raised: Whilst summary tables have been provided to suggest how this figure has been calculated, the assessment is lacking in any detail to evidence / validate this figure.

It is noted that the assessment refers to the existing traffic generation to the application site however does this actually mean the wider farm? It is not clear.

As noted in Section 3.7.1 of the TSA, the traffic estimates deal only with movements to and from the Deal Farm yard site (i.e. the red line and immediately adjoining yard) and only as they relate to feedstock crops, and not to the wider farm's operations. For this reason, no consideration has been made of the reduction in trips relating to changes in cropping across the farm as a result of the AD plant being brought online (i.e. in the original TS, some indication was provided of potential reductions in sugar beet crop and exports as a result of changes in feedstock crops). For the purposes of the TSA, to provide a robust estimate of trips, it has been assumed that all wider farm operations will remain as is.

Issue raised: whether sale of straw would cease. Manure tonnages generated by the farm at present. Third party imported manures and the associated payloads.

As noted in Table 3.1 of the TSA, the sale of straw from Deal Farm would cease as it would all be fed to the digester.

Issue raised: eliminating the double handling of pig manure with no evidence to support, results in a substantial reduction in trips. Evidence is needed to substantiate this claim, (for example it would be reasonable to assume that it would be in the applicant's benefit to spread directly to the field) or confirm that these existing movements are actually on the highway network at present.

While spreading manures direct to field can be done, this is not often done as the spreading rate depends on the nitrogen / phosphate and potassium content of the manure. The reason they are often stored is two-fold:

- They're produced all year round - however, the Environment Agency and good farming practice dictates that their fertiliser qualities should only be used when there is a crop actively taking up these nutrients. There are therefore what are commonly referred to as "spreading windows". These are further complicated by rules on spreading immediately before or after heavy rainfall (regardless of the spreading window being open or closed). As a result, the manure is often stored in heaps while the windows are closed and spread to land when the farmer is establishing a new crop (sowing and early growth). Spreading on young and established growth after a while can result in "burning" of the leaves i.e., chemicals browning new growth and stunting the crop. Once over a certain height, crops can only be fertilised with liquids using dribble bars which dribble the liquid to the base of the crop through a series of hoses dangling from the back of a horizontal bar on the tractor.
- The second is the chemical composition of the material. If materials biodegrade further when spread directly on land (e.g., raw bedding and manure that hasn't been biologically treated first) it will degrade in the soil and cause "Nitrogen Lock" whereby, instead of increasing nitrogen availability as is intended, it decreases it by locking the nitrogen into less available forms. The heaping of manures into piles and letting them "rot" minimises the potential for Nitrogen Lock.

Publicly available satellite photography and imagery is available (e.g. from Google Earth) which shows stockpiling of muck at various locations at the farm over the years and thus its double handling. If necessary, a separate note detailing this historical record can be provided.

Issue raised: unless the high percentage of back hauling can be guaranteed, it should be considered that all digestate export trips should be considered 'new'.

The TSA is a technical document prepared in consultation with land owners, operators, and farming experts in the usual way, and we stand by the data contained within it. Agricultural movements

associated with the site are unrestricted at present and we are proposing to provide a restriction on future movements associated with the proposed AD plant. The back hauling of material is an operational necessity given the associated time- and cost-savings. The arbitrary removal of this consideration would lead to an unrealistic worst case being presented, thereby leading to a foreseeable and over-estimation of total traffic effects which would serve no practical or technical use.

Issue raised: very little information has been submitted with reference to the vehicles required to export liquid digestate. The fact that lagoons are proposed with off-take points, suggests that considerably more digestate would be produced than is required locally and therefore it is likely that new independent tanker traffic would be generated to transport the digestate to other, further afield locations.

The provision of lagoons does not suggest considerably more digestate would be produced. The total digestate production is limited by the total feedstock tonnage which is, in turn, proposed to be controlled. This issue is unfounded.

Issue raised: The haul route identified is considered wholly inadequate to cater for any significant increase in traffic.

Notwithstanding the comments elsewhere in the NCC letter which continues to cast doubt on the validity of the traffic data provided, as detailed in Section 4.1 of the TSA, in practical operational terms the proposals would mean that on approximately half of the receiving days per year, there will be one additional HCV travelling on the local road network in the vicinity of the site, over and above the current levels of HCV traffic. This increase would bring the total HCV movements associated with the site to some 778 two-way movements (i.e., arrivals plus departures) per year, from 636 per year. Allowing for HCVs to be received five days per week, and not on Bank Holidays would result in a total of 260 receiving days per year. This change in HCVs would equate to an average of 3 (rounded) two-way trips per day on the local road network. It is considered that this would not constitute a “significant” increase in traffic.

While we understand and agree with your comments relating to the absence of highway boundary details, Royal HaskoningDHV as an organisation has had no opportunity to remedy that given our late involvement. However, we have incorporated an assumed highway boundary based on boundary features on the ground, which is typically a useful basis for design at this concept stage. This technique has been used with a high degree of reliability for sites elsewhere in Norfolk and we are not aware of any reason that this should not be the case in this location also.

We also note that on other projects elsewhere in the county, NCC has been content to establish the need by condition for off-site works which are “similar” in nature and scale to those set out in the application. In the event that the quantum of HCV traffic to the site is low in scale i.e., not “substantial”, and the need for off-site works is agreed, then such a condition could be considered acceptable.

Highway Concern

Issue raised: I strongly suspect that this facility will become more industrial in nature generating significant and new traffic to the area, serving wider catchments.

The applicant is seeking consent for the scheme as set out, with conditions to delimit overall impact on the local highway network. Any subsequent changes to feedstock import traffic movements etc would be subject to a further, new planning application. Fears regarding future changes to a site beyond the bounds of an application are not a reasonable basis for refusal.

Yours sincerely,



Sarah Simpson
Director Transport Planning
Mobility & Infrastructure

CC. Tim Barker – South Norfolk Council