

Table of Contents

1. EXECUTIVE SUMMARY	2
2. INTRODUCTION	4
3. PLANNING POLICY	6
4. LANDSCAPE AND VISUAL IMPACT	17
5. HIGHWAYS AND TRANSPORT	21
6. HERITAGE	29
7. VIABILITY	32
8. NAMES OF PEOPLE OBJECTING	33
APPENDICES	
A: Covering Letter for Community Response	37
B: Review and critique of transport documents for planning - TPP	41
C: Visual Impact Assessment - Zanna Consulting & Design	41

August 2024

1. EXECUTIVE SUMMARY

The Communities of Long Crendon, Chilton, Oakley, Worminghall, Chearsley (referred to henceforth as Hornage Anaerobic Digester Objection or HADO) object to application CM/0022/22 in the strongest possible terms.

1.1 The applicant's proposal has been positioned as relating to agricultural waste and has therefore been considered in terms of its compliance with Minerals and Waste Planning frameworks. HADO objects to this classification for two reasons:

- (1) The plant requires 65,500 tonnes of silage per annum to be transported from a number of farms; per the applicant at least 65% (43,780 tonnes) will need to travel more than 5 km to the site. This silage is claimed by the applicant to be waste. However, aligned with the views of the International Energy Agency, HADO contends that these crops should not be classified as waste¹ but instead represent an economic choice for farmers reliant on a material and transitory government subsidy; without this subsidy the land would be used for food supply².
- (2) Of five recent applications made for anaerobic digestion facilities of a similar scale in the UK - all of which have been rejected due to concerns regarding highways, landscape and visual impact - this is the only application to be referred to as a Minerals and Waste Planning application.

1.2 HADO contends that the applicant has deliberately limited the scope of its assessment of compliance with minerals and waste management planning policy frameworks in order to recommend their proposal; and that this has been achieved by excluding any assessment of impact on the following key receptors:

- The villages of Chearsley, Long Crendon, Oakley and Worminghall have been excluded from scope of the applicant's Transport statement³ despite all materials for the plant requiring transportation through these villages which represent a 200% increase in HGV traffic on B roads through the centre of villages and a clear danger to safety, air and noise pollution and quality of life;
- Viewpoints from Brill, Chilton and from Hornage Farmhouse have been excluded from the applicant's Landscape and Visual Impact Assessment despite Brill being within a designated "Area of Attractive Landscape" and despite Hornage Farmhouse being a listed building and therefore critical to compliance with paragraph 5.2 of National Planning for Waste guidance⁴ and with Policy 19 of the Buckinghamshire Minerals and Waste Local Plan ("Historic Environment"); and
- Peppershill Brook has been excluded from the scope of the applicant's Environmental Impact Assessment⁵ despite being a waterway adjoining the boundary of the proposed site and critically exposed to risks of flooding and uncontrolled release of sewage.

¹ IEA no longer regards use of land crops for the production of biomethane waste as a sustainable solution (see p25 of IEA 2020 report on the Outlook for Biogas and Biomethane)

² See section 7 of this document ("Viability") relating to land use and subsidy

³ Transport Statement- Hornage Farm SLR Ref. 404.11923.00004.0001 Sept 2022

⁴ "conserving the historic environment. Considerations will include the potential effects on the significance of heritage assets, whether designated or not, including any contribution made by their setting"

⁵ SLR Hornage-Environmental-Statement Chapters 1 to 8 August 2022 Ref 404.11923.0002

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

1.3 Had these receptors been included in the scope of the applicant's assessments of transport, visual impact, heritage and environment respectively, HADO contends that the proposed development would fail to meet most if not all of the criteria set out in the relevant national and local planning frameworks for waste.

1.4 Notwithstanding these two points relating to applicable planning policy and deliberate restriction of receptors, HADO has considered the applicant's existing submission against the following planning frameworks and criteria relating to Minerals and Waste Management:

- Paragraphs 12, 180 of the National Planning Policy Framework; Paragraphs 4 and 5 of the National Planning Policy for Waste;
- Policies 14, 16, 17, 19, 20 of the Buckinghamshire Minerals and Waste Local Plan;
- Vale of Aylesbury Local Plan; and
- Neighborhood Plans of the communities submitting this objection.

1.5 **HADO contends that the applicant's proposal as submitted fails to meet relevant planning criteria in respect of the following areas:**

Highways: using the applicant's own data, the 194 daily peak HGV movements through the adjoining communities represents a circa 200% increase in existing HGV traffic and would therefore represent a "severe" community severance⁶. Para 11 of the National Planning Policy Framework states that 'Development should... be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. This is also the conclusion reached by the review and critique of the applicant's transport documents for planning compiled by the Transport Planning Practice commissioned by HADO.

Landscape and visual impact: at 17 metres high and covering an area of 8 hectares, the proposed development would be industrial in scale and would constitute the sole industrial scale development in the surrounding area. The Visual Impact Assessment commissioned by HADO included visual receptors located within the Area of Attractive Landscape which clearly demonstrate that the development's impact has a Major adverse effect, not the "minor/ negligible and not-significant adverse effect" as claimed by chapter 5 (Landscape LVIA) of the applicant's Environmental Statement which excluded these receptors. Further, the applicant has provided no evidence that any alternative sites were considered, despite specific guidance in National Planning Policy for Waste⁷

1.6 **This resident group (HADO) urges the committee to:**

- (1) review the classification of the applicant's proposal as waste management facilities;**
- (2) consider the independent technical reports commissioned by HADO;**
- (3) review the scope of the applicant's Transport and Landscape and Visual Impact Assessments and commission additional impact assessments as required;**
- (4) carry out an officer led committee site visit; and**
- (5) refuse planning permission for this site on grounds of unacceptable adverse impact on highways, landscape and visual impact and protection of a heritage site.**

⁶ As defined by the Institute of Environmental Management and Assessment (IEMA) 'Guidelines for the Environmental Assessment of Road Traffic'

⁷ "Waste planning authorities should... give priority to the re-use of previously developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages. Waste planning authorities should assess the suitability of sites and/or areas for new or enhanced waste management facilities"

2. INTRODUCTION

- 2.1 This statement of objection is being submitted on behalf of the Communities of Long Crendon, Chilton, Oakley, Worminghall, Chearsley (referred to henceforth as Hornage Anaerobic Digester Objection or HADO) in respect of planning application CM/0022/22, an application made by Acorn Bioenergy Ltd for the construction of an anaerobic digestion facility, comprising silage clamps, digester tanks, lagoons, administrative buildings, landscape and access on land north of B4011 at Hornage Farm.
- 2.2 This statement sets out the relevant national and local guidance relating to general planning applications and to minerals and waste applications, together with the Communities' understanding of whether or not the applicants' submissions comply with the relevant guidance.
- 2.3 This statement expands upon the c850 objections registered on the Council portal by members of the local community and upon the objections registered on the Council portal by the parish councils of Chilton, Chearlsey, Long Crendon, Worminghall and Oakley.
- 2.4 HADO draws attention to the numerous very similar planning applications for anaerobic digestion facilities of a similar scale submitted by Acorn Bioenergy Ltd and other developers extending across Scotland and England. An initial audit of these applications highlights that planning permission was refused on similar grounds to this Community objection, namely:
- Highways and traffic impact; and
 - Landscape and visual impact.

Table 1 - Planning applications for AD facilities submitted by Acorn: planning refusals to date

Application/ appeal reference	Council	Location of proposed AD facility	Date of refusal/ appeal rejection	Primary reason
23/00179/FUL	West Oxfordshire District Council	Southleigh & High Cogges, Witney	2023	Landscape and highways impact
16/01490/FUL	Stratford upon Avon District Council	Alderminster	2017	Landscape impact
APP/P2745/W/19/3225559	North Yorkshire County Council	Tollerton	2019	Landscape impact; safety and convenience of highway users

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

APP/R2520/W/20/3250750	North Kesteven District Council	Metheringham Heath, Lincolnshire	2020	Scale of plant in rural context; landscape impact
APP/M2460/W/19/3241616	Leicestershire County Council	Melton Mowbray	2020	Landscape impact; traffic concerns
22/02935/FUL	Stratford-on-Avon District Council	Tysoe	undetermined	Unresolved highways and landscape issues 2 years after submission

- 2.6. HADO notes that the above applications were considered by the Planning Committees of the relevant councils and therefore question why this application for Anaerobic Digestion facilities at Hornage is being considered by the Minerals and Waste Committee. When the application was first submitted, it was proposed that 69,000 tonnes of the proposed supply materials would be waste materials (slurry, manure, poultry litter) with 44,750 tonnes being silage and straw. However, more recent numbers provided by the applicant (23/11/22) now suggest that only 32,500 tonnes would be waste materials and 65,500 tonnes would come from crops. With only 1/3 of the supply materials now proposed from waste products, HADO questions why this application is still being processed as a waste application: it seems it should be determined through the planning application process.
- 2.7 By way of comparison, looking at the two most recent applications in the table above, the 2023 application in West Oxfordshire District Council proposed a total of 93,000 tonnes, of which 75% would come from crops and 25% would be waste products and manures. The 2022 application in Stratford-on-Avon District Council proposes to use 92,000 tonnes, of which 60% would come from crops and 40% from waste products. Both were handled as planning applications not as waste applications.
- 2.8 In the sections which follow, the key issues with the applicant's submission are set out with respect to compliance, within each of the following areas:
- Relevant national and local waste management and planning policies (Section 3)
 - Landscape and visual impact policies (Section 4)
 - Highways and transport policies (Section 5)
 - Heritage policies (Section 6)
 - Viability (Section 7)
- 2.9 In each section, HADO would also draw the committee's attention to data errors, omissions and inconsistencies contained in the documents submitted to the planning portal by the applicant. In HADO's opinion, these errors and omissions undermine the credibility of the evidence submitted by the applicant. By way of example, the limitation of the scope of the applicant's transport statement to the proposed site and the junction from the B4011 to the proposed location of an access road to the site fundamentally undermines the ability of the highway officer to assess the impact of the application on the communities affected. This impact assessment is further undermined by the willful exclusion from scope of the road networks in the villages which will be used as thoroughfares for the operation of the proposed development.
- 2.10 Finally, HADO refers the Committee to the following expert reports commissioned by residents (at their own expense) and which have been separately uploaded to the Council's planning portal:
- Transport Planning Practice's (TPP) Review and Critique of Transport Documents for Planning
 - Zanna Consultancy & Design's Viewpoint Photomontages & Critique of Viewpoints and Photomontage Methods Used by SLR on behalf of the applicant.

3. PLANNING POLICY

- 3.1 Planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

- 3.2 The development plan for the purposes of determining this application comprises
- the Vale of Aylesbury Local Plan 2013 – 2033 (adopted September 2021) - referred to in this document as “VALP”; and
 - the Buckinghamshire Minerals and Waste Local Plan 2016 – 2036 (adopted July 2019) - referred to in this document as “BMWLP”..
- 3.3 Where there is any conflict between policies within these two documents, the VALP policy will take precedence as the more recently adopted policy document.
- 3.4 The Council is processing the application as a waste application. However, were the application to be determined as a planning application, more weight should then be given to the policies within the VALP.
- 3.5 The following VALP policies are considered to be relevant:
- S1 Sustainable development for Aylesbury Vale
 - S3 Settlement hierarchy and cohesive development
 - S5 Infrastructure
 - T1 Delivering the sustainable transport vision
 - T5 Delivering transport in new development
 - BE1 Heritage assets
 - BE2 Design of new development
 - BE3 Protection of the amenity of residents
 - NE1 Biodiversity and Geodiversity
 - NE4 Landscape character and locally important landscape
 - NE5 Pollution, air quality and contaminated land
 - C3 Renewable Energy
- 3.6 The covering letter submitted to the planning portal alongside this document (reproduced as an appendix to this document) provides HADO’s assessment of the application against the VALP policies and shows that the proposals clearly conflict with these development plan policies.
- 3.7 The following BMWLP policies are considered to be relevant:
- Policy 13: Spatial Strategy for Waste Management
 - Policy 14: Development Principles for Waste Management Facilities
 - Policy 16: Managing Impacts on Amenity and Natural Resources
 - Policy 17: Sustainable Transport
 - Policy 18: Natural Environment
 - Policy 19: Historic Environment
 - Policy 20: Landscape Character
 - Policy 23: Design and Climate Change
 - Policy 24: Environmental Enhancement
- 3.8 Table 3 below sets out the sections of the BMWLP 2021 which HADO considers to be most relevant to the assessment of the applicant's submission. Policies are highlighted in bold in Table 3; references to Buckinghamshire Council's Vision and Strategic Objectives are also included where they pertain to the application being considered.

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

Table 3 - Compliance of the proposed development with Local Development Plan (BMWLP 2021)

Section	Relevant section/ policy (emphasis added)	HADO comment on evidence of applicant's compliance with relevant policy
2	<p><i>Background and Context Key Drivers Policy and Legislation</i></p> <ol style="list-style-type: none"> 1. <u>enabling waste to be disposed of or recovered in line with the proximity principle is promoted.</u> 2. <u>The need to ensure that development does not have unacceptable adverse impacts on communities and the built and natural environment also forms a key element of national policy</u> 3. <u>for waste management in particular, changes in management methods could make a significant contribution to GHG emission reductions</u> 	<p>The applicant's proposal is dependent on 43,780 tonnes per annum of silage (65% of the total silage requirement) to be transported to the site from farmland more than 5km from the site, with no commitment to the maximum distance travelled. <u>This clearly does not comply with the proximity principle for waste recovery or disposal.</u></p> <p>See Section 5 (Highways) showing that the applicant's own data on peak daily HGV movements required by the proposal represents a <u>"Major" community severance</u>¹¹</p> <p>See Table 5, Section 5 (Highways) for a calculation of the pollution caused by the transportation of product into and out of the digester. The applicant's data on the HGV trips required to supply the proposed facility represents 230.8 tonnes of CO2 and 8.6 tonnes of NOx each year. The NOx alone is enough to fill two Olympic swimming pools. The failure to comply with the proximity principle for waste recovery and disposal would have a direct consequence on GHG emission reductions.</p>
3	<p><i>Vision and Strategic Objectives for the Local Plan</i></p> <ol style="list-style-type: none"> 1. <i>The council continues to plan positively to support the development of a network of facilities to deliver sustainable waste management. This is being achieved by working with the waste industry to maximise the use of existing waste facilities and providing new ones in the right place to meet the needs of the community and businesses. Cross boundary movements have been minimised but where necessary, sustainable transport movements are occurring</i> 	<p>As noted above,</p> <ul style="list-style-type: none"> - the quantity of CO2 and NOx emissions are <u>in direct contravention of the Council's vision of "minimising cross-border movements" and "sustainable transport movements"</u> - the proposed siting of industrial scale facilities in a greenfield agricultural site which requires a 200% increase in HGV movements through the B-roads passing through five adjacent communities <u>is in direct contravention of the Council's vision to "provide new [waste management facilities] in the right place"</u>

¹¹ As defined by the Institute of Environmental Management and Assessment (IEMA) 'Guidelines for the Environmental Assessment of Road Traffic'

**COMMUNITY RESPONSE TO
PLANNING APPLICATION CM/0022/22**

Section	Relevant section/ policy (emphasis added)	HADO comment on evidence of applicant's compliance with relevant policy
3	<p><i>Vision and Strategic Objectives for the Local Plan</i></p> <ul style="list-style-type: none"> - <u><i>Buckinghamshire's natural and historic environment and the quality of life of its residents have been conserved and enhanced for future generations, whilst account has been taken of climate change through good planning, design and restoration of minerals and waste development.</i></u> 	<p>The impact of the applicant's proposal on greenfield rural landscape, on visual receptors within an an Area of Attractive Landscape and on visual receptors at the listed Hornage Farm buildings adjacent to the site are in direct contravention with the Council's stated vision for waste management</p>
3	<p><i>Vision and Strategic Objectives for the Local Plan</i></p> <p>SO5: Buckinghamshire's Environment <i>To recognise the important contribution that landscape character makes towards Buckinghamshire's local distinctiveness and spatial planning context, and to protect and conserve such assets and features in an appropriate manner.</i> <i>To conserve and enhance the natural and historic environment and landscape character by ensuring that minerals and waste development do not have unacceptable adverse impacts, seeking positive improvements and a net gain in biodiversity.</i></p>	<p>The impact of the applicant's proposal on greenfield rural landscape, on visual receptors within an an Area of Attractive Landscape and on visual receptors at the listed Hornage Farm buildings adjacent to the site are in direct contravention with the Council's stated vision for waste management</p>
3	<p><i>Vision and Strategic Objectives for the Local Plan</i></p> <p>SO6: Sustainable Transport of Minerals and Waste <i>To encourage sustainable transport movements and alternative transport methods, and enable the more efficient movement of minerals and waste.</i> <i>To ensure that development does not have unacceptable adverse impacts on the community.</i></p>	<p>Section 5 (Highways) shows that the applicant's own data on peak daily HGV movements required by the proposal represents a "<u>Major</u>" <u>community severance</u>¹²</p> <p>Section 5 (Highways) shows that the pollution caused by the transportation of product into and out of the digester would be at an alarming level. <u>The applicant's data on the HGV trips required to supply the proposed facility will produce 230.8 tonnes of CO2 and 8.6 tonnes of NOx each year. The NOx alone is enough to fill two Olympic swimming pools. The failure to comply with the proximity principle for waste recovery and disposal would have a direct consequence on GHG emission reductions.</u></p>

¹² As defined by the Institute of Environmental Management and Assessment (IMEA) 'Guidelines for the Environmental Assessment of Road Traffic'

**COMMUNITY RESPONSE TO
PLANNING APPLICATION CM/0022/22**

Section	Relevant section/ policy (emphasis added)	HADO comment on evidence of applicant's compliance with relevant policy
3	<p><i>Vision and Strategic Objectives for the Local Plan</i></p> <p>S07: Design and Amenity</p> <ul style="list-style-type: none"> - <i>To seek to secure a high quality of design for minerals and waste development and a good standard of amenity, ensuring that development does not have unacceptable adverse impacts on health and quality of life.</i> 	<p>The applicant's proposal is identical in scale and design to that proposed in Winchester at an existing industrial site adjoining an A-road. The proposed development is industrial in scale in a landscape with zero precedent for industrial development and therefore constitutes an unacceptable development which does not respect landscape character.</p>
5	<p><i>Waste Objectives</i></p> <p><i>5.72 Indicative facility requirements are set out in the table below in order to provide a general idea of the type and number of facilities that may be required to take up the future capacity needs. <u>However, it is possible that some of this capacity may be taken up by extensions to existing facilities or by facilities currently not operational coming online.</u> Sites are more commonly being developed as integrated waste management sites, accommodating more than one facility type, which reduces overall landtake.</i></p> <p><i>Composting or another biological treatment process e.g. Anaerobic Digestion</i></p> <p><i><u>Estimated number of facilities and scale : Up to five medium or two large</u></i></p> <p><i><u>Estimated landtake per facility: 2 - 3 hectares</u></i></p>	<p>The facility requirements in relation to Anaerobic Digestion quotes a maximum cumulative landtake quoted at 6 hectares (two large facilities at 3 hectares each)</p> <p><u>This is materially less than the 8ha set out in this single proposal.</u></p>
5	<p><i>Waste Objectives</i></p> <p><i>5.96 Areas of focus for waste management locations include <u>existing waste management facilities/uses</u>, whilst others are <u>existing industrial estates or employment areas where the receiving environment is considered suitable to accommodate such use</u> and so presents an opportunity to facilitate delivery of the indicative capacity needs.. it may be that a secondary area of focus is not the most appropriate location and that it would be better directed to a primary area of focus. <u>Proposals for development of waste management facilities on sites other than the identified locations may also be acceptable where in compliance with relevant MWLP policies.</u></i></p>	<p><u>Waste management facilities are envisaged as being in primary locations and secondary locations</u>; proposals for waste management facilities on sites other than the identified locations are envisaged only if demonstrably in compliance with relevant MWLP policy.</p> <p>The applicant's submission includes no alternative site assessment of primary or secondary locations.</p> <p>This proposal, which is a tertiary location in the BMWLP, does not appear to be to be acceptable nor to be demonstrably in compliance with policy.</p>

**COMMUNITY RESPONSE TO
PLANNING APPLICATION CM/0022/22**

Section	Relevant section/ policy (emphasis added)	HADO comment on evidence of applicant's compliance with relevant policy
5	<p><i>Vision and Strategic Objectives for the Local Plan</i></p> <p><u>Policy 14: Development Principles for Waste Management Facilities</u></p> <p><i>Proposals for waste management facilities must demonstrate that the development:</i></p> <ul style="list-style-type: none"> - <u>Is in general compliance with the spatial strategy for waste development;</u> - <u>Facilitates the delivery of Buckinghamshire's waste management capacity requirements;</u> - <u>Identifies the waste streams to be treated, catchment area for the waste to be received on-site and end fate of any outputs;</u> - <u>Enables communities and businesses to take more responsibility for their own waste and supports the management of waste in line with the waste hierarchy and the proximity principle.</u> 	<p>As demonstrated above,</p> <ul style="list-style-type: none"> - <u>the applicant's proposal is in a tertiary location for waste development and includes no site selection assessment of alternative primary or secondary locations</u> - <u>At 8 hectares, the scale of proposed facility exceeds the total capacity requirement of the BMWLP</u> - <u>The applicant has not provided the catchment area for the "waste" to be received beyond stating that 65% of the silage will need to be transported from farmland outside a 5km radius.</u> - <u>The applicant's proposal is not in line with the waste proximity principle and will therefore require incremental transport producing 230.8 tonnes of CO2 and 8.6 tonnes of NOx each year. The NOx alone is enough to fill two Olympic swimming pools. This failure to comply with the proximity principle for waste recovery and disposal would have a direct consequence on GHG emission reductions.</u>
7	<p><i>The Control and Management of Minerals and Waste Development</i></p> <p><i>7.1 All forms of development will have some form of impact on the receiving environment. Minerals and <u>waste development, unmitigated, can have significant adverse impacts particularly on sensitive receptors. By front-loading the identification and assessment of potentially adverse impacts and appropriate mitigation measures, impacts can be avoided and/or minimised to acceptable levels.</u></i></p>	<p><u>The villages of Chearsley, Long Crendon, Oakley and Worminghall have been excluded from scope of the applicant's Transport statement</u> despite all materials for the plant requiring transportation through these villages which represent a 200% increase in HGV traffic on B roads and a clear danger to safety, air and noise pollution and quality of life;</p> <p><u>Viewpoints from Brill, Chilton and from Hornage Farmhouse have been excluded from the applicant's Landscape and Visual Impact Assessment</u> despite Brill being within a designated "Area of Attractive Landscape" and despite Hornage Farmhouse being a listed building and therefore critical to compliance with paragraph 5.2 of National Planning for Waste;</p> <p><u>Peppershill Brook has been excluded from the scope of the applicant's Environmental Impact Assessment</u> despite being a waterway adjoining the boundary of the proposed site and critically exposed to risks of flooding and uncontrolled release of sewage.</p>

**COMMUNITY RESPONSE TO
PLANNING APPLICATION CM/0022/22**

Section	Relevant section/ policy (emphasis added)	HADO comment on evidence of applicant's compliance with relevant policy
7	<p><i>The Control and Management of Minerals and Waste Development</i></p> <p><u>Policy 16: Managing Impacts on Amenity and Natural Resources</u></p> <p><i>All proposals for minerals and waste development must demonstrate that the proposed development is environmentally feasible, secures a good standard of amenity and <u>would not give rise to unacceptable adverse impacts</u></i></p> <p><i><u>The nature and extent of potentially adverse impacts</u> likely to result from the proposed development <u>as well as appropriate mitigation measures</u> necessary to avoid and/or minimise impacts to an acceptable level <u>must be identified</u>.</i></p> <p><i>A site-specific management plan should be developed where appropriate, to ensure the implementation and maintenance of such measures throughout construction, operation, decommissioning, restoration works (including aftercare) as well as from transportation</i></p>	<p>The deleterious effects on the community, health and well-being and landscape character are a direct result of proposed transport movements and the nature of the form of development itself. The effects are unacceptable, and the assessment conclusions underplay the effects arising. <u>The site location is simply inappropriate, and the nature and scale of the development generates impacts that are unacceptable and cannot be adequately mitigated to secure an acceptable outcome.</u></p> <p>The applicant argues in the planning addendum, that: <i>"The application for the proposed development has been accompanied by a number of technical reports on noise, landscape, traffic, and other environmental effects...."</i></p> <p><i>'...The conclusions of all the technical reports also note that all the environmental impacts listed in this policy have been fully addressed and mitigation is provided where necessary....'</i></p> <p>HADO considers that by excluding from scope of their assessment the adjacent communities which are thoroughfares for the incremental traffic generated by the proposal, the applicant's assessment and findings underplay the significance of adverse impacts, rendering the outcomes unacceptable for those adjacent communities</p>
7	<p><u>Policy 17: Sustainable Transport</u></p> <p><i>Proposals for minerals and waste development will require a Transport Statement addressing the following matters</i></p> <ol style="list-style-type: none"> <i>1. traffic flows likely to be generated including type of vehicles and number of movements to and from the site per day,</i> <i>2. identification of the intended market base (for mineral development), or the <u>waste facilities catchment area including the origin of waste intended to be received onsite</u> as well as the destination of outputs on an OS base map (for waste development)</i> <i>3. capacity of the local and highway network to accommodate the movements generated by the proposed development</i> 	<p>Whilst the applicant's Transport Statement does address traffic flows (item 1), the accuracy of these traffic flows is critically dependent on the catchment area for the "waste" intended to be received onsite (item 2). This is not provided and therefore any mitigations imposed may not be relevant or adequate.</p> <p>As noted in the Transport section of this document, the applicant's assessment of the capacity of the local and highway network is restricted to the junction of the proposed access road and the B4011 - by excluding the local road network through the adjacent villages, the Transport Statement fails to identify the impact on safety, noise and air pollution or quality of life of residents</p>

**COMMUNITY RESPONSE TO
PLANNING APPLICATION CM/0022/22**

Section	Relevant section/ policy (emphasis added)	HADO comment on evidence of applicant's compliance with relevant policy
7	<p><u>Policy 17: Sustainable Transport (cont)</u></p> <p>Proposals for minerals and waste development will require a Transport Statement addressing the following matters</p> <ul style="list-style-type: none"> - identification of any improvements to the transport network determined to be necessary to minimise impacts to an acceptable level, - <u>identification of potentially adverse impacts arising from the transport of minerals and waste on the community and environment and mitigation measures required to avoid and/or minimise potentially adverse impacts to an acceptable level (including routing agreements or other agreements and controls as necessary), and</u> - emission control and reduction measures to be implemented 	<p>The applicant argues in the planning addendum, that: <i>'The Environmental Statement and Transport statement have fully assessed traffic movements associated with the proposed development and it is considered that the capacity of the local and highway network can accommodate these figures. It is important to note that in their consultee response the Highways Authority has raised no objection to the proposal.'</i> As noted above, the Transport Statement reviewed by the Highways Authority excludes the local road network through the adjacent villages and in so doing fails to identify the impact on safety, noise and air pollution or quality of life of residents</p> <p>Section 5 (Highways) shows that the applicant's own data on peak daily HGV movements required by the proposal represents a <u>"Major" community severance</u>¹³</p> <p>Section 5 (Highways) shows that the pollution caused by the transportation of product into and out of the digester would be at an alarming level. <u>The applicant's data on the HGV trips required to supply the proposed facility will produce 230.8 tonnes of CO2 and 8.6 tonnes of NOx each year. The NOx alone is enough to fill two Olympic swimming pools. The failure to comply with the proximity principle for waste recovery and disposal would have a direct consequence on GHG emission reductions.</u></p>
7	<p><u>Policy 19: Historic Environment</u></p> <p>Proposals for minerals and waste development <u>must conserve heritage assets in a manner appropriate to their significance and enhance the historic environment (where possible). This will be achieved by identifying: the nature, extent and significance of the asset(s) and their setting; potential adverse impacts that are likely to arise, specifically identifying where substantial harm or loss of significance is likely to occur</u></p>	<p>In its Landscape and Visual Impact Assessment, the applicant asserts that the listed Hornage Farm buildings which neighbour the site are of little significance, but includes no criteria against which its significance as a heritage asset has been assessed.</p> <p>HADO does not agree with the applicant's assertion and considers that the farmed landscape character within reasonable proximity to the dwelling is compromised by the proposal and as such the harm is underplayed. The extent of harm is significant.</p>

¹³ As defined by the Institute of Environmental Management and Assessment (IMEA) 'Guidelines for the Environmental Assessment of Road Traffic'

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

Section	Relevant section/ policy (emphasis added)	HADO comment on evidence of applicant's compliance with relevant policy
7	<p><u>Policy 20: Landscape Character</u></p> <p><i>Proposals for minerals and waste development <u>should protect and enhance valued landscape in a manner commensurate with their status recognising their importance and contribution to wider networks.</u></i></p> <p><i>Proposals for minerals and waste development will require a Landscape Impact Assessment detailing the <u>identification of: landscape character and/or features and its value (including the nature, extent and level of importance); connection with and contribution to wider networks; potential adverse impacts that are likely to arise as result from the proposed development; measures required to avoid and/or minimise potentially adverse impacts to an acceptable level; and opportunities to protect and enhance particular features that create a specific aspect of local distinctiveness or character.</u></i></p>	<p><u>By the nature of its industrial scale, the proposed facility will be incongruous no matter what mitigation is applied. It is important to safeguard the landscape within which the site lies for the sake of its own intrinsic character.</u></p> <p>The BMWLP calls for <u>valued landscapes to be protected</u> as a matter of policy <u>including protection from unacceptable development that cannot be reasonably integrated.</u></p> <p><u>We note that there are views from the nearby AAL (a formally 'valued landscape' within policy) from elevated land east of the B4011 extending towards Easington, Brill and Long Crendon. As such the AAL will be materially adversely affected by the proposal.</u></p>

Material Considerations

National Planning Policy Framework

- 3.9 The national Framework advises that “*achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)*” (para.8). These objectives are: economic, social and environmental.
- 3.10 Paragraph 9 goes on to say that “*planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.*” Taking into account the advice in paragraphs 8 and 9 of the Framework, the purported environmental benefits of the principle of biomass energy creation must therefore be weighed against other environmental impacts as well as any social and economic impacts. A site-specific and development-specific assessment must be carried out to consider the planning balance in respect of the application submitted.
- 3.11 Paragraph 12 of the Framework advises that “*the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.*” In respect of biomass energy, the Council has up-to-date and relevant development plan policies and these proposals conflict with those policies. Planning permission should therefore not be granted for these proposals.

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

- 3.12 Paragraph 163 of the Framework states that local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and should approve an application if its impacts are (or can be made) acceptable. The local development plan policies accord with paragraph 163 and set out clear criteria for the assessment of impacts.
- 3.13 Paragraph 180 advises that “*planning policies and decisions should contribute to and enhance the natural and local environment by... [amongst other things] ...protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); recognizing the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland...*”
- 3.14 In *Nixon v Secretary of State for Housing, Communities and Local Government* ([2020] EWHC 3036 (Admin)), Lieven J held that the question of whether or not an area is a valued landscape is a matter of planning judgement. As well as considering whether land has a statutory designation, a decision-maker should also consider whether it has any particular qualities that take it out of the ordinary.
- 3.15 There are views from the nearby Area of Attractive Landscape (AAL) (a formally ‘valued landscape’ within policy), from elevated land east of the B4011 extending towards Easington, Brill and Long Crendon. As such the AAL will be affected by the proposal. This landscape is also valued by the communities that adjoin it including those areas outside the AAL. There are views across the landscape that immediately abut communities and from the rights of way network that extend from those communities including the path that immediately abuts the proposed development. The proposed development neither protects nor enhances the valued landscape and as such should be rejected.

National Planning Practice Guidance – Renewable and Low Carbon Energy

- 3.16 With regards to technical considerations, the NPPG provides examples of considerations that can affect siting, which include proximity of grid connection infrastructure and site size and, for biomass, appropriate transport links. The HADO submissions show that this development proposal does not have appropriate transport links, particularly given the scale of the facility and the distance from a connection into national infrastructure.
- 3.17 The NPPG advises that “*policies based on clear criteria can be useful when they are expressed positively (i.e. that proposals will be accepted where the impact is or can be made acceptable).*” The wording of the relevant development plan policies accords with this national guidance and these development plan policies should be given full weight.
- 3.18 The NPPG goes on to say that “*the need for renewable or low carbon energy does not automatically override environmental protections*”. This section of the advice concludes that “*protecting local amenity is an important consideration which should be given proper weight in planning decisions*”.
- 3.19 The HADO submissions show how the proposals conflict with this advice in the national Planning Practice Guidance.

National Planning Policy for Waste

- 3.20 If the Council continues to determine the application as a waste application, then the national policies set out in Table 4 below are relevant:

**COMMUNITY RESPONSE TO
PLANNING APPLICATION CM/0022/22**

Table 4 – Compliance of the proposed development with National Planning Policy

Document	Section	Relevant policy (emphasis added)	HADO comment on evidence of applicant's compliance with relevant policy
National Planning Policy for Waste	4	<i>"Waste planning authorities should: - give priority to the re-use of previously-developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages"</i>	We note the absence of any site selection process in the applicant's submission demonstrating why previously developed land is less suitable than this undeveloped agricultural land
National Planning Policy for Waste	5	<i>"Waste planning authorities should assess the suitability of sites and/or areas for new or enhanced waste management facilities against each of the following criteria: - <u>landscape and visual impacts..the potential for design-led solutions to produce acceptable development which respects landscape character</u> - <u>conserving the historic environment Considerations will include the potential effects on the significance of heritage assets, whether designated or not, including any contribution made by their setting. traffic and access Considerations will include the suitability of the road network and the extent to which access would require reliance on local roads, the rail network and transport links to ports.</u></i>	<p>The applicant's proposal is identical in scale and design to that proposed in Winchester at an existing industrial site adjoining an A-road. The proposed development is industrial in scale in a landscape with zero precedent for industrial development and therefore constitutes an unacceptable development which does not respect landscape character.</p> <p>The site is adjacent to a listed building; sightlines from the building were excluded from the applicant's Landscape and Visual Impact Assessment - yet they assert that "views experienced from Hornage Farm and Barns would be slightly reduced and predicted to result in a Minor / Negligible and not-significant adverse effect"¹⁰</p> <p>The applicant's transport statement excludes from scope the local roads through five surrounding villages which will be thoroughfares for up to 194 HGVs per day. These local roads are patently unsuitable for the proposed "waste" management facility.</p>

Neighbourhood Development Plans

- 3.21 The site lies within the Chilton Neighbourhood Plan area, where a Neighbourhood Plan is currently being prepared. The proposed development will have impacts on the Parishes of Long Crendon and Worminghall, both of which have "made" Neighbourhood Plans (Long Crendon NP June 2017 and Worminghall NP April 2018).

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

- 3.22 The local Neighbourhood Plans include defined Built-up Area Boundaries within which development will be supported in principle - boundaries which have been adopted by Buckinghamshire Council. The proposed development is outside these boundaries. The Built-up Area Boundaries of the villages are referred to in the explanatory text to policy HPI as "a cornerstone of the Plan". The fact that this is within a housing policy shows that the local communities who prepared their NDPs never expected an industrial development of this scale to be proposed within the local area. This is also reflected in policy EPI, which supports extensions to existing employment premises in the village, where such proposals conform with policies in the development plan. These policies should be considered relevant to this application, given the context in which they were prepared during the NDP process.

Conclusions

- 3.23 In conclusion, the proposals fail to accord with the development plan and, as the full HADO submissions show, there are no material considerations to justify a grant of planning permission. Planning permission should therefore be refused.

4. LANDSCAPE AND VISUAL IMPACT

- 4.1 A review of the Landscape and Visual Impact Assessment (LVIA) submitted by the applicant⁸ has been undertaken by a Fellow of the Landscape Institute on behalf of the objectors and is supported by a separate review of the visualisations submitted by the applicant undertaken by Zanna Consultancy and Design which is appended to this submission.
- 4.2 This review focuses on the following items:
- a. the assessment of impact on landscape character in support of a review of policy compliance set out in the planning section of this submission
 - b. the accuracy of the visualisations in support of the LVIA; and
 - c. Assessment of Impact on Landscape Character
- 4.3 The applicant's LVIA considers the proposal results in *Slight /Negligible* magnitude of change to the landscape character of the Bernwood Forest Landscape Character Area (LCA) (ie the defined LCA within which the site lies) resulting in *Minor /Negligible and not-significant effect*. In relation to consideration of magnitude of change, the applicant's assessment considers the other LCAs to be similarly affected with variations relating to changes in extent of effect within defined LCAs
- 4.4 We do not agree either with the applicant's assessment of the magnitude of change or the applicant's judgement in relation to significance of effect on the landscape character.

Magnitude

- 4.5 To justify the magnitude of change in the assessment as Slight/Negligible, the relevant components of that judgement must consider:
- size/ scale of change;
 - geographic extent; and
 - duration/reversibility
- 4.6 The size and scale of change resulting from the development of 8 hectares of agricultural land to an AD facility characterised by 17m high digester tanks, associated containment structures and hard standings, cannot be reasonably considered to be anything less than substantial and that the nature of the structures are incongruous, of an industrial nature and taller elements would be apparent rising above existing and proposed vegetation and the proposals be visible through vegetation during winter months
- 4.7 We note the applicant's own description of the development at para 5.88 of the LVIA, 'Potential impacts during operation (Year O permanent)': 'The introduction of new structures and buildings with an industrial appearance in a rural landscape.'
- 4.8 We provide below illustrations of AD facilities for reference which illustrate the significant magnitude of size and scale of change resulting from the proposed development.

REFERENCE IMAGES OF EXISTING AD PLANTS

Whilst it has not been possible to find an image of an existing AD plant exactly matching this development, the images below give an indication of their nature and appearance.

⁸ SLR LVIA_Figures 1 to 9 August 2022

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22



Reference image 1

This image displays some of the typical industrial elements of such large AD plants which would be introduced into the landscape.



Reference image 2

This image of a much smaller AD plant in Oxfordshire, illustrates how even though many surfaces are green, their reflective man-made finishes ensure they are still plainly visible.

- 4.9 With respect to geographic extent, we consider that an area up to approximately 0.5km extending from the site boundary would experience Substantial change; and that an area of 0.5km extending further to the north, east and south of the site would experience Medium change.
- 4.10 The total area of Medium to Substantial change in landscape character would equate to approximately 5km². We note the development site itself is over 200m long and the scale of its visible structures up to 17m high, extending above the existing low hedgerow to the south and existing tree cover on other boundaries. The existing vegetation cover is not sufficient to provide screening or a back drop to all views such that the development would not be apparent or would appear integrated in, and subservient to, the landscape to the extent it would not be perceived as a change in character of some significance.
- 4.11 The assessment of geographic extent should be defined by the extent of change in landscape character and not be narrowly defined by the extents of change within individual Landscape Character Areas (LCA) affected, as undertaken by the applicant. The applicant's approach results in a smaller geographic extent of impact being considered with the result that the extents of effects are underplayed. This point is especially important in this instance, given the convergence of three LCAs directly related to the site and two further LCAs reasonably related to the landscape character context of the site.
- 4.12 With respect to duration, we agree with the applicant's assessment that the proposal is permanent given its operational life of 25 years.

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

- 4.13 Considering the three elements above, we consider that the magnitude of change on landscape character resulting from the proposal ranges from **Medium to Substantial within approx. 1.2 km radiating from the centre of the site to the north, east and south.**

Sensitivity

- 4.14 In relation to assessment of sensitivity we note that best practice dictates that such an assessment should comprise consideration of value and susceptibility¹⁵.
- 4.15 With respect to value, the applicant's assessment notes at para 5.124, '... the value of the LCAs is of a Local Authority level.' We therefore note that the landscape affected by the proposal is valued for the purposes of the assessment of sensitivity.
- 4.16 We note that the landscape immediately east of the B4011, is identified as an Area of Attractive Landscape and is characterised by wide ranging views across the landscape west of the B4011 including the site from elevated viewpoints from public vantage points.

Susceptibility

- 4.17 We note that Buckinghamshire Council accepted the recommendations of the LUC Addendum on 'Defining the special qualities of local landscape designations in Aylesbury Vale District' (February 2018) that notwithstanding the nationally designated landscape (AONB) and locally designated landscapes in the VALP (Vale of Aylesbury Local Plan), non designated landscapes can also be considered valued for the purposes of Paragraph 109 of the NPPF (2012).
- 4.18 The applicant's assessment state that ...'their [LCAs] individual susceptibility to the Proposed Development is related to their ability to "accommodate the proposed development without undue adverse consequences for the baseline situation and/or the achievement of landscape planning policies and strategies" {Paragraph 5.40, GLVJA3}. Aspects of the character of the landscape that may be affected by a particular type of development include landform, skylines, land cover, enclosure and aesthetic and perceptual aspects such as the scale of the landscape, its form, line, texture, pattern and grain, complexity, and its sense of movement, remoteness, wildness or tranquillity.'
- 4.19 The applicant's assessment does not identify the susceptibility of the landscape to the type of change envisaged by the development - this is a material shortfall in the assessment.
- 4.20 We consider the susceptibility of the landscape to be high to the type of change being proposed. The applicant themselves identify the development as 'industrial in appearance' and the local planning authority's landscape architect who responded to the original consultation, expressed 'concern over the nature of the Proposed Development, its location adjacent to an Area of Attractive Landscape and stated that the development would be an uncharacteristic feature in the landscape given the scale and type of development.' (ref applicant LVIA para 5.12).**

¹⁵ Guidelines for Visual Impact Assessment

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

- 4.21 We therefore consider the overall sensitivity of the landscape character to be at minimum Medium. This is supported by the local authority's landscape character area assessment which identifies four of the five LCAs as having Moderate Sensitivity and (in the case of the Brill and Muswell Hill LCA) High Sensitivity.

Significance

- 4.22 Using the applicant's own methodology illustrated at para 5.42 of their LVIA and based on GLVIA 3 best practice, the combination of Medium to Substantial magnitude of change and Medium sensitivity, results in **Major significant effects**.
- 4.23 We consider that this represents a more accurate assessment of the effects of the proposal on landscape character and as such consider the proposals are not in compliance with planning policy. The proposal leads to unacceptable impact on landscape character.

Errors and inconsistencies

- 4.24 A review of the visualisations prepared by the applicant by SLR in support of the LVIA was undertaken by Zanna Consultancy and Design. The review has been undertaken in accordance with the 'Landscape Institute Technical Guidance Note - Visual Representation of Development Proposals', using the methodology for a 'Type 3' visualisation.
- 4.25 SLR state in their wireline document that they have used Type 2 visualisations. HADO contends that SLR's wireline viewpoints are misleading for the following reasons:
- the locations of the viewpoints are too distant;
 - the modelled views comprise panoramic photographs using a 35mm (wide-angle) lens that does not comply with best practice; and
 - the digester structures have not been accurately modelled in the closest views
- 4.26 Para 4.1.2 of the Guidelines for Landscape and Visual Impact Assessments states that '*Whilst Type 3 [visualisations] will be acceptable in many situations, only Type 4 methodology and equipment can provide the levels of verifiable accuracy which are appropriate to high Sensitivity contexts and Purposes.*'
- 4.27 This review considers the project site to be a 'high sensitivity context' and as such, the visual representation should be Type 4 visualisations.
- 4.28 The Guidelines for Landscape and Visual Impact Assessments notes that a '*practitioner should ensure that image quality is appropriate for purpose*'. This review does not consider that SLR's images are appropriate for the purpose for which they were prepared and do not support an accurate assessment of the visual impacts or effects arising on landscape character.

5. HIGHWAYS AND TRANSPORT

- 5.1 A review and critique of transport documents for planning compiled by the Transport Planning Practice has been commissioned and confirms deficiencies, inconsistencies, and the flawed methodology of Acorn's Transport submissions. (Please refer to Transport Planning Practice's (TPP) Review and Critique of Transport Documents for Planning in Appendix for complete analysis).
- 5.2 TPP's report includes the following conclusions:
- i. the baseline HGV numbers have been incorrectly calculated which means that the increase in HGV trips is deemed to fall below the IEMA threshold for a full assessment. When a correct approach to calculating the baseline HGV trips is undertaken, it can only be concluded that a full assessment is required, which in TPP's view would include the more sensitive receptors in the adjacent villages, particularly Long Crendon.
 - ii. When a new assessment is undertaken it should include all expected scenarios, particularly including the worst-case scenario during the summer peaks. If these more extreme scenarios are not tested then the decision maker will have to limit any planning permission to allow only the number of expected HGVs that have been assessed and the hours for which they have been assessed, i.e. 37 vehicles and deliveries only during the standard working day. Planning conditions will be required to control the number, timing and routing of the HGVs to minimise the impact on the surrounding residential neighbourhoods.
- 5.3 Based on TPP's review of the Transport Statement and EIA chapter, it is TPP's expert opinion that the planning application as it stands cannot be deemed to comply with the Vale of Aylesbury Local Plan Policy T5 and should therefore be refused on this basis.
- 5.4 In their conclusion, on p5 of their Transport Technical Note, Acorn state that "this Transport Technical Note has considered the subjects raised within comments made by local stakeholders and maintains that the proposed level of traffic can be safely and efficiently accommodated within the local road network and is therefore acceptable in terms of highway safety and operational capacity. NPPF Paragraph 11 states 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'¹⁶. For the above reasons, the proposed development of the site accords with the national and local planning policies and is therefore considered to be acceptable in traffic and transport terms"
- 5.5 We believe that Acorn's statement above is totally incorrect.
- 5.6 The applicant's Transport Statement of September 2022 and its subsequent Transport Technical Note of May 2023 deal only with the immediate access to the site from the B4011 and omit any reference to highway safety and operational capacity in the villages through which traffic to the site will need to pass (i.e. Long Crendon, Chearsley, Oakley and Worminghall).
- 5.7 Further, the applicant's submissions make no commitment to the catchment area for the 98,000 tonnes of material to be imported to the site - rendering impossible any meaningful assessment of the impact and harm done by the proposal and therefore any accountability should the assessment made by the applicant turn out to be wrong.

¹⁶ Acorn includes no accompanying definition of "severe" in its Transport Technical Note, but refers on p2 of its Reg24 request to "Major" community severance and delay as a >60% increase in traffic ". As this paper shows, Acorn's own data shows a 200% increase in HGV traffic at peak, which would result in a "Major" community severance and delay.

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

- 5.8 The assessment which follows, which uses the applicant's own data, shows that the impact and harm done would be significant and widespread both in terms of traffic, pollution and road safety were this application to be granted permission.

Traffic

- 5.9 Whilst providing a great deal of data, Acorn fail to provide the key elements of information that enable a realistic assessment of the traffic impacts that the digester would create. In the absence of those key elements of information we have made what we believe to be reasonable assumptions.
- 5.10 Our conclusions with respect to the degree of incremental traffic resulting from the proposal are set out in Table 5 below

Table 5 - Incremental HGV/ tractor journeys and kilometers travelled

	Daily peak road movements (through each of Long Crendon, Chearsley, Oakley and Worminghall)	Annual kilometres ¹⁷
Total peak daily HGV movements	194	246,049
Acorn's stated current average¹⁸	48	
Increase in HGV/tractor movements	202%	

- 5.11 It is highly likely that the incremental traffic volumes will exceed those included in the applicant's reports dated September 2022, May 2023 and March 2024: the volume of traffic is wholly dependent on the locations of the farmland contracted to provide the 65,500 tonnes of silage required by the proposed plant. In a letter to Buckinghamshire County Council on 23rd November 2022, Mr West, for Acorn, stated that: "after assessing the possibility of procuring circa 35% of the total feedstock requirement for the Anaerobic Digester site at Hornage that with the current established livestock and arable enterprises within a 3km radius of the site is not sustainable and does not fit with national and local government led environmental incentives for agriculture but is sustainable within a 5km radius of the site at Hornage considering local established agricultural units". Acorn's application is vague regarding the import of the balance of the silage required by the plant: 32,500 tonnes. It is unclear whether the stated peak volume of 194 HGV trips per day included in the application accounts for this additional volume. In their Transport Technical Note dated May 2023, SLR Consulting Limited (on behalf of Acorn) included a map (with no scale to refer to distance from the AD site) "which plots interested counterparties... yet to subject to contract". The Transport Technical note and the traffic volumes within it make no reference to the assumed catchment area for the 35% of feedstock required nor for the 65% required from beyond the "local" catchment area.
- 5.12 It is therefore impossible to scale the HGV volumes listed within their application for the actual contracted locations for production of the silage required.
- 5.13 It is interesting to note that at the meeting of Long Crendon Parish Council of April 16th 2024, a representative of Acorn made a verbal offer to residents to "further limit" the volume of incremental HGVs travelling through the village to 194 trips per day- ie the precise volume of HGV trips included at p25 of the Transport Statement submitted in September 2022.

¹⁷ For supporting calculations see Table 6 below

¹⁸ Para 6.59 p6-10 of SLR report dated Sept 2022 refers to 74 HGVs passing in BOTH directions on the B4011 over a 24 hour period. This volume has been halved in order to align with Acorn's calculation of incremental HGV volumes in each direction on the B4011 (North and South) set out at Para 6.87 p6-14 of SLR report dated Sept 2022. A further 25% reduction has been applied in order to account for the number of HGVs observed outside the 11 hour window in

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

which the proposed plant will be receiving traffic.

- 5.14 Notwithstanding this likely understatement of HGV volumes included in the application, Table 4 shows an incremental peak traffic load of 194 HGV/tractor movements a day on single-lane B-roads through no less than four village centres (Long Crendon, Chearlsey, Oakley and Worminghall) - a 202% increase.
- 5.15 We therefore conclude that the impacts from the applicant's own traffic movements, far from being "acceptable in traffic and transport terms", are in fact profound and constitute "major community severance and delay" per the Institute of Environmental Management and Assessment (IMEA) 'Guidelines for the Environmental Assessment of Road Traffic'. It is not credible to suggest that these impacts will not be harmful to the environment, the community and to other road users. These conclusions demonstrate that the proposal is far from being "green".

Pollution

- 5.16 In Table 6 below we show that the pollution caused by the transportation of product into and out of the digester would be at an alarming level. We estimate that 230.8 tonnes of CO₂ and 8.6 tonnes of NO_x would be produced each year. The NO_x alone is enough to fill two Olympic swimming pools. This negates any "green" benefit accruing from the development.

Import of feedstock

- 5.17 The application states that the digester will require 98,000 tonnes of feedstock and that approximately 67% of this will be from grown crops, i.e., 65,500 tonnes. The land in the immediate vicinity of the proposed site is heavy clay and not suitable for maize or rye, so the yield will be low, or the operators will choose to go further afield for the crop. Typical yields for maize and rye would be 40 - 60 tonnes/hectare, however this can be as low as 30 tonnes on heavy clay. Also, harvesting maize in late September or early October on heavy clay is extremely difficult. We therefore assume that average crop yields could be, say, 35 tonnes/ha.
- 5.18 Therefore, to grow 55,200 tonnes of feedstock crop, approximately 1,600 ha (or ca.4,000 acres) of land would be needed (**and taken out of valuable food/fodder production**). Assuming that the feedstock is grown as a "break crop" in a rotation system then, **at a 3-year rotation, 4,500ha (1,600 x 3) (or 11,800 acres) of land would need to be contracted for supply, and at a 5-year rotation, this would increase to 8,000ha (or 19,800 acres)**. The assertion that the grown feedstock would come from the applicant's farm or surrounding farms is not credible. Even if, for example, the yield were to be assumed at 45 tonnes/ha, at a 5-year rotation, an area of 7,400ha (or c. 18,200 acres) would still be required to be contracted.
- 5.19 Therefore, land of between 7,400ha and 8,000ha would be required to be under contract in order to secure the grown feedstock. Even assuming that this land was entirely surrounding the digester, this would mean that a circle of radius 5km of crop production would be required. Given that much of the farmland immediately surrounding the site is not owned by the applicant or is used for sheep grazing, and given that Acorn have not provided any alternative, we would have to assume that a much larger catchment area would have to be secured.
- 5.20 A conservative assumption - i.e., an increase of the catchment area by 50% to 12,000ha of land around the digester- would increase the radius from the digester to 6.2km. This would mean that the average distance travelled to deliver grown feedstock to the digester would be 6.2km (average distance= 6.2km x 0.5 x 2 for return trips= 6.2km). This assumes that the journey is in a straight line which it certainly will not be.
- 5.21 With an average payload of 16 tonnes per delivery (the legal limit for a tractor/trailer is 13.5 tonnes) this would require 4,852 loads or 9,704 trips (counting return journeys). At a conservative estimate of distance per journey of 6.2km, this equates to 60,165km traveled each year (for comparison, the circumference of the globe is 40,000km). These journeys would be carried out by diesel burning vehicles.

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

Export of biogas, CO2 and LNG

- 5.22 Once again, although Acorn provide a large amount of data, there is a dearth of information that is useful in assessing the impact of the various transportation streams. We therefore have to take at face value the data that they have supplied.
- 5.23 In Table 6-1 on p24 of the Transport Statement, Acorn declare that the export of biogas, CO2 and digestate will create 6,342 trips. This translates into 12,684 trips accounting for return journeys. On p18 of the Transport Statement Acorn state that biogas will be collected twice a day (the site works 365 days/year) and that CO2 would be collected once per day. This would create 730 collections of biogas and 365 collections of CO2 per year, not the 842 and 540 collections respectively stated in table 6-1. (ie *the data Acorn supply is contradictory*).
- 5.24 The distance from the digester to the centre of Banbury is 50km. Acorn do not declare where the CO2 or biogas will be delivered, so we have to assume that each will be delivered to a destination perhaps 45km from the digester. Therefore, these deliveries combined will account for a further 124,380 km of HGV travel per year (Biogas 1,684 journeys x 45km = 75,780; CO2 journeys 1,080 x 45km = 48,600km).



- 5.25 Acorn assumes that the biogas will be transported by road vehicle at loads of 12,500m³. This requires a very large vehicle. We believe that the image below is of a 12,00Qm³ MEGC (Multi Element Gas Container) vehicle which would transport the gas at 250bar.
- 5.26 The route to Banbury via the B4011 is difficult and passes through the village of Oakley, in which there is a very tight bend which HGVs find difficult to negotiate against oncoming traffic. The gas carriers would then have to travel through busy residential streets to access the gas injection point. It is difficult to imagine a more unsuitable route for a large gas carrier, given that they are designed to transport goods via motorways and A-roads.

Export of solid and liquid digestate to farms

- 5.27 Again, Acorn provide a limited amount of information helpful in assessing the true impact of the traffic that would be created by the delivery of solid and liquid digestate from the digester to farms. In table 6-1 on p24 of the Transport Statement Acorn state that 5% of the liquid digestate is transported "internally". They assume, again, that "internal" transport is of no consequence but it still burns diesel, and the assumption that it would use no roads is difficult to accept.
- 5.28 Assuming a very conservative average trip distance of 3.1km (or 6.2km accounting for return trips), the transport of digestate would equate to 61,504km of travel by HGV/tractor.

Pollution

- 5.29 Given the "green" credentials that the applicant claims for this development, the absence of any meaningful analysis of the pollution caused by the transportation of product into and out of the digester is surprising. Considering that absence, we have been forced to make our own calculations. We believe that this high dependency on road/on-farm transportation negates any green credentials that the applicant may claim.

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

- 5.30 Using the assumptions listed above, table 6 below calculates the incremental pollution emitted. It is clear that the development as proposed is likely to emit an alarming amount of pollution (CO₂ and NO_x) when the global view is considered. This is very far from being a "green" proposal.

Table 6 - calculation of CO₂ and Nitrogen Oxide (NO_x) emissions produced by the proposal

Assumptions used						
1 HGVs will have engines rated at an average of 350 bhp						
2 Average road speeds will be assumed to be 40kph						
3 Nitrogen oxide emissions assumed to be 0.40g per bhp hour						
4 Carbon dioxide emissions assumed to be 2.68kg per litre of diesel						
5 HGV diesel consumption assumed to be 35 litres per 100km						
Calculations						
1. Kilometers travelled	Single trips ¹	Return trips	Average distance per single trip (km)	Kilometers travelled		
				Single	Return	
Feedstock import	4852	9704	6.2	30,082		60,165
Gas, CO ₂ export	1382	2764	45	62,190		124,380
Digestate export (liquid & solid)	4960	9920	6.2	30,752		61,504
Total	11,194	22,388	11.0	123,024		246,049
1 - Source: Table 6-1, p24 of applicant's Transport Statement						
Total annual km travelled by HGVs are equivalent to 5 times the circumference of the Earth						
2. CO ₂ emissions						
Litres of diesel used	at 35 litres per 100km (Assumption 5)					86,117 litre
CO ₂ emissions	at 2.68kg per litre of diesel (Assumption 4)					230,794 kg
						230.79 tonnes
Total annual CO₂ emissions of this proposal are equivalent to the CO₂ emitted by 80 households						
3. Nitrogen oxides emissions						
Bhp hours	(232,229km / 40km per hour) x 350 bhp					2,152,927
Nitrous oxides emitted	at 0.40g per bhp hour (Assumption 3)					861,171 grams
						8.61 tonnes
Total annual nitrous oxide emissions are equivalent to an average diesel car idling for 24 years						

Traffic management and safety

- 5.31 We have not attempted to assess the road traffic dangers associated with this proposal as it is beyond our technical capability. However, it is inconceivable that the volume of traffic that would result from the proposal would not increase the risk of road traffic danger.
- 5.32 The following images show a large agricultural tractor on one of the narrow roads in Long Crendon village centre and is representative of the fact that the routes involved are narrow single-laned roads and include:
- large numbers of parked vehicles, resulting in the need for one-way traffic;
 - walking routes for primary school children; and
 - blind corners and hills.

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22



5.33 The applicant suggests on p3 of the Transport Statement that an Operational Transport Management Plan should be put in place. However, by the applicant's own admission, neither the Transport Statement nor any subsequent analysis include any assessment of the operational capacity or highway safety of resulting traffic through the surrounding villages including Long Crendon, Chearsley, Oakley and Worminghall. Any Operational Transport Management Plan which excludes these locations will endanger these communities.

5.34 In the applicant's Transport Technical Note dated May 2023 Page 4, 1.3 refers to a review undertaken by consultants SLR of "the accident history through Long Crendon" before going on to cite "CrashMap data for the B4011 in the vicinity of Long Crendon" with no specification of the vicinity.

5.35 This review undertaken by SLR claims that CrashMap showed 3 incidents in the last 5 years (2 slight, 1 serious). On May 28th 2024 a search of CrashMap for accidents in the last 5 years in the villages en route (Chearsley, Long Crendon, Worminghall, Oakley) shows 12 accidents. of which 3 were serious.

5.36 It would be negligent to the safety of road users of the surrounding villages for planning permission to be considered without requiring analysis by the applicant of traffic impact and road safety in the village centres affected.

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

Errors and inconsistencies

5.37 The following comments relate to the Transport Statement:

- i. No indication of the source location of the feedstock is provided. This is a vital component in the traffic equation and yet no further details of how far the feedstock will travel and by what routes is provided. Given that this is a Transport Statement and most of the traffic will relate to the importation of feedstock, this is a serious omission.
- ii. Page 3, 1.5.2 concerns an Operational Traffic Management Plan. The fundamental omission of any reference to operational capacity or highway safety in the villages through which the operational traffic will pass is negligent.
- iii. Page 13, 3.5 refers to accident history in the vicinity of the site access only and not to the c30km of roads through which the incremental traffic will need to pass, particularly through four village centres. This is totally inadequate for such a survey.
- iv. Page 26, 6.2.2 describes the product exported. Again, the applicant fails to provide information on where the CO₂, the Biogas and the digestate will travel - these are vital assumptions for calculating the traffic impact and pollution impact.

5.38 The following comment relates to the Transport Technical Note dated May 2023:

- i. Page 4, 1.3 refers to a review undertaken by consultants SLR of "the accident history through Long Crendon" before going on to cite "CrashMap data for the B4011 **in the vicinity of Long Crendon**" with no specification of the vicinity.
- ii. The SLR report claims that CrashMap showed 3 incidents in the last 5 years (2 slight, 1 serious). On May 28th 2024 a search of CrashMap for accidents in the last 5 years in the villages en route (Chearsley, Long Crendon, Worminghall, Oakley) shows **12 accidents, of which 3 were serious.**

6. HERITAGE

- 6.1 We outline our observations in relation to the applicant's heritage assessment and would refer to the review of the planning policy section where we assess the impact on heritage and its compliance with planning policy.
- 6.2 The applicant's assessment has, in summary judgement, determined the listed dwelling's intervisibility with the site is the primary determining factor in assessing the impact on the heritage asset of Hornage Farm, a Grade II Listed farm house and judged the significance of effect on the setting of the listed building to be of little significance. We do not agree and we set out our reasoning and provide selected extracts from best practice guidance of relevance and planning policy which forms the foundation of our reasoning.
- 6.3 We consider that the farmed landscape character within reasonable proximity to the dwelling is compromised by the proposal and as such the level of harm to the setting of the heritage asset identified in the applicant's assessment, is underplayed. The extent of harm is significant, material and should carry weight in the planning decision.
- 6.4 The applicant argues that the harm arising from the development has 'less than substantial harm' applying heritage impact assessment criteria, but note harm is acknowledged. The fact that the building is not Grade 1 or II* listed and does not have direct views from, say, its principal elevation, towards the proposal, does not negate the fact that when applying assessment methodology, the setting of the listed farm house is compromised to an unacceptable level by the proposed development.
- 6.5 We consider the significance of the listed farm house depends on its farmland setting and not merely views from the dwelling to the proposals. The building is appreciated, understood and its significance informed by its farmland context (all of which English Heritage identify in their guidance), which would be compromised and therefore exert harm on the listed heritage asset.
- 6.6 The applicant argues in the planning addendum, that: *'Due to the building's proximity to the Site, and the development's built-form, the potential for intervisibility between the asset and proposals within the site exists. Recommendations to reinforce the vegetative screening by extending the tree belt between the site and the asset, Hornage Farmhouse, have been embedded within site layout and landscaping proposals. This will reduce any indirect impact to the setting from the asset itself, although any impact is considered to be at the lower scale of 'less than substantial harm'.*
- 6.7 We consider the assessment of harm to setting depends on matters more extensive than merely intervisibility and that the assessment of effects have been underplayed as a result.
- 6.8 The main area of tree cover that separates and in part screens the listed building from the site, lies outside the red line. The existing tree cover cannot be relied upon to mitigate views that the assessment of effects on heritage relies upon – the tree cover lies outside of the planning application boundary and therefore outside the applicant's control. The heritage officer's initial observations in relation to impact on setting included reference to the dependency on the existing woodland and indicated that reinforcement to support the continuity of this feature would be important in addressing the harm on the asset. Merely allowing for some minor tree planting within the site boundary does not provide sufficient reinforcement or continuity to the screen over the long term.
- 6.9 With reference to the policy contained within the NPPF, the significance of heritage assets can be described in terms relating to their designated status. This essentially equates to assigning a descending level of importance. The NPPF states that:

'2. Designated heritage assets of less than the highest significance (importance) are identified in paragraph 200 of the NPPF as comprising Grade II Listed buildings...'

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

6.10 The applicants' assessment correctly notes that understanding the effect of proposals rests on achieving an understanding of where the 'significance' of an asset lies and the effect of the proposed development on this 'significance'. The NPPF defines 'significance' as: *'the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'*

6.11 The NPPF glossary and the Planning Practice Guidance (PPG) provides a definition for these interests as amongst other things:

Architectural and artistic interest: "These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved.

Historic England's guidance: *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12 (2019)*, concurs with the use of the use of NPPF terminology.

6.12 With reference to the identification of the importance of setting to the identified significance of a heritage asset, Historic England's good practice guidance presented in the Setting of Heritage Assets identifies a five-step approach to assessment:

- Step 1 – Identify which heritage assets and their settings may be affected;
- Step 2 – Assess **the degree to which settings make a contribution to the significance** of the heritage asset(s) **or allow significance to be appreciated**;
- Step 3 – Assess if **any change to the setting identified would affect the appreciation/ understanding of an asset's significance** (there may be no change);
- Step 4 – **Explore ways to maximise enhancement and avoid or minimise harm**;
- Step 5 – Make and document the decision and monitor outcomes.

A non-exhaustive list provided within the document identifies themes such as:

- Physical Surroundings including **'functional relationships'**
- Experience including **'views from, towards, through, across and including the asset'** and not merely *'intentional inter-visibility'*

6.13 At para 8.1.2 the applicant notes in their assessment *'This rural setting contributes significance to the heritage asset, as it preserves the characteristics of the historical context and functional relationship between the building and its environs.'*

6.14 However the assessment fails to carry this observation into its assessment and goes on to state at 8.1.3 'Contribution of Setting to Significance'

6.15 *The following aspects of the asset's setting are considered to make a key positive contribution to its significance and the ability to appreciate that significance:*

The open views from the asset to the open field systems and hills to the northeast;

- *immediate agricultural buildings to the northwest, now converted to residential use but maintaining the rural character and form; and*
- *retention of mature hedgerows, field forms, small woodland groups and mature trees.*

6.16 Planning policy (Policy 19: Historic Environment), states that *'Proposals for minerals and waste development must conserve heritage assets in a manner appropriate to their significance and enhance the historic environment (where possible)... This will be achieved by identifying: the nature, extent and significance of the asset(s) and their setting; potential adverse impacts that are likely to arise, specifically identifying where substantial harm or loss of significance is likely to occur, as result of the proposed development; measures required to avoid and/or minimise potentially adverse impacts to an acceptable level.'*

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

- 6.17 Appropriate responses to *'conserve' this asset 'in a manner appropriate to [its] significance...'* have not been proposed to a level that could be considered an *'acceptable level'* for a building of Grade II status that depends on its farmed landscape setting that contributes to its significance. The application therefore fails the policy test. In addition, we would note that no effort has been expended in exploring how the historic environment could be enhanced to accord with policy ambition.

7. VIABILITY

7.1 The driving force behind the economic viability of production of biomethane is the huge subsidy available from the government - or us as taxpayers or consumers if added as a levy to our gas and electricity bills. The project will receive a feed in tariff, which is currently as follows:

Feed in Tariffs	P/ikWh
Tier 1 – Up to 60,000 MWh	6.33
Tier 2 – Next 40,000 MWh	4.06
Tier 3 – J100,000 to 250,000 MWh	3.59

7.2 The maximum output of the project is some 120,000 MWh, so the average price received would be some 5.4 p/kWh. This would yield revenues of some £6,150,000 a year. If the project had to sell the gas at the current market price at the National Balancing Point (NBP), the forward price for 2025 is currently around 3 p/kWh. The subsidy therefore is just under half the revenues or around £3 million pounds. That's why the developers want a biomethane project to access the huge subsidy.

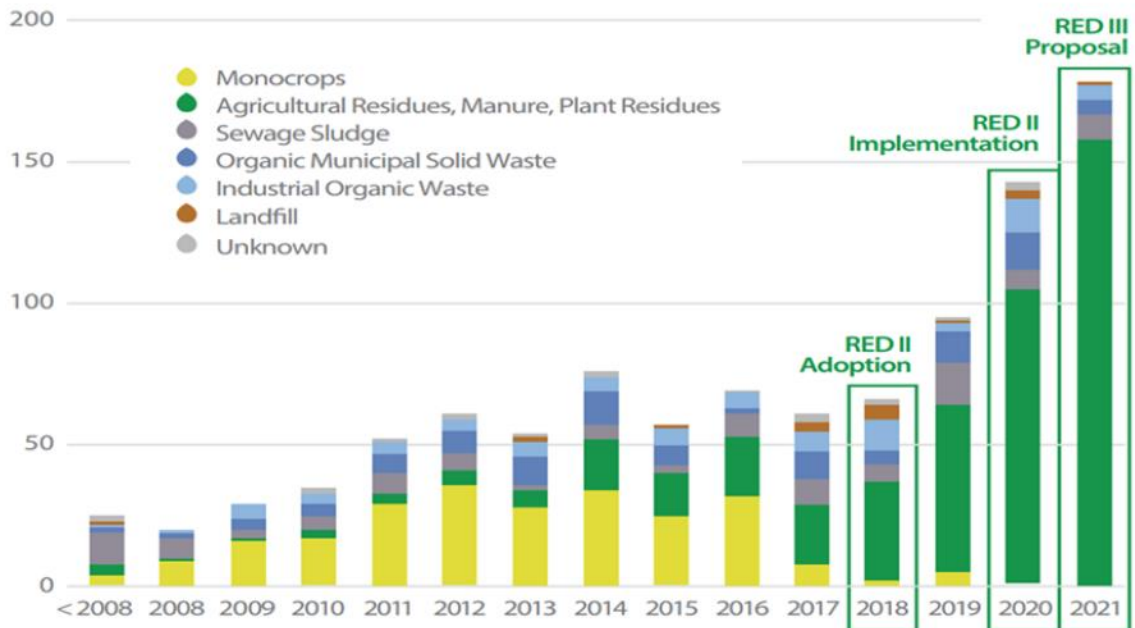
7.3 The project does not just rely on food and agricultural waste as the feedstock for the anaerobic digester but relies heavily on land crops. These are crops specifically grown for the anaerobic digester on land which could be used to grow food or at least silage for animal feed. The farmer can get a good price for the land crop solely because of the subsidy the biomethane producer receives.

7.4 In times of food security issues and poor yields, the use of land crops is coming under increasing scrutiny. The International Energy Agency (IEA) no longer regards use of land crops for the production of biomethane as a sustainable solution. Their 2020 report on the Outlook for Biogas and Biomethane[2] - page 25 - notes that "energy crop feedstocks grown specifically to produce biogas and biomethane are not included on the basis that their sustainability warrants further in-depth analysis outside the scope of this study."

7.5 In Europe land crops - or monocrops - are no longer used at all in new projects since 2019, and their use had already been declining rapidly since 2016.

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

7.6 The chart below is taken from the EBA Statistical Report 2022¹⁹



7.7 Finally, the previous UK Government had issued a call for evidence on the Future Policy Framework for Biomethane Production²⁰ The deadline was April 25 2024 and the responses are now being considered. The question of using land crops as feedstock is addressed in Chapter 4 of that document. When the report on the conclusions from the call for evidence will be made is not known and will be the responsibility of the new Labour government. However, if the use of land crops in the UK follows the rest of Europe, then there may well be at least a moratorium on their use in new projects in the UK. It would make no sense therefore for this project, which relies heavily on land crops, to be approved.

¹⁹ <https://www.europeanbiogas.eu/european-biomethane-map-2024/>

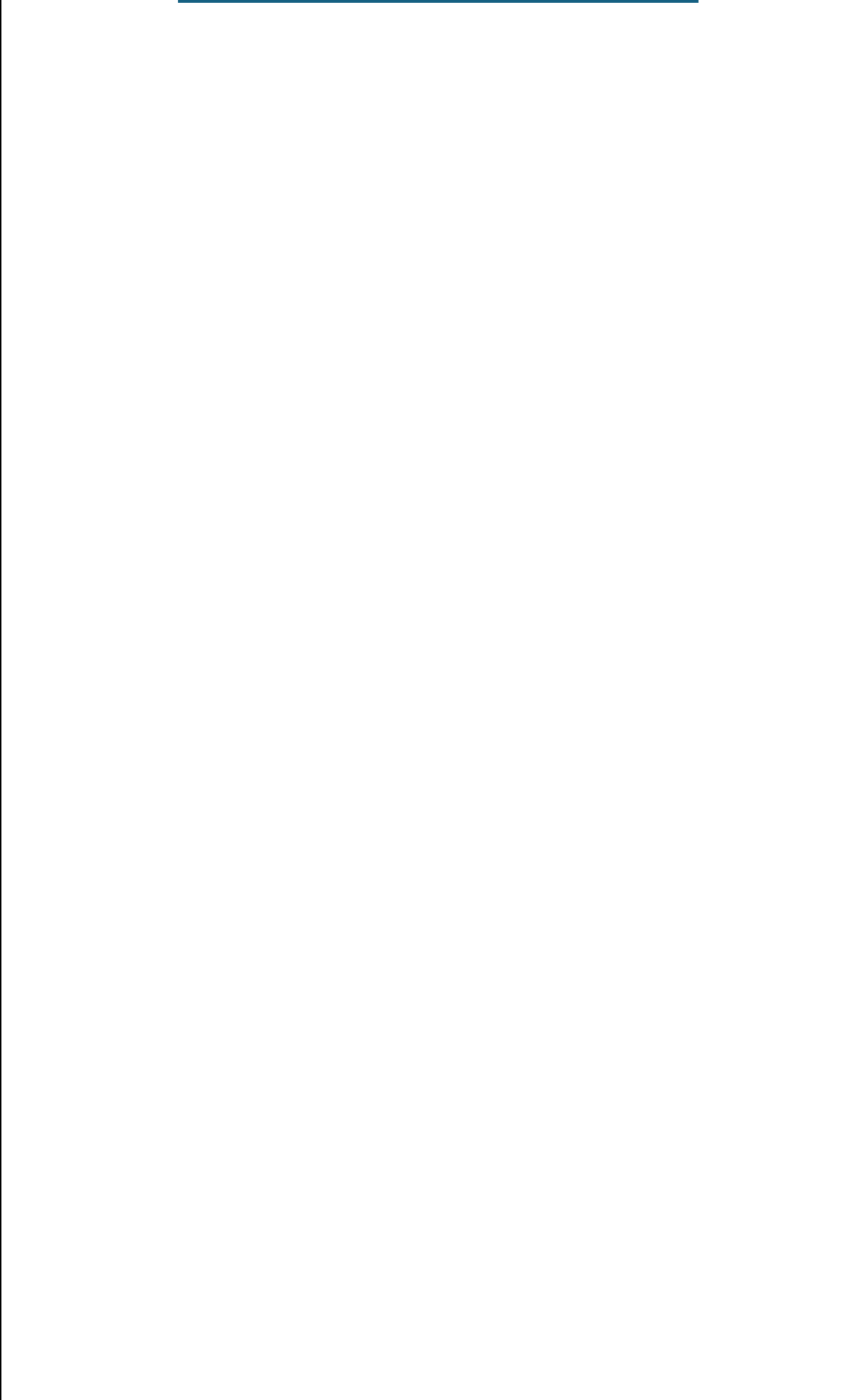
²⁰ European Natural Gas, Friday 5 July 2024, Argus Media

8. NAMES OF PEOPLE OBJECTING

This objection is submitted on behalf of HADO (Hornage Anaerobic Digester Objection), a community objection group representing individuals impacted in surrounding villages and Chilton, Long Crendon, Oakley Worminghall and Chearsley Parish Councils.

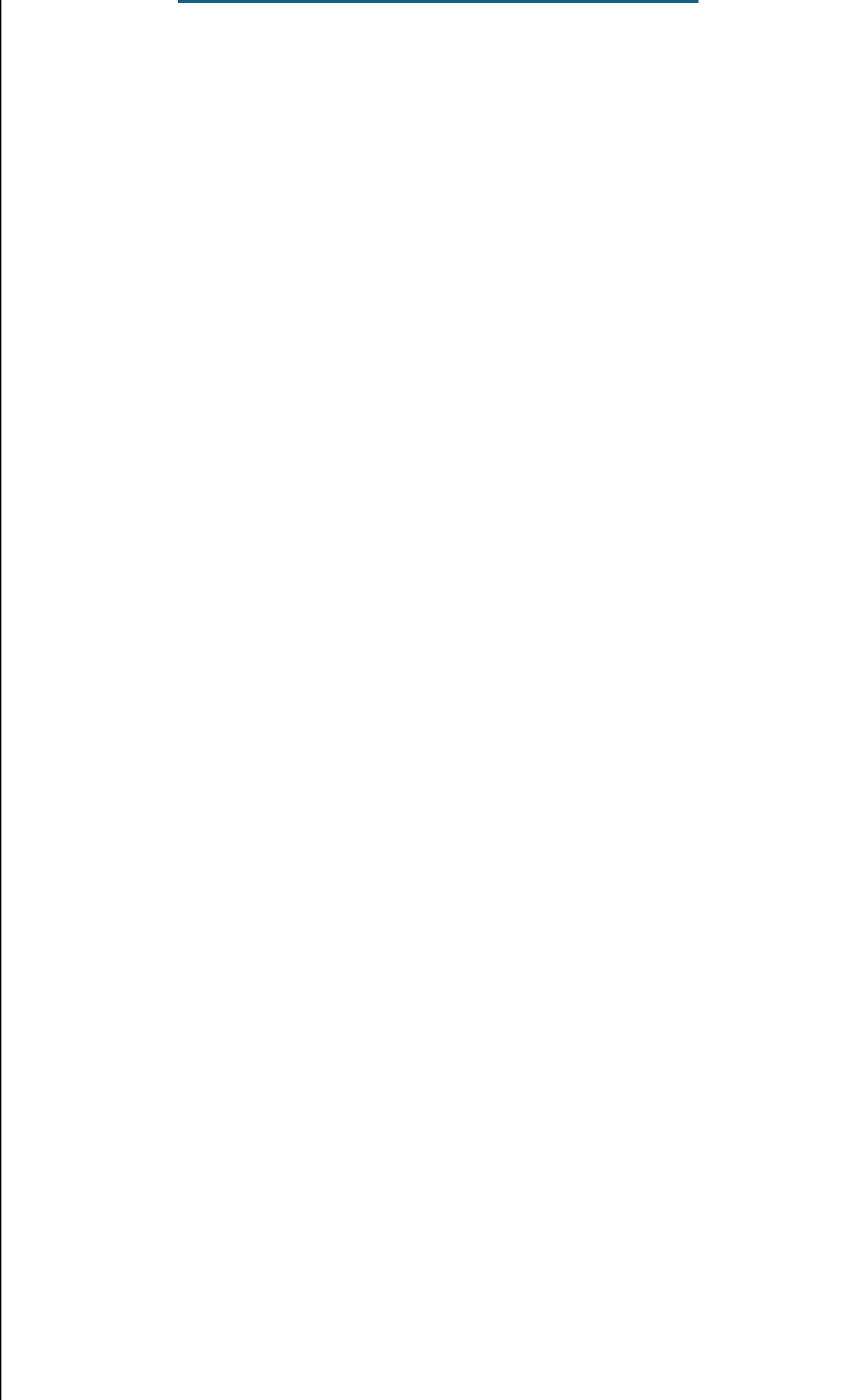
This document should be considered as an objection in its own right. Each of the 273 names below should also be recorded as individual objections. [*names and addresses have been redacted*]

COMMUNITY RESPONSE TO
PLANNING APPLICATION CM/0022/22

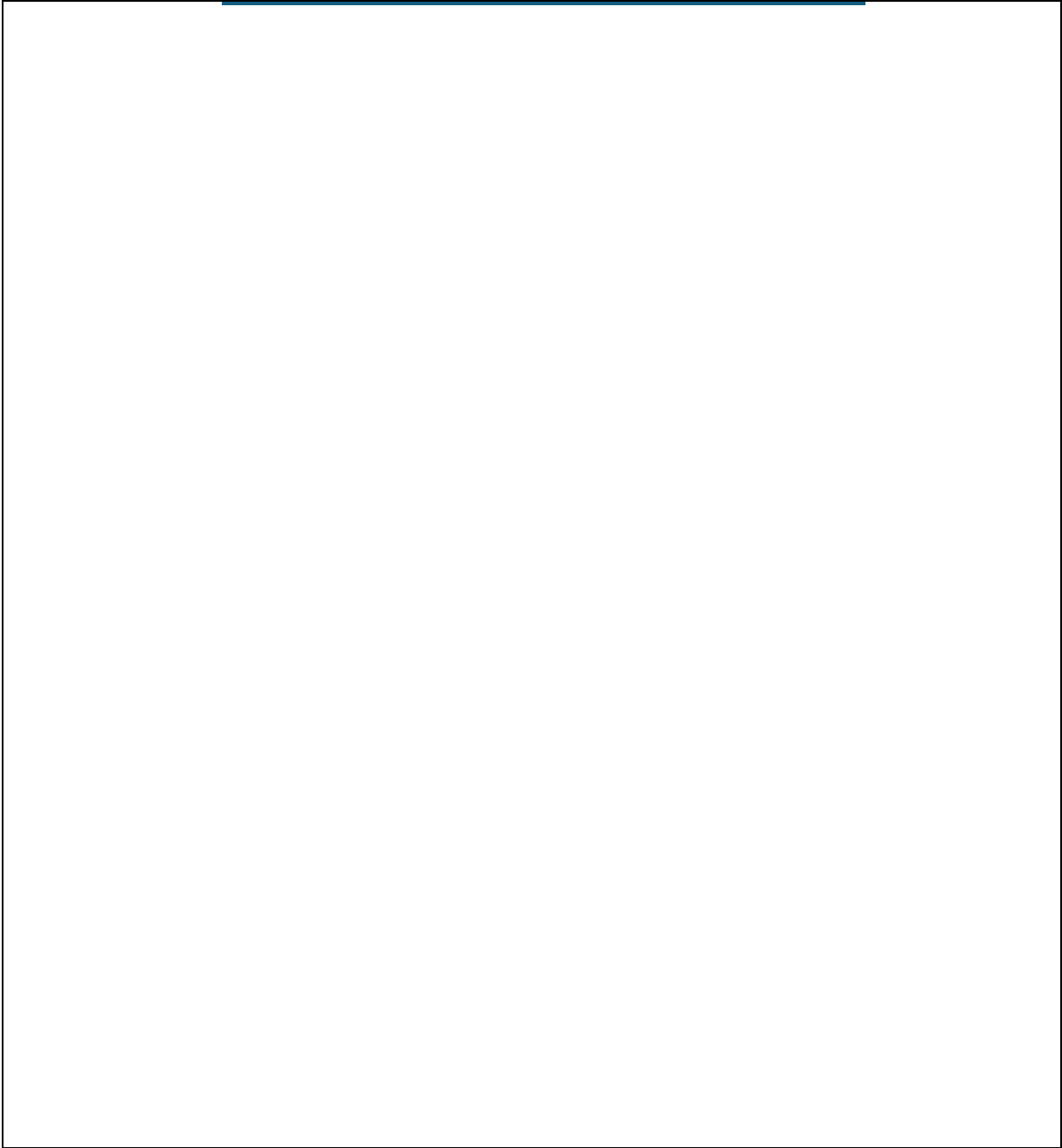


COMMUNITY RESPONSE TO
PLANNING APPLICATION CM/0022/22

COMMUNITY RESPONSE TO
PLANNING APPLICATION CM/0022/22



COMMUNITY RESPONSE TO
PLANNING APPLICATION CM/0022/22



APPENDIX A:

Covering Letter for Community Response

Adam Smith
North and Central Planning Team
Buckinghamshire Council
Aylesbury
HP18

Submitted by e-mail
14 August 2024

Dear Mr Smith

PLANNING APPLICATION REF: CM/0022/22
LAND TO SOUTH EAST OF HORNAGE FARM, BICESTER ROAD, CHILTON, BUCKINGHAMSHIRE,
HP18 9SE

1. This representation sets out the strongest objection to planning application CM/0022/22, which seeks full planning permission for the '*Erection of anaerobic digestion facility, comprising silage clamps, digester tanks, lagoons, administrative buildings, landscaping and access*' for land to the south east of Hornage Farm, Bicester Road, Chilton, Buckinghamshire, HP18 9SE. The objection has been prepared by, and submitted on behalf of, the Parish Councils of Chilton, Long Crendon, Oakley and Worminghall and the residents of these villages. Collectively, these parties are acting as the ***Hornage Anaerobic Digester Objection*** (HADO) group.
2. This letter is supported by a series of technical reports that have been undertaken by technical consultants and residents. These reports provide detailed assessments of various aspects of the proposed development and are submitted as enclosures with this letter.
3. These separate reports should be read in their entirety alongside this letter, with this letter seeking to provide an overarching summary of all the key points of objection with conflicts with key development plan policies cited where necessary. The enclosed reports comprise:
 - i. *Visual Impact Assessment*, prepared by Zanna Consulting; and
 - ii. *Review and Critique of Transport Documents for Planning*, prepared by the Transport Planning Practice

THE OBJECTION

4. It is submitted that the proposed development and the supporting planning application, as amended, fails to comply with the statutory development plan, comprising the Vale of Aylesbury Local Plan (VALP) 2021 and the Buckinghamshire Minerals and Waste Local Plan (BMWLP) 2016-2036, and there are no material considerations that should outweigh this conflict; and therefore in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the application should be refused for the reasons set out below:

Principle of Development

5. There is no support for the principle of development at the site in either the VALP or the BMWLP.
6. The proposed development is contrary to **VALP Policy S1 parts (e), (g) and (h)** on the grounds that:
 - (i) the applicant has failed to demonstrate the development will minimise impacts on local communities as required by part (e) of the policy. For reasons explored in more depth below, the applicant has failed to properly assess the transport related impacts on surrounding villages; and has also failed to properly and robustly assess the visual impacts of the development from local view points and public rights of way. Without robust assessment to these matters the applicant cannot robustly claim, nor can the Council conclude, that the proposed development does not have an adverse impact on local communities;
 - (ii) the proposed development, by its scale, form, design and siting of the development, leads to harm to the local landscape and has failed to minimise impact on the surrounding landscape, contrary to part (g) of the policy (these matters are explored in more detail in the 'Visual Impact Assessment' prepared by Zanna Consulting); and
 - (iii) the proposed development fails to deliver high quality accessibility through sustainable modes of travel, with all operational vehicles comprising Heavy Goods Vehicles ('HGVs') and farm vehicles, which is contrary to part (h) of the policy.
7. The proposed development fails to comply with **VALP Policy S3**, which relates to the settlement hierarchy for Local Plan area. The policy fails to comply with part (a) of the policy on the grounds that the development will clearly compromise the character of the countryside between settlements for the reasons set out below in paragraphs (x-y).

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

8. The proposed development conflicts with **VALP Policy C3** regarding renewable energy with the development leading to unacceptable adverse impacts in relation to landscape, highways and access issues and residential amenity. These matters are explored in more detail below.
9. The proposed development is contrary to **BMWLP Policy 13** on the basis that as a 'standalone waste management facility', with the applicant failing to demonstrate that the location of the development is acceptable with regard to the spatial strategy for waste management and other relevant BMWLP policies.
10. Finally, the principle of the development of an anaerobic digestion facility in this location does not comply with **BMWLP Policy 14**, on the following grounds (a more detailed assessment of the proposed development's compliance with the policy is set out in Table 3 Section 5 of the enclosed 'Community Response to Planning Application CM/22/0022 Hornage Anaerobic Digester'):
 - (i) The proposed development is not in general compliance with the spatial strategy for waste development, with the applicant themselves stating in its Buckinghamshire Minerals & Waste Policy Review that the application '*does not seek to establish compliance with the spatial strategy for waste management*'. The applicant has failed to assess any alternative primary or secondary locations within the catchment area of development that should be preferred to this greenfield site within the open countryside. The applicant justifies this policy conflict on the grounds that '*the proposal requires a rural location due to the origin of the feedstocks being local farms*'. There are a large number of industrial estates and brownfield sites within the identified catchment area that have failed to be assessed that share equal, if not better, locational characteristics in relation to the catchment area.
 - (ii) The application site is not within an area of focus for waste management or focus for waste management; it does not integrate and co-locate waste management facilities together or with complementary activities, nor does it maximise the use of previously developed land or redundant agricultural and forestry buildings (and their curtilages). The applicant wholly fails to address any of these points set out in BMWLP Policy 14.

Siting, Design, Form and Landscape Impact

11. The development is contrary to **VALP Policy BE2** as it fundamentally fails to respect and complement the criteria outlined in parts (a) to (d) for the following reasons:
 - (i) The proposed development is contrary to part (a) of the policy as it fails to respect and complement the physical characteristics of the site and its surroundings including the scale and context of the site and its setting. The proposed development far exceeds the scale of any buildings in the local area and setting, with the substantial scale of the buildings being overbearing to the site characteristics by virtue of being taller than the large trees on the perimeter of the site. The development dominates the site and the local character in a way that is not experienced anywhere else within the local area setting. The overbearing nature of the development is clearly evidenced in the enclosed 'Visual Impact Assessment' prepared by Zanna Consulting.
 - (ii) The proposed development is contrary to part (b) of the policy as it does not respect or complement the form and proportions of the locality. The scale of the buildings will dominate the locality being by far the tallest and largest buildings in the locality; with this harm exacerbated by virtue of the nature of the industrial use in what is a very agricultural-dominant setting.
 - (iii) The proposed development is contrary to part (d) of the policy as the scale of the buildings cause substantial harm to important public views from public rights of way and other local viewpoints as evidenced in the enclosed 'Visual Impact Assessment' prepared by Zanna Consulting.
12. The proposed development is wholly contrary to **VALP Policy EV2**. A detailed assessment of the proposed development's visual impact is set out in section 4 of the enclosed 'Community Response to Planning Application CM/22/0022 Hornage Anaerobic Digester', along with the enclosed 'Visual Impact Assessment' prepared by Zanna Consulting. Firstly, however, it should be noted that there are grave concerns regarding the methodology and approach adopted by SLR in undertaking their visual assessment of the proposed development on behalf of the applicant, as set out in detail by Zanna Consulting in their report. It appears that SLR's approach has been wholly misleading, with their assessment using a wide-angled 35mm camera which distorts and minimises the long distance views; and also requires the montages to be viewed and printed to A1 size at 96% ratio; an approach clearly designed to prohibit robust scrutiny by the local communities. Given the issues raised by Zanna Consulting in relation to the SLR methodology, as a minimum it would be expected that the Council takes its own expert advice on this issue, rather than rely on the applicant's conclusions which would make any decision made by the Council legally challengeable.
13. Notwithstanding the misgivings with the approach adopted by the applicant's consultants, we turn now to the assessment of visual impact. The work undertaken by Zanna Consulting demonstrates that the proposed development, in particular the overbearing 17m high digester tanks, are clearly visible from both short and long distance views, including from public rights of way and neighbouring settlements. As set out in paragraph 4.6 of the enclosed 'Community Response to Planning Application CM/22/0022 Hornage Anaerobic Digester' report, the proposed development when cannot be reasonably considered to be anything less than substantial and that the nature of the structures are incongruous, of an industrial nature and taller elements would be apparent rising above existing and proposed vegetation and the proposals be visible through vegetation during winter months.

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

14. Given the points raised above and included in the detailed reports submitted alongside this letter, it is self-evident that the proposed development is contrary to VALP Policy EV2 on the grounds that:
- (i) The applicant has failed to minimise the visual impact of the development, with the incongruous size and scale of the development dominating its immediate setting, with the industrial character of the development being clearly visible above the existing tree canopy in both short and long distance views. This is contrary to part (a) of the policy.
 - (ii) The applicant has not assessed at any alternative site layouts to minimise visual impact. In any event, however, it is our view that the sheer size and scale of the development means that there would be no alternative satisfactory layout that would minimise impact on the basis that the site is in a sensitive setting and is wholly inappropriate for the proposed waste industrial use. On this basis, it is not possible for the development to comply with part (b) of the policy.
 - (iii) With regard to part (c) of the policy, the proposed development fails to respect local character and distinctiveness, again on the basis of the overbearing scale and industrial character of the development in this sensitive agricultural setting.
 - (iv) Finally, the proposed development wholly fails to satisfy part (f) of the policy on the basis that, in accordance with the Zanna Consulting work, the proposed development will be hugely *visually prominent* in the sensitive landscape setting with the development being prominent in views from the adjoining Area of Attractive Landscape.
15. For the reasons that the proposed development is contrary to VALP Policy EV2, it follows that the development is also contrary to **BMWLP Policy 16** and **Policy 20**.

Transport

16. The proposed development is contrary to **VALP Policy T5** on the basis that the application has failed to demonstrate that the necessary mitigation is provided against any unacceptable transport impacts. This is on the grounds that the supporting transport assessment included within the Environmental Impact Assessment is flawed and has wholly failed to fully assess the impacts of the development. As set out in detail in the supporting Transport Note prepared by Transport Planning Practice, the transport assessment that supports the application is deficient for the following reasons:
- (i) The assessment fails to undertake a full assessment of the transport impacts of the development in accordance with IMEA with the applicant arguing that the development only results in an increase of less than 30% increase in HGV trips, with any increase of 30% or more requiring a full assessment. However, SLR reach this conclusion on the basis of flawed analysis. In calculating the baseline position for HGV trips, SLR incorrectly include trips made by buses. This has the effect of artificially increasing the baseline position and number of HGV movements, thus minimising the percentage increase of HGV trips generated by the proposed development. The effect of this miscalculation is to derive an overall increase in HGV trips of less than 30% and therefore not require a full transport assessment to be undertaken in accordance with the IMEA guidance. When bus movements are removed from the baseline HGV flows, the true effect is to generate an increase in HGV movements of greater than 30%, with the resultant 33.6% increase requiring a full transport assessment. Such an assessment would include assessing impacts at the more sensitive receptors in the surrounding villages, particularly Long Crendon. Such assessment has not been undertaken.
 - (ii) The SLR transport assessment in the EIA assumes that there will be 37 HGV movements a day during the standard months in both directions from the entrance, based on a 50:50 split east and west. This is despite the assessment at paragraph 6.64 confirming that the product outputs are more likely to come from the west. The result of this is to conveniently ensure that, notwithstanding the error in background HGV numbers, for the purposes of the EIA assessment, the percentage change arising from the development remained just below 30% in both directions, and again not generating the need for a full assessment.
 - (iii) The SLR transport assessment fails to assess the worst case scenario for vehicle movements generated by the proposed development, therefore failing to fully assess the true impact of the development. The SLR assessment at Figure 6-1 states that outside of the peak periods in June/July and September/October, the remaining 10 months of the year will likely generate an average of 37 vehicles and deliveries during a standard working day, and the assessment is undertaken on the basis of 37 HGV trips a day during the working week. However, SLR acknowledge that in the peak harvest period during June/July there could be as many as 95 HGV trips a day for at least a two week period, which equates to a nearly three times increase. This known worst case scenario has not been modelled, and therefore the true worst case impacts of the proposed development on the local highway network and surrounding villages is not known.
 - (iv) There are numerous inconsistencies (see paragraphs 3.1.1 – 3.1.3 of the Transport Note prepared by Transport Planning Practice) within the assessment regarding the standard working hours of the facility, and indeed the assessment makes clear that the proposed development will need maximum flexibility as to the operational hours, notwithstanding the effects of this flexibility has not been assessed. Without further assessment and sensitivity testing by the applicant, Should the Council seek to grant planning permission for the development, it will be necessary to limit the operation of the development to those parameters tested.

COMMUNITY RESPONSE TO PLANNING APPLICATION CM/0022/22

17. Given the fundamental flaws to the SLR transport assessment, no weight can be given to their conclusions reached on the impact of the proposed development on the highway network. Furthermore, the applicant, nor the determining authority, can have any confidence in reaching any robust conclusions about the acceptability of the impacts of the proposed development based on the assessment as it stands. Should the application reach the stage of determination based on the material submitted to date, then this clearly raises the risk of judicial challenge to any subsequent decision to approve the planning application.
18. On the basis of the evidence above, the proposed development also fails to comply with **BMWLP Policy 17** for the same reasons i.e. the failure to demonstrate that the proposed development results in acceptable transport impacts.

Heritage

19. The proposed development fails to comply with **VALP Policy B1** and **BMWLP Policy 18** with regard to the impact on designated heritage assets. As recognised in the Council's own assessment of heritage impact set out in the response by Heritage Officer Fiona Webb, dated 19/01/2023, the proposed development has an adverse impact on the setting of the Grade II Listed Hornage Farmhouse, to the north of the site. The Council response concludes that there is concern regarding the 'intervisibility of the development proposal and its likely impact on the rural character of the farmhouse in some views'.
20. The response states that the wireline views submitted by SLR are insufficient to assess the full degree of harm arising to Hornage Farmhouse. The applicant has failed to provide the further information requested by the Heritage Officer, but the additional work undertaken by Zanna Consulting in the enclosed Visual Impact Assessment does provide further clarity on the likely harm to the setting of the listed building by virtue of Viewpoint 1. It can clearly be seen that the proposed development will heavily impact the setting from the Hornage Farm and cause harm to heritage asset. The applicant themselves recognise that the proposed development results in harm to the heritage asset, albeit less than substantial harm.
21. It is our view that, when assessing the application as a whole and the breaches to many development plan policies, there are no public benefits arising from the development that can be deemed to outweigh the less than substantial harm caused to the designated heritage asset, Hornage Farmhouse. Accordingly, the proposed development fails to comply with VALP Policy B1 and BMWLP Policy 18.

Conclusion

22. This objection letter and the supporting material demonstrates that the proposed development fails to comply with many policies in the adopted development plan, comprising the Vale of Aylesbury Local Plan (2021) and the Buckinghamshire Minerals and Waste Local Plan 2016-2036. The proposed development fails to deliver any meaningful public benefits that outweigh the very many, and serious, conflicts with the development plan. Furthermore, the application as submitted wholly fails to assess the true impact of the proposed development on the local environment and surrounding communities, with both the transport and landscape and visual assessments being flawed.
23. The HADO Group submits that the application fundamentally fails to comply with the statutory development plan and this conflict is not outweighed by public benefits or other material considerations; therefore in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 **the application should be refused.**

Hornage Anaerobic Digestion Objection Group

APPENDIX B:
Review and Critique of Transport Documents for Planning
– TPP

Download document: <https://drive.google.com/file/d/1IPei-V2YlaQyrFtw9EIMGjSbN5pZV2U6/view?usp=sharing>

APPENDIX C:
Visual Impact Assessment – Zanna Consulting & Design

Download document: https://drive.google.com/file/d/1WEELjgkW_F7GgxX70eT-b_ipjBodYJtO/view?usp=sharing