

Agenda item

PL/2023/03359 - Land West of Ashton Road, Ashton Keynes, Wilts, SN6 6QT

- [Meeting of Strategic Planning Committee, Tuesday 21 April 2026 10.30 am \(Item 26.\)](#)

Construction and operation of anaerobic digestion facility, ancillary infrastructure and construction of new access from Ashton Road.

Minutes:

Public Participation

Simon Messer spoke in objection to the application.

Colin Godfrey spoke in objection to the application.

Liz Webster spoke in support of the application.

Neil Furber spoke in support of the application.

Daniel Lambert (applicant) spoke in support of the application.

Cllr Ray Williamson of South Cerney Parish Council, spoke in objection to the application.

Cllr Chuck Berry, Wiltshire Cllr for Minety, spoke on behalf of Ashton Keynes Parish Council who were in objection to the application.

Ruaridh O'Donoghue, Principal Planning Officer introduced a report which recommended that planning permission for the application for Construction and operation of anaerobic digestion facility, ancillary infrastructure and construction of new access from Ashton Road be granted, subject to delegation to the Head of Development Management for the completion of a Section 106 agreement legal agreement (or Unilateral Undertaking) covering the matters set out in the report section/paragraphs 6.15, and subject to planning conditions.

Attention was drawn to the following late representations.

Dr Roz Savage MP for South Cotswolds had submitted a letter which acknowledged national objectives on net zero, energy security, and sustainable agriculture but considered that the National Planning Policy Framework (NPPF) adverse impacts test was not met and that harms outweighed benefits. Concerns were raised regarding site suitability, landscape and visual impact, highways, pollution, environmental risk, tourism, economic impacts, and cumulative impact, and refusal was urged.

The officer confirmed that no new technical evidence was submitted and that all matters raised were addressed within the officer's report, with the difference being an alternative planning balance applied by the MP.

A late representation was detailed which was submitted on behalf of the new owner of the North End Works site. The representation advised of a recent change in ownership and early exploration of potential redevelopment. The officer confirmed there was no planning application, committed change of use, or defined proposals. Any future redevelopment was therefore speculative and attracted limited weight. It was concluded that the representation did not alter the assessment, planning balance, or recommendation in the report.

The officer explained a late representation received from the Leader of Gloucestershire County Council objecting to the proposal. Concerns were raised regarding landscape impact, traffic and highway safety, flood risk, residential amenity, and public health. The officer confirmed that all matters raised were addressed within the committee report and relevant consultation responses. No new technical information was provided, and the representation did not alter the assessment, planning balance, or recommendation.

Furthermore, the officer highlighted an addendum to the report, published in agenda supplement 1. Officers advised that, while the report concluded operational traffic could be managed through routing and timing controls, the recommended conditions did not explicitly secure these measures.

Two additional conditions were therefore proposed to improve enforceability, one to control hours of feedstock delivery and digestate export, and one requiring the submission and approval of an operational traffic management plan, including access arrangements, HGV routing, and scheduled movements. These conditions did not alter the officer assessment or recommendation.

The addendum also clarified that a photomontage in the report showed an earlier access view and did not reflect more recent willow screening, which was confirmed not to alter the assessment and provided additional screening. A further clarification confirmed that references to permanent loss of agricultural land should be read in light of the temporary nature of the development, with restoration secured by condition. These clarifications did not change the overall planning balance.

The officer then gave a presentation, the slides for which could be seen in agenda supplement 2.

The proposal was for an anaerobic digestion facility on approximately 7 hectares of agricultural land, processing up to 91,000 tonnes of agricultural feedstock per annum and producing biomethane for export. The development would include digesters, associated plant, access, and landscaping with biodiversity mitigation. The site lay in open countryside but outside designated landscapes, within Flood Zone 1, and on Grade 3 agricultural land.

Key details were stated to include the principle of development in the countryside; landscape and visual impact; ecology and biodiversity; residential amenity (including noise, odour and air quality); traffic and highway safety; flood risk and drainage; mineral safeguarding and the relationship with waste and environmental permitting regimes.

While acknowledging localised landscape harm and significant public interest, the officer concluded that impacts could be adequately mitigated and controlled, and that the harms identified were outweighed by renewable energy, carbon reduction, energy security and agricultural benefits. Therefore, the officer concluded that the proposal accords with the development plan, hence the recommendation for approval, subject to a legal agreement to secure offsite skylark mitigation and planning conditions.

The officer advised Members that the decision turned on three core matters: the acknowledged landscape harm, to which they had attributed moderate weight and considered to be localised and mitigated; whether the proposed conditions, legal obligations, and regulatory controls provided sufficient certainty on deliverability and enforcement; and the overall planning balance.

Members were reminded to weigh the identified harms against the significant benefits of the proposal, including renewable energy generation, support for agriculture, and enhanced energy security, which officers considered to be immediate and material in the current national context.

Members of the public then had the opportunity to present their views to the Committee as detailed above.

Following the public speakers, neighbouring division Member Cllr Juliet Layton, South Cerney Village Ward, Deputy Leader and Cabinet Member for Planning, Cotswold District Council spoke in objection to the application. Cllr Layton stated that the proposed anaerobic digestion facility was inappropriate for its location within the Cotswold Water Park, a nationally significant and environmentally sensitive landscape. Concerns were raised regarding landscape and visual harm arising from scale, land reprofiling and restoration, flood risk and groundwater impacts, contaminated land and gas migration, and reliance on active management rather than fail-safe design.

Further concerns related to traffic impacts on local and strategic routes, including effects on rural roads, highway safety, and the visitor economy, as well as limited local employment benefits. It was also argued that the claimed carbon and energy benefits were overstated, as gas would not serve the local area. Reference was made to national policy on biodiversity and water protection, with the conclusion that the potential harm outweighed the benefits and refusal was urged.

The unitary division Member, Cllr Chuck Berry, Minety, then spoke in objection to the application. Cllr Berry thanked all the speakers so far including those in support of the application. Cllr Berry stated that, while the principle of anaerobic digestion and support for British farming was acknowledged, the proposed development was considered inappropriate for this location within the Cotswold Water Park. It was argued that the site lay within a sensitive tourism and water-based landscape and that the proposal conflicted with Core Policy 42 and other local and national policies.

Concerns focused primarily on cumulative traffic and highway safety impacts, particularly seasonal peaks during harvest months, effects on the Spine Road and strategic junctions, and the interaction with high visitor numbers. The potential impact on public safety and the tourism economy was emphasised.

Further concerns were raised regarding landscape harm from large-scale industrial development, noise and odour impacts on a holiday destination, and the view that the claimed renewable energy benefits did not outweigh the identified harms. Refusal of the application was urged.

The officer then addressed points raised during public participation. It was confirmed that highway impacts, including seasonal peaks, had been fully assessed and that the lead Highway Authority was satisfied the network could safely accommodate the proposed movements, with residual impacts not considered severe.

The officer clarified that there was no general requirement under the Environmental Impact Assessment (EIA) Regulations to carry out comparative site selection, and that the Environmental Statement adequately explained the site rationale and assessed likely significant effects. Members were reminded to distinguish between land-use planning considerations and separate Environmental Permitting requirements.

It was confirmed that relevant statutory consultees, including the Environment Agency, lead Local Flood Authority, Natural England and the Council's ecology team, raised no objections subject to conditions. Clarification was also given on the Finch v Surrey County Council case, with officers advising that it did not apply to this proposal, which related to renewable energy rather than fossil fuel extraction, and did not give rise to comparable downstream emissions. Officers confirmed that all matters were addressed in the officer report.

Members of the Committee then had the opportunity to ask technical questions of the officer, and of Gary Collins, Head of Development Management.

Officers confirmed that the site was classified as Grade 3 agricultural land, with no distinction provided in the application between Grades 3a and 3b. A precautionary approach was therefore taken, assessing the land as Grade 3a (best and most versatile). Officers advised that the development was temporary (25 years), with restoration secured by condition, and the loss of agricultural land has been assessed on that basis and afforded moderate weight in the planning balance.

Clarification was provided that the site lay approximately 330 metres from the Site of Special Scientific Interest (SSSI). Officers confirmed that the commonly cited 500 metre threshold related to Environmental Permitting requirements rather than planning policy and did not represent a restriction on the granting of planning permission. Natural England and the Environment Agency raised no objections subject to conditions.

Officers explained that odour, noise, and pollution were considered as land use planning matters, with no unacceptable impacts identified. However, detailed operational controls were regulated through the Environment Agency's permitting regime, and planning conditions should not duplicate those controls in line with Planning Practice Guidance.

Members questioned the enforceability of the decommissioning condition and the likelihood of restoration after 25 years. Officers advised that decommissioning conditions were standard for waste and minerals developments and were enforceable through planning enforcement against the landowner. Any future extension of the permission would require a new planning application to be assessed against policies in force at that time.

Members noted the Council's landscape officer objection on grounds of site suitability and landscape impact. Officers advised that the disagreement of opinion primarily related to the weight attributed to identified localised harm rather than the extent of harm itself. Officers confirmed that moderate weight had been attributed in the planning balance, with mitigation, context, and the temporary nature taken into account.

Members queried the relevance of the *Finch v Surrey County Council* judgment. Officers reiterated that the case related to fossil fuel extraction where downstream emissions were an inevitable consequence. Officers considered this materially different from the current renewable energy proposal and were satisfied that the Environmental Statement was legally compliant.

Officers advised that the majority of feedstock was expected to be sourced from within approximately a 10-mile radius, though some additional material may be required to maintain viable operation.

Members queried the scope of the highways assessment, including whether impacts on the Spine Road and roads outside Wiltshire had been assessed and whether Gloucestershire County Council had been consulted. Officers advised that Wiltshire Highways assessed the local highway network based on the applicant's stated routing, traffic levels, accident data, and junction capacity, and concluded that residual cumulative impacts would not be severe in NPPF terms. Officers confirmed that Gloucestershire County Council Highways had not been directly consulted, though Cotswold District Council was consulted as the neighbouring local planning authority. Officers advised that, in the absence of an objection from the relevant highways authority, refusal on highway grounds would be difficult to sustain at appeal.

The Chairman adjourned the meeting at 12.33pm so that officers could look further into some matters raised. The meeting reconvened at 12.43pm.

Following an adjournment to review the consultation record, officers confirmed that Thames Water had not been consulted on the application. Officers also confirmed that Gloucestershire County Council, as the relevant neighbouring highway authority, had not been directly consulted and had therefore not provided a formal highway response.

Officers advised that Cotswold District Council, as the neighbouring local planning authority, had submitted an objection in 2023, which included reference to highway and traffic-related concerns. Officers acknowledged that, while consultation with the neighbouring district council had been undertaken, this did not constitute a formal response from the neighbouring highway authority.

Members were advised to consider whether the absence of consultation responses from Thames Water and Gloucestershire County Council Highways was material to the determination of the application, particularly in the context of the issues raised during the meeting and the weight to be afforded to existing technical advice.

The Chairman advised that the new information altered the context of the discussion and noted that he felt a deferral may be appropriate, although any such decision must be made by the Committee. A Member commented that the need for deferral depended on the Committee's direction: if minded to refuse the application based on existing objections, further consultation would be unnecessary; however, if minded to grant permission, deferral to allow consultation with Thames Water and Gloucestershire County Council may be appropriate. It was suggested that this matter be considered during the subsequent debate.

A Member sought clarification regarding a reference in the report to third-party comments suggesting the development may not be licensable. Officers advised that this related to the requirement for a separate Environmental Permit, which would sit alongside, but was distinct from, the planning

permission. It was confirmed that granting planning permission does not predetermine the outcome of the Environmental Permitting process, and vice versa, and that this was not material to the Committee's decision.

A further question was raised regarding local gas grid capacity. Officers advised that the biomethane would be transported by tanker to a gas injection hub at Banbury and that a direct grid connection at the site itself was not proposed, confirming that this issue had been taken into account.

Cllr Chris Brautigam proposed that the application be refused, citing concerns regarding the suitability of the site and location, landscape impact, potential risks to the local economy, particularly tourism and leisure (for example the water park) during the summer period and environmental risk arising from the proximity to the SSSI.

The Chairman invited a seconder. Cllr Christopher Newbury indicated support in principle for the motion but requested officer advice to refine the proposed reasons to ensure they were clearly articulated and robust.

Officers confirmed that a refusal based on landscape impact was capable of being supported, noting the existing landscape objection and that Members were entitled to attach greater weight to identified harm than officers had done in the planning balance. Officers advised that a landscape-based refusal would be unlikely to expose the Council to an award of costs.

However, officers cautioned that other proposed reasons, including site location, impacts on local businesses and tourism, and environmental risk relating to the SSSI, would be more difficult to substantiate due to a lack of clear technical evidence, absence of ecological objections, and reliance on matters regulated through the Environment Agency permitting regime. Officers advised that these reasons would be more vulnerable at appeal and could carry a higher risk of costs. Officers therefore recommended that, if Members were minded to refuse the application, the refusal should focus primarily on landscape harm.

Cllr Brautigam, whilst he had concerns around all the issues he had raised, amended his proposal so that the reason for refusal was restricted to landscape harm. This motion was seconded by Cllr Christopher Newbury.

Cllr Newbury questioned whether another reason for refusal could be the loss of grade 3A agricultural land (best and most versatile).

Officers highlighted appeals for other applications where Planning Inspectors had not looked favourably on this as a reason for refusal for a temporary development. As the land would be restored to agricultural use after 25 years, the loss was not permanent. There were also the wider benefits to agriculture that the application provided to be considered. Therefore, it was felt that this reason would be difficult to defend at appeal and officers cautioned against using this as a reason for refusal.

A debate followed where a Member raised further concerns regarding highways impacts and the consultation process. While acknowledging that Wiltshire Highways had raised no objection, the Member questioned whether refusal could still be justified on highways grounds, citing an apparent breakdown in consultation with Gloucestershire County Council Highways.

Officers clarified that Cotswold District Council as the neighbouring Planning Authority were consulted, and they had referred to highways concerns, however they did highlight that Wiltshire Council should also consult Gloucestershire County Council Highways, and that had not happened. It was suggested that the absence of direct engagement with the neighbouring highway authority was material, given that a significant proportion of traffic associated with the development would be likely to use roads within Gloucestershire.

Officers advised that, where one highway authority had raised no objection, refusing permission on highways grounds alone would normally present a significant risk at appeal. However, officers acknowledged that, due to the absence of a response from the neighbouring highway authority, the Committee did not currently have a complete picture of highway impacts.

Officers outlined two options for Members, to defer the application in order to seek a formal response from Gloucestershire County Council Highways, thereby providing greater certainty and reducing appeal risk; or to proceed to refuse the application on highways grounds based on concerns raised by local stakeholders, with the understanding that officers would subsequently seek the neighbouring authority's view to assess whether such a reason could be reasonably defended at appeal. Officers could withdraw highways as a reason for refusal dependent on Gloucestershire County Council Highways opinion.

The Chairman noted that the Committee were debating refusal based on landscape harms. Following further discussion, the proposer of the motion and the seconder added the impact on the local highways network (in both Wiltshire and Gloucestershire) as a reason for refusal.

Members debated the updated motion to refuse, with some highlighting that they felt deferral was a better option to get the opinion of Gloucestershire County Council Highways first before making a final decision. Members noted their disappointment that there was no officer from Wiltshire Council

Highways, or the Landscape officer who had commented on the application in attendance at the meeting. The issue of Thames Water not having been consulted was also raised and whether that should be added as a reason for refusal.

Officers highlighted that the Environment Agency and the lead local Flood Authority (Wiltshire Council Drainage) had been consulted and they had no objections subject to conditions and therefore felt adding this as a reason for refusal would be risky.

Further issues raised included that whilst anerobic digesters were a good idea, this was the wrong location, and some felt it would be better located in the center of arable lands. The Landscape officer's objection was cited again.

The motion to refuse based on landscape harm (CP51) and the impact on the local highways network (CP61) was put to the vote and the motion fell.

Cllr Newbury then proposed a motion to defer the application, to allow consultation with Gloucestershire County Council Highways and Thames Water. This was seconded by Cllr Howard Greenman.

A brief debate followed where Members suggested that Highways officers should attend the meeting when this application came back, and that some would not include consultation with Thames Water in the motion to defer as those issues were covered by the consultation with the Environment Agency which had taken place.

The motion to defer was put to the vote and it was,

Resolved:

To DEFER the application so that consultation with Gloucestershire County Council Highways and Thames Water could take place.

The meeting was adjourned for a break at 1.08pm.

Supporting documents:

- [PL.2023.03359 - Land West of Ashton Road Report, item 26. PDF 3 MB](#)
- [PL.2023.03359 - Aerial Plan, item 26. PDF 1 MB](#)

- [PL.2023.03359 - Location Plan, item 26. PDF 730 KB](#)
- [PL.2023.03359 - Addendum to report, item 26. PDF 108 KB](#)