



Report to Strategic Sites Committee

Application Number:	CM/0022/20
Proposal:	Section 73 planning application relating to Condition 9 pursuant to planning application CM/78/14 at Anaerobic Digestion Plant, Samian Way, Aston Clinton operated by Olleco.
Site Location:	Olleco (Aylesbury Dairy) Samian Way Aston Clinton Buckinghamshire HP22 5WJ
Applicant:	Olleco
Case Officer:	Mitchel Pugh
Ward(s) affected:	Aston Clinton, Berton
Parish-Town Council:	Aston Clinton Parish Council/Buckland Parish Council
Date valid application received:	11th May 2020
Statutory determination date:	7 th September 2020
Recommendation	Subject to the applicant entering in to an appropriate S. 106 Planning Obligation to apply the requirements with regard to routeing and the catchment area for the collection of waste the Strategic Sites Committee INDICATES SUPPORT for application CM/0022/20 with the imposition of an alternative condition 9 being as proposed in the application and to the other existing conditions attached to planning permission CM/78/14 with any amendments to reflect the subsequent discharge of conditions and DELEGATES Authority to the Service Director for Planning and Environment to determine the Application.

1.0 Introduction

- 1.1 Application CM/0022/20 seeks permission to carry out the development permitted under Planning Consent CM/78/14 at Olleco, Samian Way, Aston Clinton, HP22 5WJ without complying with condition 9 attached thereto. The effect of the application is to amend the scope of the permitted waste stream set out within Condition 9 of CM/78/14; the proposed amendments act to distinguish the waste streams of the Anaerobic Digestion Plant and Materials Recycling Facility respectively.
- 1.2 Operational changes, including vehicle movements and annual throughput, are not



proposed to change as part of this planning application.

- 1.3 The application is being reported for determination by the Strategic Sites Committee as the Service Director considers it raises issues which require the committee's consideration although a request for call in was received from Councillor Carole Paternoster

2.0 **Site Description**

- 2.1 The Olleco Anaerobic Digestion Facility, hereinafter referred to as 'The Site', is situated within the village of Buckland. The Site comprises 2.3 Hectares of land located to the north east end of Samian Way, opposite Arla Dairy to the east of College Road North, adjacent to the A41 Aston Clinton Bypass and junction of College Road North with the A41. Samian Way runs to the north east off College Road North. The Site is a triangular parcel of land between the Arla Dairy and the Aylesbury Arm of the Grand Union Canal. The canal's towpath runs west to east of the site's northern boundary which is separated from the site by a 3m bund with 2m acoustic fencing on the top and the bund is 0.2m higher as it turns the corner on the eastern side of the site. The eastern boundary is defined by a lane, Buckland Road.

- 2.2 Aylesbury is located approximately 4km to the west, Aston Clinton 1.5km to the south and Buckland approximately 1.5km to the south east, separated by the A41. The Site is accessed from the north eastern end of Samian Way opposite the main gated entrance to the Arla Dairy plant. College Road North serves a number of industrial / commercial uses including, but not limited to: a HWRC site, Mercedes-Benz Retail Park, Jaguar Buckinghamshire and Aylesbury Trade Centre.

- 2.3 Residential properties in the wider locality are College Farm along College Road North (approx. 750m away), and Merrymead Farm located over the canal bridge to the west of College Road North (approx. 850m away), north west of the Site approximately. To the north east is Monks Court and Monks Farm both of which are in excess of 200m distant from the site. Canal Farm, a permitted residential unit, is located approximately 191 metres away from the north eastern corner of the Site. Rectory Farm, Puttenham, is located further to the north east at 750m away. Cherry Farm is a residential property sited south of the over bridge on Buckland Road and there are properties south of the A41 on College Road South approx. 800m away. Canal Farm is also approximately 200 metres from the site.

- 2.4 The character of the landscape is of undeveloped open fields with hedgerow boundaries. The Chilterns AONB and Metropolitan Green Belt are located approximately 2.5km beyond the site and beyond Aston Clinton to the south and south east. An existing hedgerow runs north-south across the Site. This has previously been identified as an Important Hedgerow by virtue of the fact it reflects a previous parish boundary. The boundary with Dacorum Borough Council is located some 800m to the east of the Site; Within Dacorum Borough to the east is Tring Woodlands SSSI (approximately 5.25km away to the south east) and Tring Reservoir SSSI (approximately 2.5km to the east).

- 2.5 The location of the site is shown in the site location plan below (Figure 1).

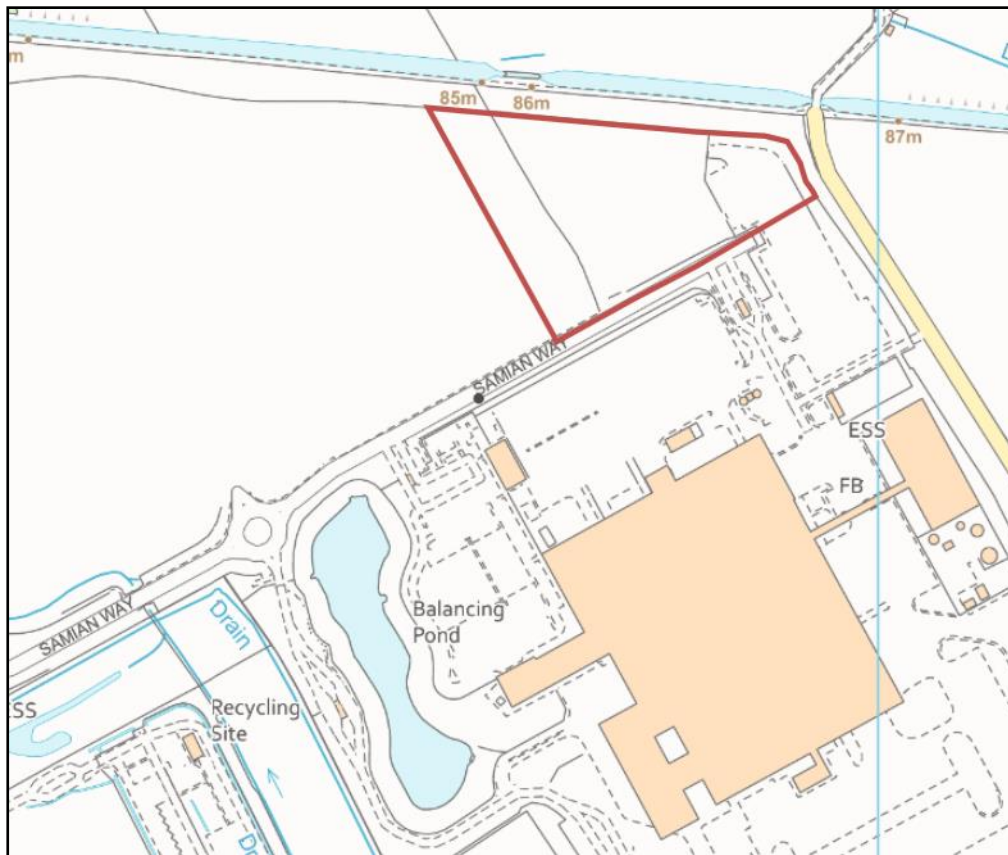


Figure 1 . A Site Plan showing the Olleco Facility outlined in Red

3.0 Relevant Planning History

3.1 Table 1 (below) sets out the relevant planning history of the site



Table 1: A Table displaying the relevant planning history for the Olleco Anaerobic Digestion Facility

Reference	Development	Decision	Decision Date
CM/78/14	Proposed Anaerobic Digestion Plant/Materials Recycling Facility (MRF) together with associated plan and landscaping (This was accompanied by a S. 106 Agreement covering routeing of vehicles and the catchment area for the collection of waste)	PER	15 July 2015
AOC/0078/1503	Allocation of condition 3 for proposed Anaerobic Digestion Plant/Materials Recycling Facility (MRF) together with associated plan and landscaping	PER	28 October 2015
AOC/0078/1504	Allocation on Condition 4 (Materials) Proposed Anaerobic Digestion Plant/Materials Recycling Facility (MRF) together with associated plan and landscaping	PER	24 November 2015
AOC/0078/1506	Approval of Condition 6 (Cycle Storage) for Proposed Anaerobic Digestion Plant/Materials Recycling Facility (MRF) together with associated plan and landscaping	PER	17 September 2015
AOC/0078/1508	Approval of Condition 8 (Surface Water Drainage) for Proposed Anaerobic Digestion Plant/Materials Recycling Facility (MRF) together with associated plan and landscaping	PER	17 September 2015
AOC/0078/1516	Approval of Condition 16 (Noise Monitoring) Proposed Anaerobic Digestion Plant/Materials Recycling Facility (MRF) together with associated plan and landscaping	PER	17 September 2015
AOC/0078/1519	Approval of Condition 19 (Dust Monitoring/Mitigation for Proposed Anaerobic Digestion Plant/Materials Recycling Facility (MRF) together with associated plan and landscaping	PER	17 September 2015
CM/62/16	Application for the approval of Unilateral Undertaking agreement dated 13 July 2015 Schedule 2 (Lorry Routing), clauses 1.1, 1.2 and 1.3 in relation to consent CM/78/14 for proposed Anaerobic Digestion Plant/Materials Recycling Facility (MRF) together with associated plan and landscaping	PER	
CX/02/19	Hazardous substance consent to store and use an inventory of hazardous substances at the Olleco Anaerobic Digestion Facility, Samian Way, Aston Clinton, Aylesbury, HP22 5WJ	PER	18 June 2020
CM/0037/20	Proposed Building for Fresh Cooking Oil Packing & Used Cooking Oil Processing	Not yet determined	



3.2 The development has been screened under the Environmental Impact Assessment Regulations and the local planning authority has concluded that an environmental impact assessment will not be required in this case.

4.0 **Description of the Development**

4.1 Application CM/0022/20 is, in effect an application to vary Condition 9 of Planning Consent CM/78/15 , which relates to the use of the Olleco site as an Anaerobic Digestion Plant and Materials Recycling Facility.

4.2 Condition 9 of CM/78/14 currently states ;

No wastes other than food waste and general waste from single source quick service restaurant chain shall be imported to and processed at the site.

4.3 Application CM/0022/20 proposes an alternative Condition 9 (CM/78/14) with the following wording;

a) No waste shall be imported and processed through the Anaerobic Digestion Facility other than food waste and any associated packaging.

b) No waste shall be imported to the Materials Recycling Facility other than general waste and packaging from developments operating within Use Classes A3 and A5.

4.4 In support of the application the applicant has drawn attention to the initial proposal which supported application CM/78/14. In particular the applicant has referenced the following documents:

Waste Policy Statement prepared by Olleco and submitted with planning application CM/78/14;

Planning Statement that accompanied CM/78/14; and

The Committee Report presented to (Former) Buckinghamshire County Council Development Control Committee on the 9th June 2015.

Whilst the documents were not provided (in full) alongside the application , the Council have placed these documents in their entirety alongside the application on public access.

4.5 The application does not include any proposals that would result in operational changes to the development as currently permitted; there are for example no changes to the number of vehicle movements (HGV) , or the annual permitted throughput and/or other currently permitted operational processes.

4.6 The application does not seek to vary the type of waste accepted. It is already permitted to treat food waste and general waste from single source quick service restaurant chain , but instead this application seeks to expand the scope of waste sources from which food waste may be accepted; facilitating receipt of food waste and associated packaging at the Anaerobic Digestion Plant and General Waste and Packaging Waste from developments falling within the use classes of A3 & A5 as the relevant waste streams.

4.7 Use Classes A3 & A5 , as defined by The Town and Country Planning (Use Classes) Order 1987 (as amended), stand to define the following uses;

A3 (Restaurants and Cafes): Development for the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.

A5 (Hot Food Takeaways): Development for the sale of hot food for consumption off the premises.



4.8 The documents submitted as part of the planning application are available to view using application reference number CM/0022/20 on the planning website (<https://publicaccess.buckscc.gov.uk/online-applications/>) and the schedule of submitted documents is available in Appendix B.

5.0 **Planning Policy and Other Documents**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 The development plan for this area comprises of:

- Buckinghamshire Minerals and Waste Local Plan 2016-2036 (BMWLP)
- Adopted Aylesbury Vale District Local Plan 2004 (AVDLP)

5.3 Other documents that need to be considered in determining this development include:

- National Planning Policy Framework (NPPF)
- National Planning Policy for Waste (NPPW)

5.4 The following policies are considered to be relevant to this development:

Buckinghamshire Minerals and Waste Local Plan (2016-2036)

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 26 Safeguarding of Minerals Development and Waste Management Infrastructure

Adopted Aylesbury Vale District Local Plan 2004 (AVDLP):

Policy GP.8- Protecting Residential Amenity

5.5 The draft Vale of Aylesbury Local Plan (2013-2033) (VALP) is considered to be at an advanced stage of preparation and is a material consideration for the determination of planning applications.

5.6 Emerging policies from the draft Vale of Aylesbury Local Plan (2013-2033) considered to be relevant to the proposed development include:

BE3: Protection of the amenity of residents

6.0 **Evaluation**

6.1 The application is effectively seeking to vary condition 9 of CM/78/14, which states: No wastes other than food waste and general waste from single source quick service restaurant chain shall be imported to and processed at the site. In the existing consent condition 9 acts to define the permitted waste type and origin; food and general waste stand as the acceptable waste types and a single source quick service restaurant (chain) as the permitted waste source. If permission is granted subject to this application condition 9 will effectively prescribe the permitted waste stream, a mix of food and general waste explicitly derived from the permitted waste source. The restriction afforded by the current wording of condition 9 is not directed at a discrete function or process (Anaerobic Digestion or Materials



- Recycling Facility) of the development as currently permitted; moreover it seeks to define the permissible waste stream for the development holistically.
- 6.2 The application seeks an alternative condition 9 as follows
- a) No waste shall be imported and processed through the Anaerobic Digestion Facility other than food waste and any associated packaging.
 - b) No waste shall be imported to the Materials Recycling Facility other than general waste and packaging from developments operating within Use Classes A3 and A5.
- 6.3 The proposed changes act to change the precision of the condition both in an internal and external context. Firstly the alternative wording seeks to identify two discrete permitted waste streams; a waste stream for the Anaerobic Digestion Facility and a separate waste stream for the Materials Recycling Facility. This change is considered to represent an internal (on-site) change in waste stream precision. Whilst it is accepted that at the time of writing this report the Materials Recycling Facility has not yet been implemented, a reasonable interpretation of the existing wording of condition 9 would extend to the Materials Recycling Facility , at its point of implementation.
- 6.4 In respect of external precision the alternative wording of condition seeks to both restrict and expand the scope of permissible waste sources. In respect of the Anaerobic Digestion Facility food waste and any associated packaging , may be imported to and processed within the facility indiscriminate of its origin (waste source). In respect of the Materials Recycling Facility , general waste and packaging , may be imported . This general waste and packaging must originate from developments falling within the A3 or A5 use classes; Restaurants and Cafes (A3) and Hot Food Takeaways (A5).
- 6.5 In effect , the alternative wording seeks to remove the exclusivity of waste sources available for use within the Anaerobic Digestion Facility whilst retaining the general character of the permissible waste type, food waste and associated packaging, set out within the original wording of condition 9 (CM/78/14).
- 6.6 The alternative wording seeks to retain an element of exclusivity of waste source in respect of the Materials Recycling Facility, however the scope of this exclusivity exceeds that of the original wording of Condition 9; single source quick service restaurant chain replaced by any development falling within the A3 or A5 use classes. The alternative wording also seeks to retain the general character of permissible waste types within the Materials Recycling Facility, general waste and packaging, set out within the original wording of condition 9.
- 6.7 Based on the content of the application before the Council , the proposed alternative condition 9 does not seek to increase operational capacity nor alter operational practice above that which is currently permitted within CM/78/14.
- 6.8 The main issues for consideration in relation to application CM/0022/20 are:
- Principle of the Development
 - Impact on amenity
- 6.9 **Principle of the Development**
- 6.9.1 Building on the nature of the proposal set out within the start of this discussion, understanding the principle of the development is crucial to its assessment against the provisions of the development plan. Whilst the proposal presents a material change, it is important to characterise this change in respect of its mechanism. The elements of the alternative wording presented by the proposal, effectively act to expand the scope of



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permissible waste sources whilst establishing two discrete internal waste streams feeding the Anaerobic Digestion Plant and Materials Recycling Facility, respectively.

- 6.9.2 As the proposal relates to an alteration to an existing waste management facility (and infrastructure), the provisions of Policy 26 of the BMWLP are relevant. Retention of existing waste management forms a key part of the delivery of net self-sufficiency and the movement towards a sustainable waste management network. Policy 26 (BMWLP) deals principally with the safeguarding of existing sites to which this application would be a variation. The purposes of safeguarding existing sites are applicable in the determination of this application; delivery of net self-sufficiency and development of a sustainable waste management network.
- 6.9.3 Policy 26 (BMWLP), at least by means of inference, ensures that the assessment of changes to existing waste management development ensures that these principle objectives of the plan are in fact taken into consideration. The proposal presents, in its most basic form, an increase in waste arising opportunity (waste source), notwithstanding the materiality of the internal waste stream revisions and is therefore considered to be principally in accordance with Policy 26 (BMWLP).
- 6.9.4 As the proposed development acts to increase the accessibility of the permitted waste stream amongst the wider waste management need of Buckinghamshire, it is possible to frame the proposal as not only a means of retaining the existing waste management capacity within Buckinghamshire but moreover the proposal seeks to increase the portion of the existing waste management need that may be imported to and treated at the site.
- 6.9.5 Policy 13 (BMWLP) establishes the overarching spatial strategy for waste management within the development plan. Policy 13 has a central focus on the delivery of a sustainable waste management network, in particular the development of facilities for the reuse and other recovery of waste material; such delivery is to be principally focused within main urban areas and growth locations of High Wycombe, Aylesbury and Buckingham within existing industrial and employment areas.
- 6.9.6 The existing development, which the proposal seeks to vary, is situated within an industrial complex to the south of Aylesbury. Whilst these facts fulfil the spatial element of Policy 13 it is also relevant to consider the general mechanism of the proposal in relation to the policy. Delivery of future capacity and subsequently the sustainable waste management network may also be addressed through the extension of existing facilities. Whilst the application does not explicitly seek to increase the quantity of manageable waste at the Site, it does however seek to expand the range and accessibility of waste within the existing waste need of Buckinghamshire; effectively improving the site's ability to address a larger proportion of Buckinghamshire's existing waste need.
- 6.9.7 As the proposal acts to cater for an additional proportion of existing identified waste need, through the changes proposed to the existing facilities' acceptable waste streams, the proposal is therefore considered to be compliant with the provisions of Policy 13 (BMWLP).
- 6.9.8 Policy 14 (BMWLP) establishes a set of development principles for waste management facilities. Whilst the policy criteria primarily act to shape the development for new waste management facilities, they remain relevant in the consideration of proposed changes to existing facilities.
- 6.9.9 In the specific context of this application the following development principles are considered to be relevant in its determination;



Proposals for waste management facilities must demonstrate that the development;

- Is in general compliance with the spatial strategy for waste development
- Facilitates the delivery of Buckinghamshire's waste management capacity
- [...] supports the management of waste in line with the waste hierarchy and the proximity principle

6.9.10 As stated in para 6.9.7 of this report , the proposal is considered to be principally compliant with the overarching spatial strategy for waste development, as set out within Policy 13 (BMWLP). The proposal is considered to act in such a manner that it would facilitate the delivery of Buckinghamshire's waste management strategy, in the context of increasing the proportion of manageable capacity at the site as opposed to the creation of novel capacity. Lastly , as the existing development and proposal both relate to a use which would constitute 'other recovery', the proposal does not constitute the least desirable for waste management within the waste hierarchy; as such the proposal can be seen to represent the movement of waste up through the waste hierarchy.

6.9.11 The proposal is considered to be compliant with the relevant waste management facility development principles and is therefore considered to be in conformity with the provisions of Policy 14 (BMWLP).

6.9.12 On balance, the principle of the proposed development is considered to be supported by the relevant provisions of the development plan.

6.10 **Impact upon Amenity**

6.10.1 During the consultation process for the application, the council received a number of public representations . A significant proportion of these representations raised concerns regarding the proposal's potential impact upon existing odour controls at the site and the resulting potential for detriment upon local amenity. Objections have also been received from the local councillors with odour being the significant area of concerns raised (please see Appendix A) .

6.10.2 In the context of the existing development (as permitted by CM/78/14), historic odour issues occurred at the site throughout 2018 and the representations received indicated that there are ongoing issues. Whilst the Council bare a regulatory remit upon odour via condition 18 of CM/78/14 , the control of odour is principally addressed by the site's Environmental Permit; therefore the Environment Agency act as the primary regulator in respect of odour.

6.10.3 The Council liaised with the Environment Agency during the addressing of the aforementioned issues; however the Council did not lead upon nor consider formal enforcement action as the odour issues of their own volition did not represent a discrete breach of planning control.

6.10.4 The concerns regarding odour and their potential for detriment upon amenity are considered material in the consideration of application CM/0022/20. The materiality of this point is further supported when the reasoning for the original wording of condition 9 (CM/78/14) is considered:

The importation of waste materials outside of these categories would raise environmental and amenity issues which would require consideration afresh and in



accordance with Buckinghamshire Minerals and Waste Local Plan (2004-2016) Policy 28 , Buckinghamshire Minerals and Waste Core Strategy Policy CS22 and Aylesbury Vale District Council Local Plan Policies GP.8 and GP.95

- 6.10.5 In addition to the materiality afforded by the original wording of condition 9 (CM/78/14), it is important to address issues relating to odour and amenity in order to assess the proposal's compliance with Policy 16 (BMWLP) , Policy GP.8 (AVDLP) and Policy BE3 (VALP)
- 6.10.6 Whilst the consideration of odour and amenity fall to be material, the scope of their role within the determination of this application is that the focus should be on the impact of the proposed changes upon odour and amenity. The question, in the context of this application, is whether the proposed changes to the acceptable waste stream would result in adverse odour impacts and subsequently detriment to local amenity.
- 6.10.7 In order to address this issue, the Aylesbury Area Environmental Health Team were consulted and advised as follows:

6.10.8

Having reviewed the planning application with regard to the variation of Condition 9 pursuant to planning application CM/0022/20, I would advise as follows from an Environmental Health point of view.

This facility is regulated under permit from the Environment Agency who would deal with odour emissions from the premises and complaints. With regard to the proposal to include general waste and packaging from businesses operating within Use Classes A3 and A5, I am satisfied that the Anaerobic Digestion Plant and associated equipment is capable of handling these types of materials efficiently without causing excessive odours in the area that are likely to amount to a statutory nuisance. The food that is to be collected from premises in Use Classes A3 and A5 in my opinion have no additional adverse impacts on the plant's inherent ability to process the materials collected.

It is clear from the general facilities specifications and Olleco's technical knowledge of this industry that it will be operated safely and within industry good practice guidelines.

This memo does not include comments relating to air quality and contaminated land, where relevant, these comments will be provided separately.

- 6.10.9 The proposed changes to the waste stream remain largely in keeping with the currently permitted waste stream. Whilst the concerns raised with regard to previous odour problems arising from the site are acknowledged and are material to the consideration of this application, the advice of the Environmental Health team in consultation on the application is that the changes proposed should not result in any adverse impacts in terms of excessive odour on amenity. It is therefore considered that the proposal for variation to the condition would be unlikely to result in an adverse impact upon odour and local amenity. The other existing planning conditions including the various schemes subsequently approved and including the odour control strategy, would remain operative should planning permission be granted. The proposal is therefore considered to be generally compliant with Policy 16 (BMWLP) , Policy GP.8 (AVDLP) and Policy BE3 (VALP).



7.0 **Weighing and balancing of issues / Overall Assessment**

7.1 The Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations

7.2 As set out above it is considered that the proposed development is in broad compliance with the policies referenced in this report and that the proposed variation of condition 9 would not lead to additional harm from the development. The application should therefore be granted planning permission. All other conditions attached to the existing planning permission CM/78/14 should be attached to the permission with any commensurate amendments to reflect the subsequent discharge of conditions for the approval of detailed schemes and their ongoing implementation.

7.3 In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

8.0 **Working with the applicant / agent**

8.1 The applicant / agent sought pre-application advice for the proposed development on two occasions before submitting the application.

8.2 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

8.3 The Council has worked with the agents in a positive and proactive manner and as appropriate updating agents of any issues that may arise in the processing of the application.

9.0 **Recommendation**

Application CM/0022/20 is for the variation of Condition 9 to Planning Consent CM/78/14. CM/0022/20 seeks to replace the original wording of condition , which states;

No wastes other than food waste and general waste from single source quick service restaurant chain shall be imported to and processed at the site.

The proposal seeks to replace condition 9 with the following wording;



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- a) No waste shall be imported and processed through the Anaerobic Digestion Facility other than food waste and any associated packaging.*
- b) No waste shall be imported to the Materials Recycling Facility other than general waste and packaging from developments operating within Use Classes A3 and A5.*

9.1

Subject to the applicant entering in to an appropriate S. 106 Planning Obligation to apply the requirements with regard to routeing and the catchment area for the collection of waste the Strategic Sites Committee INDICATES SUPPORT for application CM/0022/20 with the imposition of an alternative condition 9 being as proposed in the application and to the other existing conditions attached to planning permission CM/78/14 with any amendments to reflect the subsequent discharge of conditions and DELEGATES Authority to the Service Director for Planning and Environment to determine the Application.



APPENDIX A: Consultation Responses and Representations

Councillor Comments

Councillor Carole Paternoster

I object to this planning application for the following reasons:

The reason that Condition 9 was attached to Olleco's original planning consent (CM/78/14) was: 'The importation of waste materials outside these categories would raise environmental and amenity issues which would require consideration afresh

The environmental and amenity issues mentioned in the above are exactly the reason why this planning application to increase the amount of food waste processed on this site must be refused.

Ever since this plant first went into production there have been major problems with odours escaping from this site, to the detriment of local residents, users of the canal facility and walkers and cyclists trying to enjoy the countryside in Lower Buckland. Buckland Parish Council and local residents (and there are residential properties within 200m of this site) have had numerous meetings with Olleco to try to stop this odour problem, but without success. Before planning consent was granted local residents were promised by Olleco that there would be no odours outside the site boundary.

Despite all these meetings and the involvement of the Environment Agency, as well as promises given by Olleco, these sickening odours continue to this day. These odours have made passers-by physically sick, and I have had to go home and wash all my clothes and hair, and still been unable to get rid of the stench. As Councillors we receive numerous complaints from ramblers, families trying to enjoy the countryside, cyclists, walkers and residents. On bad days the odours even reach Buckland and Aston Clinton village centres.

Every time complaints are made to Olleco, the staff always find excuses. A recent example, when a local residents complained that the stench was even inside his house, the response from Olleco was that they 'had an issue with the depack hall doors'. Either there is a major problem with the design of this site or with the way in which the site is currently being used. Whatever the problem is, it must be put right so as to cause no odour problems outside the site boundary, before any consideration can be given to the current planning application.

Increasing the amount of food waste processed on this site is contrary to planning policies GP8 and GP95 of AVDLP, which deal with residential amenity and unneighbourly uses, as well as para 170 (e) of the NPPF which deals with 'preventing new and existing development from contributing to . . . , or being adversely affected by unacceptable levels of soil, air,



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water or noise pollution ' Granting this application would certainly increase the amount of air pollution outside the site caused by Olleco's processing of food waste. I urge you to refuse this planning application

Councillor Bill Chapple

Dear Sir

As one of the local councillors for this application(CM/0022/20) I wish that this is called in and dealt with in public to the relevant Committee.

Although I'm aware that when the Covid 19 was in its early stages the site took in waste that normally went to Westcott as an emergency as Westcott was temporary closed I totally object to this happening on a regularly basis, if planning is given what is stopping them from going to the Buckland forever more.

When this site was originally given planning permission the applicants said that ALL smells would be contained with the boundary of the site (if indeed there was any smell at all as they believed that there would not be any smell whatsoever

the pretty village of Buckland has been totally taken over by this nauseous smell and the villagers are restricted to be in their houses and cannot open there windows all year round. This village is now blighted for as long as this site remains operative.

When people walk along the canal next to the site they experience this rotten smell and some has been physically sick, indeed the numbers along this towpath has drastically dropped. if you stopped and talked to anyone in Buckland or indeed Aston Clinton they will tell you they ruen the.

Parish/Town Council Comments

Buckland Parish Council

Dear Members of Committee

OLLECO PLANNING APPLICATION CM0022/20

Buckland Parish Council has received notification from Buckinghamshire Council that Olleco have applied for an alteration to their current planning consent which will increase the amount of food waste imported to the site by taking in domestic food waste from Buckinghamshire. This food waste used to be taken to a site at Westcott which has now closed.

Olleco's original planning consent in 2014 (ref CM/78/14) contained a condition 9 that 'no food wastes other than food waste and general waste from single source a quick service



restaurant chain shall be imported to and processed at the site.' The reason that Condition 9 was attached to Olleco's original planning consent (CM/78/14) was: 'The importation of waste materials outside these categories would raise environmental and amenity issues which would require consideration afresh ??.'

The environmental and amenity issues mentioned in the above are exactly the reason why this planning application to increase the amount of food waste processed on this site must be refused.

Ever since this plant first went into production there have been major problems with odours escaping from this site, to the detriment of local residents, users of the canal facility and walkers and cyclists trying to enjoy the countryside in Lower Buckland. Buckland Parish Council and local residents (there are residential properties within 200m of this site) have had numerous meetings with Olleco to try to stop this odour problem, but without success. Before planning consent was granted local residents were promised by Olleco that there would be no odours outside the site boundary.

Despite all these meetings and the involvement of the Environment Agency, as well as promises given by Olleco, these sickening odours continue to this day. These odours have made passers-by physically sick, walkers have had to go home and wash all their clothes and hair, still being unable to get rid of the stench. As Councillors we receive numerous complaints from ramblers, families trying to enjoy the countryside, cyclists, walkers and residents. On bad days the odours even reach Buckland and Aston Clinton village centres.

The Parish Council is very concerned about the odour problems which have emanated from the Olleco site since it first went into production. Many meetings between the Parish Council and Olleco have taken place, and every time reasons are given by Olleco staff for these odour leaks, but nothing has ever been done to prevent odours outside their site boundary, as residents were promised would be the case by Sandra Pugh of Olleco before the planning consent was granted.

Despite all the meetings that have taken place, including with the involvement of the Environment Agency who granted Olleco its permit to operate the site, and promises given, these sickening odours continue to this day. The current application seeks to increase the amount of food waste processed at the site, which can only increase the amount of odours released in Buckland.

Every time complaints are made to Olleco, the staff always find excuses. A recent example, when a local residents complained that the stench was even inside his house, the response from Olleco was that they 'had an issue with the de-pack hall doors'. Either there is a major Every problem with the design of this site or with the way in which the site is currently being used. Whatever the problem is, it must be put right so as to cause no odour problems



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outside the site boundary, before any consideration can be given to the current planning application.

Increasing the amount of food waste processed on this site is contrary to planning policies GP8 and GP95 of AVDLP, which deal with residential amenity and unneighbourly uses, as well as para 170 (e) of the NPPF which deals with 'preventing new and existing development from contributing to . . . , or being adversely affected by unacceptable levels of soil, air, water or noise pollution' Granting this application would certainly increase the amount of air pollution outside the site caused by Olleco's processing of food waste. The Parish Council urge you to refuse this planning application.

Yours faithfully

Aston Parish Council

Aston Clinton Parish Council objects to this application.

The plant has been operating for 5 years with continued and unaddressed issues with the current facilities and until these have been resolved the Parish Council do not believe that it is in the public or operators best interest to expand the operations in anyway including the introduction of household waste.

Representatives from the parish council and local authority have attended numerous meetings where site representatives have made assurances that the issues will be rectified but nothing has changed, with foul odours spreading across residential areas to unacceptable levels.

Until the current issues have been resolved, the Parish Council cannot consider anything other than to object to this application.

Consultation Responses

Highways DM

Highways Development Management had provided no objection for the proposed development

Environmental Health

Environmental Health provided no comments in response to the initial consultation request. As a result of the odour concerns raised in a significant number of public representations , an additional consultation request was issued to the Environmental Health Team (Aylesbury Area); this additional request focused specifically on the issue of odour in relation to the



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proposal (CM/0022/20). Environmental Health provided the following comments in response to the additional consultation request;

Having reviewed the planning application with regard to the variation of Condition 9 pursuant to planning application CM/0022/20, I would advise as follows from an Environmental Health point of view.

This facility is regulated under permit from the Environment Agency who would deal with odour emissions from the premises and complaints. With regard to the proposal to include general waste and packaging from businesses operating within Use Classes A3 and A5, I am satisfied that the Anaerobic Digestion Plant and associated equipment is capable of handling these types of materials efficiently without causing excessive odours in the area that are likely to amount to a statutory nuisance. The food that is to be collected from premises in Use Classes A3 and A5 in my opinion have no additional adverse impacts on the plants inherent ability to process the materials collected.

It is clear from the general facilities specifications and Olleco's technical knowledge of this industry that it will be operated safely and within industry good practice guidelines.

This memo does not include comments relating to air quality and contaminated land, where relevant, these comments will be provided separately.

Representations

25 comments have been received objecting to the proposal. The reasons for objection and concerns raised are summarised as follows:

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- Odour
- Highways Impact
- Residential Amenity
- Impact on Human Health
- Air Quality



APPENDIX B: Submission List:

- Covering letter dated 27th April 2020
- Application form
- Planning Statement dated December 2014
- Olleco Waste Policy Statement dated February 2015
- 14/092/13F – Proposed Site Plan
- 14/092/21 – Site Location Plan