

Agenda item

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

- [Meeting of Strategic Planning Committee, Tuesday 14 July 2026 10.30 am \(Item 52.\)](#)

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

Note: This application was deferred at the 21 April 2026 meeting of the Strategic Planning Committee.

Included with the agenda are a new committee report for this meeting, and 2 appendices, which are the original committee report and its addendum, both of which went to the 21 April 2026 meeting.

- *Report, pages 9- 115*
- *21 April Report, pages 117 – 190*
- *Addendum to 21 April Report, pages 191 – 193*
- *Location Plan, page 195*
- *Arial Photo Plan, page 197*

Minutes:

Public Participation

- Ms Jo Pendlebury spoke in objection to the application
- Dr Nick Cartwright spoke in objection to the application
- Mr Colin Godfrey spoke in objection to the application
- Ms Liz Webster spoke in support of the application
- Mr Paul Joseph spoke in support of the application
- Mr Daniel Lambert, the applicant, spoke in support of the application
- Mr Matt Jopp of Gloucestershire County Council's Highways Department spoke as a statutory consultee in opposition to the application
- Cllr Mike McKeown spoke on behalf of Somerford Keynes Parish Council in objection to the application
- Cllr Philip Nicholas spoke on behalf of South Cerney Parish Council in objection to the application
- Mr Christopher Sharp spoke on behalf of Ashton Keynes Parish Council in objection to the application

Ruaridh O'Donoghue, Principal Planning Officer introduced a report which recommended that planning permission for an anaerobic digestion facility, ancillary infrastructure, and construction of new access from Ashton Road, be granted. This would be 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, and subject to planning conditions. Key details were stated to include the principle of development, landscape, highway and agricultural land impacts as well as the production of renewable energy.

The committee were reminded that they had deferred the application on 21 April 2026 in order that consultation with Gloucestershire County Council's highways department and Thames Water could take place.

The Principal Planning Officer highlighted that the photo montage of the proposed access to the site, shown on page 49 of the agenda pack, was a previous design as it did not show the proposed willow screening.

Attention was also drawn to a number of late representations received after publication of the agenda. These included a submission from the Defence Infrastructure Organisation, a statutory consultee, which raised no objections to the proposal in relation to aviation safety at RAF Fairford or RAF Brize Norton.

Dr Roz Savage MP submitted a late objection on site suitability, landscape, highway, pollution, tourism and economic grounds. Officers advised that these matters had already been assessed within the report and that no new technical evidence had been provided. The MP had reached a different conclusion on the planning balance, considering the harms to outweigh the benefits.

North Southland, owners of the North End Works site close to the application site, advised that concrete manufacturing operations at their site had ceased on 30 June and that the site was intended for redevelopment, primarily for residential use. They also raised objections on technical drainage grounds.

Officers confirmed that a late representation from Oaksey Parish Council had been fully considered and that the issues raised were reflected within the wider summary of third-party objections. All late representations had been reviewed in full and were not considered to contain significant new technical evidence beyond that already addressed in the report.

The Principal Planning Officer then gave a detailed presentation about his report, the slides for which are available in Agenda Supplement 2.

The committee was advised that the application sought permission for an anaerobic digestion facility on 6.99 hectares of agricultural land, using materials such as rotational crops, straw, manure and poultry litter to produce biomethane and natural digestate fertiliser. The Principal Planning Officer noted that there had been significant public interest in the development, with over 1,850 representations in objection and 62 in support.

The Principal Planning Officer acknowledged that there would be moderate landscape harm as a result of the scheme and reported that there had been an objection from Wiltshire Council's Landscape Officer. However, he advised the committee that the mitigation measures put in place should be a central consideration in judging the weight that should be given to landscape harm. Members were informed that ecological impacts could also be mitigated through conditions and legal agreements, including to

secure offsite skylark mitigation. No objections had been received from statutory consultees in relation to flood risk, drainage or pollution.

Whilst Gloucestershire County Council's highways department maintained a holding objection, Wiltshire Council's highways department and National Highways raised no objections. The Principal Planning Officer therefore concluded that the proposal would not result in severe highway impacts, subject to routing and vehicle movement controls.

The Principal Planning Officer advised members that the decision turned on three core matters: the acknowledged landscape harm, to which he had attributed moderate weight; whether the proposed conditions, legal obligations, and regulatory controls provided sufficient certainty on deliverability and enforcement; and the overall planning balance. He emphasised that the proposal would deliver benefits through renewable energy generation, carbon reduction, energy security and support for rural businesses. As he considered that these benefits outweighed the identified harms in the planning balance, he recommended the application for approval.

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

Those speaking in objection to the application raised concerns about the consultation process, impacts on existing local businesses, the adequacy of carbon emissions assessment, increased traffic, and environmental risks.

Those speaking in support of the application stated that the proposal would contribute to the viability of local farming businesses and support the wider rural economy. They emphasised the scheme's renewable energy generation and fertiliser production benefits, noting that no objections had been raised by statutory consultees. It was further contended that the development would have a limited impact on local traffic conditions.

In response to concerns raised, the Principal Planning Officer advised that consultation on the application had been undertaken in accordance with statutory requirements and that the application had been subject to extensive public scrutiny over a number of years.

In relation to tourism impacts, officers reported that they had sought advice from Visit Wiltshire and had considered the available evidence regarding visitor patterns and economic activity within the Cotswold Water Park. Whilst some impact had been identified, officers did not consider there to be sufficient evidence to demonstrate significant harm to the wider tourism economy. It was noted that tourism activity within the area had continued to grow, including in June and October, alongside existing mineral and industrial operations.

Officers underlined that they had relied on professional advice regarding drainage issues. Specialist consultees including the Environment Agency, Lead Local Flood

Authority, Thames Water and Natural England had reviewed the submitted information and had not raised objections to the proposal.

They further advised that planning and environmental permitting constituted separate regulatory regimes. National planning policy required planning authorities to assume that environmental permitting and pollution control regimes would operate effectively unless there was clear evidence to the contrary. Officers therefore did not consider that the possibility of future operational failures elsewhere could justify refusal of the current application.

The statutory consultee from Gloucestershire County Council's highway team then had the opportunity to explain their holding objection to the application. They remained concerned that the submitted information relied heavily on figures recorded during a week in September 2022. In their view, this had not adequately demonstrated the likely distribution of vehicle movements or assessed the interaction between development traffic and peak tourist activity within the Cotswold Water Park.

In response, the Principal Planning Officer advised that the key question in the National Planning Policy Framework (NPPF) was whether sufficient information had been provided to allow the authority to determine the application.

Highway Officer, Mark Wiltshire, from Wiltshire Council, explained that his team had reviewed the submitted transport assessment and remained satisfied that the local and strategic highway network could accommodate the proposed vehicle movements. For the majority of year there would be between 37 and 44 Heavy Goods Vehicles (HGV) and tractor movements per day rising to around 80 movements per day in peak seasons.

Parish council representatives then had the opportunity to present their views to the committee as detailed above.

In response to statements from parish councils about traffic movements during peak harvesting and tourist periods, Wiltshire Council officers advised that planning conditions would restrict vehicle numbers, require monitoring of movements and secure a routing strategy for HGV traffic. The proposed measures were, in their view, reasonable, enforceable and capable of mitigating highway impacts.

Officers also highlighted, in response to comparisons made by parish councils, that the report covered the differences between the applicant's proposal and the circumstances in the R (Finch) v Surrey County Council Supreme Court Case, in particular that it did not involve fossil fuel extraction but was a renewable energy facility.

Responding to concerns regarding residential amenity, noise, odour and lighting, officers advised that these matters had been assessed through the application process and would be controlled through a combination of planning conditions and environmental permitting requirements. No statutory consultee had concluded that the proposal would result in unacceptable harm to nearby residents subject to the recommended controls.

Local division members from Cotswold District Council and Wiltshire Council were then given the opportunity to present their views.

Cllr Juliet Layton, Ward Member for South Cerney Village, as well as Deputy Leader and Cabinet Member for Housing and Planning at Cotswold District Council, spoke in opposition to the application. She argued that the proposal risked industrialising a rural landscape and questioned the adequacy of the applicant's approach to flood risk.

A statement in opposition to the application from Cllr Nick Dye, Wiltshire unitary division member for Cricklade and Latton, was read out on his behalf by Cllr Chuck Berry. The statement argued that the application lacked adequate evidence of pollution prevention measures, creating a significant risk to nearby protected Sites of Special Scientific Interest (SSSI) habitats. It also highlighted traffic impacts at an anaerobic digestion in Castle Eaton.

Cllr Berry, Wiltshire unitary councillor for Minety then spoke in opposition to the application. He raised concerns about highway safety on local roads, including the A419, and concluded that the likely transport impacts were underestimated.

In response to the points made by the local district and unity council members, the Principal Planning Officer made a number of points including that National Highways had no objection, subject to an operational traffic management plan.

At 12:13pm, following the conclusion of the public statements, the Chairman adjourned the meeting until 12:30pm. He requested that members of the public did not lobby committee members during the break.

The meeting resumed at 12:36pm.

Members of the committee then had the opportunity to ask technical questions of Planning officers.

Details were sought on the temporary nature of the application. Officers explained that the proposal was for a temporary 25-year permission. At the end of that period the site would be subject to restoration and decommissioning requirements secured through planning conditions. Should the operator wish to continue beyond the approved period, a fresh planning application would be required.

Officers also clarified that while comparisons had been drawn with the anaerobic digestion facility near Royal Wootton Bassett approved at the last meeting, PL/2025/06988, the two schemes differed significantly in terms of feedstock and policy considerations. Although Core Policy 3 (Infrastructure Requirements) setting out preferred locations of waste management facilities still applied the subject application would be considered differently from PL/2025/06988 which generated renewable biogas through the processing of food waste. Each application needed to be considered on its own merits.

Members sought clarification regarding drainage and water management measures, highlighting reports of leaks at anaerobic digestion facilities elsewhere. Officers advised that conditions would require the submission and approval of detailed surface water drainage schemes and construction management measures prior to development commencing. The lead local flood authority had reviewed the drainage and was satisfied that a suitable strategy could be designed to ensure the development did not increase flood risk elsewhere. Neither the Environment Agency, across five consultation responses, nor Natural England had objected, and that any concerns about inadequate surface water infrastructure would have been reflected in their responses. It was emphasised that planning conditions would only be imposed where there was a realistic prospect of compliance and discharge. Significant weight could be given to the advice of statutory consultees and parallel regulatory regimes.

In response to a query regarding the implications of a drainage scheme failing to meet the authority's requirements, officers advised that planning conditions are only imposed where there is a realistic prospect of them being discharged. If a submitted drainage scheme was not considered acceptable, the condition would not be discharged, and development could not proceed until a satisfactory scheme had been approved.

Questions were raised about odour management and enforcement. Officers advised that odour controls would primarily be regulated through the environmental permitting regime rather than planning. Any breaches of planning conditions could be investigated by the local planning authority, while environmental permit breaches would be enforced by the Environment Agency, which had powers ranging from corrective action to permit withdrawal. Officers noted that planning guidance required authorities to assume that other regulatory regimes would operate effectively unless there was clear evidence to the contrary.

The committee queried whether they could take into account the proposed redevelopment of the nearby North End Works site for primarily residential purposes. In response, officer confirmed that that planning decisions must be based upon existing evidence and circumstances. Speculative future development which had not been granted consent could not be afforded weight in the determination of the application.

In response to a query about whether there was a responsibility on the applicant to consider alternative sites, the Legal Advisor explained that Environmental Impact Assessment Regulations required an environmental statement to include a description of reasonable alternatives considered and to state the reason for the chosen option. The Planning Practice Guidance also stated that where alternative locations had been considered the statement should include a description of the alternatives studied. However, they did not impose a general obligation to undertake a comparative site selection exercise; there was no legal requirement to do so.

Members also queried landscape impacts and the continuing objection from the Wiltshire Council's landscape team. Officers stated that, whilst landscape harm was

identified and given moderate weight, they considered the effects to be localised and capable of mitigation through the extensive planting and the construction management plan proposed. They noted that the applicant had updated the application to include additional mitigation measures following concerns raised by the Landscape Officer and highlighted the temporary nature of the application. The differing professional judgments on the significance of those impacts ultimately formed part of the planning balance for members to determine.

Questions were also asked regarding decommissioning arrangements at the end of the temporary permission. Officers confirmed that planning conditions would require the removal of the development and restoration of the land. They confirmed that there was no planning requirement for a specific financial bond or fund to secure decommissioning works.

When asked whether controls could be imposed restricting the geographical origin of feedstock, to ensure that a certain percentage came from the local area, officers confirmed that they could. If such conditions were imposed, delegated authority could be granted to the Head of Development Management to agree final wording should members support such an approach.

Members asked a number of questions about traffic movements. Planning officers advised that traffic movements would be controlled through planning conditions, including limits on daily vehicle movements and requirements for monitoring and recording traffic levels. The committee was informed that movements would increase during harvesting periods but would remain within the limits specified in the proposed conditions. It was further explained that some traffic associated with agricultural activity already occurred on the surrounding road network and that the proposal would, in part, represent a redistribution of existing movements.

Several members questioned Gloucestershire County Council Highways' continuing holding objection. Officers explained that Wiltshire Council's highways team had undertaken a detailed assessment of the proposal and remained satisfied that the local highway network could accommodate the anticipated vehicle movements. Wiltshire's assessment focused on impacts within its administrative area, while Gloucestershire's concerns related to roads within its own authority area. Wiltshire's highways officers therefore did not identify a justifiable highway reason for refusal. It was also reported that Gloucestershire County Council Highways had not suggested any additional conditions should planning permission be granted.

Members also raised questions regarding the breakdown and transport of products from the site, including biomethane and poultry litter. Planning officers advised that these movements had been included within the transport assessment and formed part of the overall vehicle numbers considered by the Highway Authority.

Noting that the application had previously been deferred, in part to allow consultation with Gloucestershire County Council Highways, some members expressed disappointment that the statutory consultee maintained that there was insufficient

evidence regarding the distribution of vehicle movements. Members therefore queried whether it would be possible to put technical questions directly to the consultee.

The Chairman noted that the committee's procedure did not ordinarily allow a statutory consultee to speak again after their allocated speaking slot and sought advice from the Legal Advisor. The Legal Advisor explained that speaking slots were time limited to ensure fairness and compliance with the principles of natural justice. Allowing the statutory consultee to make further representations could be perceived as unfair to other parties. However, he advised that limited technical questions could be permitted without allowing further representations and that such an approach would be consistent with the principles of natural justice.

Following further discussion, the Legal Advisor advised that Gloucestershire County Council should be regarded as a formal objector, but that allowing members to ask specific and limited questions would be acceptable. He also recommended that if the statutory consultee was permitted to clarify points, the applicant should be afforded a corresponding right of reply. The Democratic Services Officer confirmed that the speaking procedure allowed statutory consultees a three-minute speaking slot but did not expressly provide an opportunity to return to speak later.

The Chairman invited other members of the committee to give their views. Some welcomed the opportunity to ask limited questions to ensure all relevant matters had been considered and to avoid the possibility of a further deferral. They queried whether the committee could be found to have made an unreasonable decision if it had not considered all relevant factors. One member remarked that they felt it was unfair for officers from one local authority to be able to provide advice during technical questions, while denying an officer from another authority. Another member stated that their preference would be not to allow any speakers to come back in order to reduce the possibility of judicial review.

Having considered the legal advice and views expressed, the Chairman concluded that the fairest approach would be to allow the statutory consultee to answer specific technical questions and to extend a limited right of reply to the applicant and other relevant parties on the points raised.

In response to technical questions from members, Mr Jopp from Gloucestershire County Council highways department stated that a number of further assessments would be required before its holding objection could be withdrawn. These included a more detailed analysis of traffic origins and distribution, assessment of peak seasonal traffic conditions, consideration of interactions between tractors and HGVs and impacts on vulnerable road users. Concerns were also repeated regarding assumptions that some vehicle movements would represent a redistribution of existing agricultural traffic. In his professional view, a thorough investigation of the proposed HGV routing plan was required to ensure that the highway conditions included in the report were enforceable.

During the subsequent rights of reply, objector, Dr Nick Cartwright reiterated concerns about peak visitor periods at Cotswold Water Park and whether all vehicle movements, including digestate transport, had been fully assessed.

Supporters of the application were then given the right of reply to the comments made by the statutory consultee. The applicant, Mr Daniel Lambert, stated that proposed highway conditions had been shared with Gloucestershire County Council in good time. Furthermore, he noted that vehicle numbers would be controlled through planning conditions similar to those at a comparable facility near Winchester, digestate movements had been included within the transport assessment and redistribution of agricultural traffic near the site would be an improvement in traffic management.

Parish council representatives were then given the right of reply to the comments made by the statutory consultee. The representative of Somerford Keynes Parish Council argued that insufficient highway information was available. They also stated that figures for the redistribution of traffic were overstated as many of the existing movements were internal to farms.

Local district and unitary members also raised concerns about traffic impacts on C roads and whether survey data collected in 2022 adequately reflected current tourist traffic levels.

Responding to those points, the Head of Development Management, Gary Collins, reiterated that the proposed highway conditions had been shared with Gloucestershire County Council's highways department. He advised that the information sought by members, including details of traffic distribution and origins, was contained within the submitted technical evidence. He further noted that, should the committee be minded to approve the application, conditions could be imposed requiring consultation with Gloucestershire County Council in relation to the discharge of relevant highway conditions.

Following the conclusion of technical questions, the Vice-Chairman proposed refusal of the application due to landscape impact and insufficient highway information. The motion was seconded by Cllr Chris Brautigam.

Planning officers then responded providing technical advice about the relevant policies that could be used to justify a refusal. They also noted that a lack of unilateral undertaking for skylark mitigation would provide a further policy reason for refusal.

After taking advice, the proposer and seconder of the motion decided to add a lack of unilateral undertaking as a further reason for refusal, so it was added to the substantive motion.

In response to a query about whether it would be possible to add concerns about water pollution risk as a further reason for refusal, officers advised that there would be insufficient evidence to successfully defend an appeal on those grounds.

A debate followed where some members spoke in support of the officer recommendation and highlighted the absence of objections from statutory environmental consultees, the renewable energy benefits, benefits to farming and the mitigation measures proposed. Other members expressed concerns that too many uncertainties remained, particularly in relation to traffic impacts and the suitability of the site within a valued landscape and tourism destination.

At the conclusion of the discussion, it was:

Resolved

That planning permission for an anaerobic digestion facility, ancillary infrastructure, and construction of new access from Ashton Road, be REFUSED.

Reasons:

- 1. The proposed anaerobic digestion facility, by virtue of its industrial scale, massing, height, engineered landform alterations, extensive hardstanding, lagoons, tanks, buildings and associated infrastructure, would result in significant adverse landscape and visual effects within the locally valued Cotswold Water Park landscape. The development would introduce an incongruous industrial form of development into a prominent rural location, erode the character, openness and tranquillity of the area, adversely affect important views including those experienced from Public Right of Way AKEY4 and fail to conserve the distinctive landscape character of Ashton Down and the wider Cotswold Water Park. The harm would not be adequately mitigated by the proposed landscaping and would conflict with Core Policies 51, 54 and 57 of the Wiltshire Core Strategy, Policy ENP3 of the Ashton Keynes Neighbourhood Plan, Policy WDC7 of the Wiltshire and Swindon Waste Development Control Policies DPD and the objectives of the National Planning Policy Framework relating to protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.**
- 2. The applicant has failed to provide a sufficiently robust Transport Assessment to enable the Local Planning Authority to properly assess and monitor the likely transport impacts of the development. In particular, insufficient information has been provided regarding the distribution and routing of development-related traffic, the cumulative effects of seasonal and peak-period vehicle movements, the effectiveness and enforceability of proposed traffic management and routing measures, and impacts on the wider highway network, including cross-boundary and cumulative impacts.**

In the absence of adequate information, the proposal fails to satisfy the requirements of Paragraph 118 of the National Planning Policy Framework, which requires development generating significant amounts of movement to be supported by a Transport Assessment sufficient to assess and monitor its likely impacts. Consequently, the Local Planning Authority cannot be satisfied that the proposal would not result in an unacceptable impact on highway safety, or that the

residual cumulative impacts on the road network, following mitigation, would not be severe, having regard to Paragraph 116 of the National Planning Policy Framework.

The proposal therefore conflicts with Core Policies 61 and 62 of the Wiltshire Core Strategy and Policies WDC1, WDC2 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies Development Plan Document.

3. In the absence of a completed planning obligation securing the delivery, implementation, monitoring and long-term management of off-site skylark mitigation, the Local Planning Authority cannot be satisfied that the impacts of the development upon skylark and other farmland bird species have been adequately mitigated. The proposed development would therefore result in unacceptable harm to biodiversity and fails to provide the necessary ecological mitigation required to make the development acceptable in planning terms. The proposal is therefore contrary to paragraphs 187 and 193 of the National Planning Policy Framework, Core Policy 50 of the Wiltshire Core Strategy, Policy ENP1 of the Ashton Keynes Neighbourhood Plan and Policy WDC8 of the Wiltshire and Swindon Waste Development Control Policies DPD.

Informative:

The Local Planning Authority notes that the reason for refusal relating to biodiversity mitigation could be overcome through the completion of a satisfactory planning obligation (Unilateral Undertaking or Section 106 Agreement) securing the delivery, implementation, monitoring and long-term management of the off-site skylark mitigation identified within the application submissions. In the event that such an agreement is completed, the Local Planning Authority would be able to reconsider this matter in the determination of any future application or appeal.

Supporting documents:

- [PL/2023/03359 - New Committee Report - 14.07.26, item 52. PDF 3 MB](#)
- [Appendix 1 - PL/2023/03359 - Original Committee Report - 21.04.26, item 52. PDF 3 MB](#)
- [Appendix 2 - PL/2023/03359 - Addendum to Original Committee Report - 21.04.26, item 52. PDF 108 KB](#)
- [PL/2023/03359 - Location Plan, item 52. PDF 492 KB](#)
- [PL/2023/03359 - Aerial Plan, item 52. PDF 841 KB](#)