

Herefordshire Council
Central Division
PO Box 230
Hereford
Herefordshire
HR1 2ZB

Our ref: SV/2022/111252/02-L01
Your ref: 222728
Date: 5 October 2022

FAO: Rebecca Jenman

Dear Rebecca

THE ERECTION OF AND THE CONSTRUCTION OF AN ANAEROBIC DIGESTION (AD) PLANT WITH ASSOCIATED FACILITIES, INCLUDING FEEDSTOCK STORAGE CLAMPS; TANKS; LAGOONS AND WETLAND FILTRATION SYSTEM; AND CONNECTION TO THE NATIONAL GAS GRID, TOGETHER WITH THE INSTALLATION OF PHOTOVOLTAIC PANELS ON BUILDINGS, A GRAIN STORE AND DRYER AND THE CONSTRUCTION OF A NEW VEHICULAR ACCESS TO THE A417 WHITWICK MANOR, LOWER EGGLETON, LEDBURY, HEREFORDSHIRE HR8 2UE

Thank you for your consultation of the above planning application, received by us on 15th September 2022. This is further to our previous response for the EIA scoping your ref: 220933 (our ref: SV/2022/111252/01-L01) dated 6th April 2022.

We have no objections at this time, please see our comments below.

Bespoke Environmental Permit: We can confirm that with this operation, as described, would require a Bespoke Installations Environmental Permit (EP). This is on the understanding that this site will receive poultry litter and other wastes for processing at a quantity of 100 tonnes per day (this is above the threshold for a Standard Rules permit). Whilst parts of the wider site, including the reed beds and lagoons are adjacent to Whitwick Manor the plant itself is located away from potentially sensitive receptors and, without prejudicing the necessary EP, we would not envisage any proximity concerns.

It is noted that the proposals, including the proposed reed bed system, are designed in consideration of current issues within the River Wye SAC Catchment around the impact of phosphorus within the system.

The EP is likely to regulate and control matters such as the following:

Environment Agency
Hafren House Welshpool Road, Shelton, Shrewsbury, SY3 8BB.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

- General management of the site.
- Permitted activities e.g. operations.
- Waste acceptance (quantity and type of waste)
- Emissions to land, water, and air (including Odour, Noise and Vibration relevant to the 'operational area').
- Monitoring, Records and Reporting.

Specifically, and whilst we would raise no concerns at this time, the bespoke EP will need to satisfy the below requirements.

- The permit application will need to be supported by an Odour Management Plan.
- If clamped storage is proposed for feedstocks the design will have to comply with SSAFO Regulations.
- The operator will have to devise and implement a management system that will conform to our Appropriate Measures guidance for biowaste treatment.
- The plant will need to be protected by impermeable secondary containment – a reinforced concrete slab and bund compliant with CIRIA736 standards.
- Storage of digestate will also have to benefit from secondary containment and be covered to control fugitive emissions to air.
- The gas produced is likely to either be transferred to the national gas grid and/or combusted to generate electricity for the grid – subject to appropriate network connections.
- A back-up flare will be required in the event of failure of either the gas transfer or CHP combustion process -its location and stack height will need to achieve suitable dispersion of NOx/SOx emissions.
- Additionally, any final discharge to a surface watercourse would be captured under the umbrella of the Permit

We would recommend that the applicant contact our National Permitting Service team. Their information is located at Environmental permit application form: new bespoke permit - [Environmental permit application form: new bespoke permit - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/forms/environmental-permit-application-form-new-bespoke-permit)

Odour and Noise Management Plans: We note the inclusion of an Odour Management Plan (ref: 2102-003-D-OMP, dated 08/08/2022) and a Noise Management Plan (ref: 2102-003-H, dated: 12/08/022) with the application. It should be noted that we have not reviewed these reports as part of the planning submitted but would expect them to be included for consideration within the EP application.

We would also advise that the operator should employ basic good practice measures for the control of noise, including adequate maintenance of plant or equipment whose deterioration may give rise to increases in noise. Again this would be controlled by the EP.

The Permit will control appropriate Odour Management techniques to minimise pollution. Operational handling and management of wastes has a part to play in the management of odour but it is accepted that the nature of the feedstocks and process may make some fugitive emissions unavoidable. The EP has a requirement for an Odour Management Plan to help manage and control potential odour emissions.

Note – We would recommend that you seek the comments of your Public Protection team in relation to statutory nuisance, and so that all the relevant key issues are 'joined up', to ensure the pollution control regimes are complimentary etc.

Groundwater Geological Context: Published geological maps indicate the site is underlain by the Raglan Mudstone Formation, comprised of mudstone and siltstone. This is classed as a 'Secondary A' aquifer. Secondary A are permeable strata capable of supporting water supplies at a local rather than strategic scale and in some cases forming an important source of base flow to rivers. No drift is shown to be present over the proposed site.

There are 3 private groundwater supplies shown to be present at Whitwick Manor. There is mention in the report of a private supply at the property but that it is not used for potable supply. We have records of 2 other private abstractions at Whitwick Manor and it should be ensured that all properties at Whitwick Manor are on mains water supply and none of the private abstractions are potable.

We have reviewed the Geological, Hydrogeological and Hydrological Impacts Assessment document ref: 2102-003-E, dated 10/08/2022 and would offer the following comments.

As stated above the plant will need to be protected by impermeable secondary containment and a reinforced concrete slab and bund compliant with CIRIA736 standards. Bunding/secondary lining of any pipes should also be included in the design. All waste solids, liquids and sludges shall be stored and processed on an impermeable surface with a sealed drainage system. Storage of digestate will also have to benefit from secondary containment and be covered to control fugitive emissions to air.

The infrastructure should be fitted with failure/level alarms which will allow infrastructure failures to be identified relatively quickly. A leak detection system to identify infrastructure failures will be required. Leakage alarms should be installed in order to highlight any departure from normal operational conditions/sudden changes in levels in order to allow a rapid pollution prevention/remedial response.

Waste Water: Any storm water soakaways, if intended to be used, should be cited outside the area of hardstanding. No water from the hardstanding should discharge to soakaway.

Dirty Water e.g. derived from shed washings, is normally collected in dirty water tanks via impermeable surfaces and incorporated in the AD process. Yard areas and drainage channels around tanks are normally concreted to provide a bunded area of either 110% of the largest tank or 25% of the total volume, whichever is greatest. All concrete areas where feedstock and digestate are handled should have a system in place to allow for water that may be contaminated to be diverted away from the clean water disposal route into the dirty water system.

Advice to Applicant: The applicant / should refer to our document 'The Environment Agency's approach to groundwater protection', [Groundwater protection position statements - GOV.UK \(www.gov.uk\)](http://www.gov.uk). This sets out our position on a wide range of activities and developments, including:

- Waste management
- Discharge of liquid effluents
- Land contamination
- Drainage
- Storage of pollutants and hazardous substances
- Management of groundwater resources

All precaution must be taken to avoid discharges and spills to ground both during and after construction. For advice on pollution prevention measures, the applicant should refer to guidance available on our website (www.gov.uk/environment-agency).

Waste on Site: The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to: The Position statement on the Definition of Waste: Development Industry Code of Practice and; The [Environmental regulations](#) page on GOV.UK.

Waste to be taken off site: Contaminated soil that is, or must be, disposed of as waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to the [Hazardous Waste](#) pages on GOV.UK for more information.

Flood Risk Assessment: We noted in our scoping response that the site is located within Flood Zone 1 (low risk). This was confirmed within the submitted Flood Risk Assessment (FRA) ref: 2102-003-Drainage, dated: 12 August 2022 section 1.1.5. Matters of surface water (pluvial) flooding should be considered by your Council, as the Lead Local Flood Authority (LLFA), in consultation with your internal drainage

team.

I trust that the above is of assistance.

Yours faithfully

Mr. Matt Bennion
Planning officer

Direct dial 07810 774218

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