

07/16/0013

STOR 112 LTD

Construction of a Gas Fired Energy Reserve facility and ancillary infrastructure on land adjacent to Hele Manor, Hele

Location: LAND TO THE SIDE OF HELE MANOR, HELE

Grid Reference: 318875.124747

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 9660-0002-05 Site Location Plan
(A3) DrNo 9660-0001-06 Illustrative Site Layout
(A1) DrNo 9660-0007-01 Illustrative Site Elevations (External)
(A1) DrNo 9660-0006-01 Illustrative Site Elevations
(A3) DrNo 9660-0005-01 Illustrative Landscape Proposals

Reason: For the avoidance of doubt and in the interests of proper planning.

3.
 - (i) Before any part of the development hereby permitted is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include increased landscape planting to the north and north-west of the site.
 - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
 - (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow

shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

Reason for pre-commencement: Without an approved landscaping scheme, the siting of the development would need to be re-assessed in the interests of visual amenity and its setting within the landscape.

4. No works shall be undertaken on site (other than those required to fulfil this condition) unless details for surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. The details shall include a schedule of implementation for the surface water drainage works. The works shall be carried out in accordance with the approved details and schedule of implementation and shall thereafter be retained in that form.

Reason: To ensure the development does not give rise to any increased flood risk in accordance with Policy CP8 of the Taunton Deane Core Strategy.

Reason for pre-commencement: The application site is not situated within an identified flood risk area but it is situated within very close proximity of Flood Zones 2 & 3. It is therefore necessary to ensure adequate drainage measures are in place to ensure any surface water run-off would not exacerbate flood risk within the area.

5. A condition survey of the existing public highway shall be carried out and agreed in writing with the Local Planning Authority prior to the commencement of any works on site. Any damage to the highway occurring as a result of the development hereby permitted shall be remedied to the satisfaction of the Local Highways Authority once all works have been completed on site.

Reason: In the interests of highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy.

Reason for pre-commencement: The Local Highways Authority need to be satisfied as to the condition of the existing public highway so that any damage created as a result of the development can be rectified before the development is first brought into use.

6. A Banksman shall be employed at the access point to control all vehicles accessing and exiting the site throughout the duration of the construction works.

Reason: In the interests of highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy.

7. Before the development hereby permitted is first brought into use a properly consolidated and surfaced access shall be constructed (not loose stone or gravel), details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall thereafter be maintained as such at all times.

Reason: In the interests of highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking and re-enacting that Order, with or without modifications, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 5m behind the highway boundary and hung so as to open inwards only.

Reason: To allow a vehicle to wait off the highway while the gates are opened or closed and thus prevent an obstruction to other vehicles using the highway. In the interests of highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy.

9. The area allocated for parking and turning shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy.

10. Prior to the installation of the gas containers, details of the container cladding shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of visual amenity to ensure the proposed development does not harm the character and/or appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

11. Before the development hereby permitted is first brought into use an acoustic barrier shall be installed in accordance with details that shall have been previously submitted to and approved in writing by the Local Planning Authority and thereafter retained as such.

Reason: In the interests of residential amenity and to ensure the development does not give rise to excessive levels of noise in accordance with Policy DM1 of the Taunton Deane Core Strategy.

12. Noise emissions from any part of the premises or land to which this permission refers shall not exceed background levels by more than 3 decibels expressed in terms of an A-Weighted, 1 hour Leq, at any time when measured

alongside the road adjacent to Bridge House to the west of the site.

Noise emissions having tonal characteristics, e.g. hum, drone, whine etc, shall not exceed background levels at any time, when measured as above.

For the purposes of this permission background levels shall be those levels of noise which occur in the absence of noise from the development to which this permission relates, expressed in terms of an A-Weighted, 90th percentile level, measured at an appropriate time of day and for a suitable period of not less than 10 minutes.

Reason. In the interests of residential amenity and to ensure the development does not give rise to excessive levels of noise in accordance with Policy DM1 of the Taunton Deane Core Strategy.

13. The development hereby permitted shall be carried out in accordance with all the recommendations, details and timings made in RPG's Preliminary Ecology Appraisal report dated August 2016.

Reason: In the interests of wildlife in accordance with Policy CP8 and DM1 of the Taunton Deane Core Strategy.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. You are reminded that it will be necessary to complete a temporary Traffic Regulation Order (TRO) application form and this should be applied for as soon as possible. Please be aware that the application for a temporary Traffic Regulation Order is a separate process and will need to be in place prior to the commencement of development. For further information please visit our web site www.somerset.gov.uk or alternatively call 0300 123 2224.
3. The alteration of the existing agricultural access will involve construction works within the existing highway limits. These works must be agreed in advance with the Highway Service Manager for the Taunton Deane Area, The Crescent, Taunton, Tel No. 0300 123 2224. They will be able to advise upon and issue the relevant licences, necessary under the Highways Act 1980.
4. Please note that temporary signage should be provided warning drivers of a 'Concealed Works Access' (or similar) along the highway.
5. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and you should ensure that any activity undertaken on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation. A

precautionary approach should be followed during the stripping of longer vegetation.

Proposal

Permission is sought to construct a new gas fired energy reserve facility along with ancillary infrastructure. The proposed development would generate up to 20 megawatts (MW) of electricity (enough energy to power approximately 4,861 homes) to provide secure energy supply to the local electricity distribution network during times of peak demand. The engines would be operated as a 'peaking plant' meaning that they can quickly respond to peaks in energy demand. Typically, the station would be switched off, waiting for an instruction via National Grid to power-up. The plant would not be used for base load operation, being limited to 1,500 running hours per year.

The proposed development would comprise 10 containerised engine units, each with a maximum footprint of 15m x 3.6m with a maximum height of 3.7m. Attached to each containerised unit would be an emission stack 7m in height (i.e. 3.3m above the container). Ancillary buildings would include: a welfare unit 8.4m long, 3.05m wide and 3.5m high; a DNO Substation/Meter room 8.4m long, 7m wide and 3.35m high and a controls container 12.2m long, 3.15m wide and 2.6m high. There would also be other ancillary plant. The ancillary plant and equipment would be situated on hard-standings enclosed by a 2.4m high steel security fence.

Access to the site is proposed via an existing field entrance to the west off the application site off the rural road that runs through Hele. Post construction, access is required primarily for routine maintenance checks (1 visit per week), as the facility itself would be unmanned. As the fuel source is gas, provided by a direct connection to the local gas network, no fuel delivery or storage is required.

Landscape planting is proposed around the northern, western and southern boundaries of the application site.

Site Description

The application site concerns an area of land immediately adjacent and to the west of the existing Taunton electricity substation within Hele; a small hamlet situated approximately 2 miles west of Taunton.

The application site itself is currently used as an agricultural field measuring approximately 0.49 hectares in size. The site is rural in nature with an established hedgerow situated along the northern field boundary; the road that runs through Hele is situated to the north of this boundary. Established electricity infrastructure is positioned immediately to the east of the site, where overhead electricity cables cross land to the immediate north of the site. The existing electricity site is very well screened by tree planting and other vegetation.

Hele Manor Farm is positioned approximately 280m to the west of the site and comprises of a mix of agricultural buildings and traditional residential farm buildings.

Other private residential dwellings are situated to the north of the farm.

The application site is situated within Flood Zone 1. The land to the north of the site, on the opposite side of the road is situated within Flood Zones 2 & 3.

There is a public footpath that runs through the fields to the south of the site, approximately 300m south of the application site.

Relevant Planning History

The site is currently an agricultural field and there is therefore no specific planning history associated with the site itself. However, an application for a solar farm was previously refused at committee on land to the south of the site. This was subsequently dismissed at appeal 5th August 2014 on the grounds of visual/landscape impact:

07/13/0016 – Installation of solar PV arrays and associated works with a capacity of up to 9.5 megawatts of power at land north-west of Ritherdens Farm.

Consultation Responses

BRADFORD ON TONE PARISH COUNCIL - Comments as follows:

The Parish Council met on site on 24 September 2016 together with the landowner, applicants, agent and two members of the public. The Parish Council have no objection to the structure and planned placement.

However, on other related matters the Parish Council have the following comments for the Borough Council to consider.

1. Strong objection to the proposed access on the inside of a bend and opposite access from Hele bridge, which in itself is quite a difficult junction.
2. Reduction of fine agricultural land because of the new roadway to be constructed.
3. Heavy construction traffic should use the A38 and access the site by coming off at Three Bridges (Stoford). The lorries should not use the Heatherton Park junction and come through the village, nor go through Bishops Hull. Appropriate signage by Somerset Highways would be appreciated.
4. The applicants should consider financing the resurfacing of a section of the Hele Road (because of constant use by heavy lorries) near access to the water treatment works and the low spot. County Highways are aware that remedial works are required but do not have the finance to pay for it.
5. Overall is the site the most suitable one for this facility?
6. This application will be a change of use from agricultural to industrial.

SCC - TRANSPORT DEVELOPMENT GROUP - Comments as follows:

With regard to traffic impact from the details provided in the design and access statement the site will produce a limited amount of traffic movements per day; the applicant envisaged an average of one movement per week. On this basis it is unlikely that this proposal would result in an adverse impact on the highway network.

However, it is apparent that the construction phase would result in a higher level of vehicle movements. The applicant envisages that it would average 20 vehicle movements per day, which would consist of large heavy duty vehicles. These movements would also consist of abnormal loads. The Highway Authority would usually have concerns over any proposal that would lead to a significant increase in vehicle movements on the local highway network. It is apparent from the information provided that this proposal would see a significant increase in vehicle movements on the local highway network. However, the Highway Authority appreciates that the construction phase is only for a limited period. Consequently on balance the Highway Authority raises no objection in traffic impact terms to this proposal.

It is noted that the application will upgrade an existing farm gate access to be able to serve the proposal. The Highway Authority would require the access to be a minimum of 5.0m wide to allow two vehicles to pass with suitable junction radii. The access would also need to be properly consolidated and surfaced. With regard to visibility, vehicle speeds pass the site are approximately 30mph. As a consequence the design guidance set out in Manual for Streets is considered to be acceptable in this location. As such splays of 2.4m x 43m in either direction. It is likely that this can be achieved to the left hand side although the splay to the right does not meet this standard. From scaling off the submitted plan, Drawing No. 9660-0001-06, it's apparent that the proposal can only provide a splay of 15.0m to the nearside carriageway edge. This level of visibility is not considered to be sufficient and would usually result in an objection from the Highway Authority. However as previously indicated the intensification of the access would be associated with the construction phase which is for a limited time. Coupled with this the applicant has provided additional information stating that a Construction Management Plan would be provided prior to the commencement of development on the site. This has highlighted that the following points will be included:

- Provision of temporary signage warning drivers of 'Works Access' (or similar) with associated access warning sign.
- Provision of temporary signage warning drivers of 'Concealed Access' (or similar) with associated access warning sign.
- Provision of interactive speed signs and / or interactive hazard signs to warn drivers of forthcoming access.
- Progression of a Temporary Traffic Regulation Order to impose a reduced speed limit on the approach to and through the site access.
- Employment of Banksman at the access to control all vehicles accessing and exiting the site.

- Provision of four-way signal controlled shuttle working through the access works area, on an on-demand basis to minimise queuing and delay.

The Highway Authority is broadly happy with the points that have been proposed.

Turning to the internal layout this is broadly considered to be acceptable as the level of parking associated with the end use is considered to be acceptable whilst the turning area is considered to be sufficient to allow a vehicle to turn and leave the site in a forward gear. The access road would need to be properly consolidated and surfaced.

Therefore based on the above information the internal layout is considered acceptable whilst in terms of traffic impact the proposal will generate a significant level of movements, however this would only be during the construction phase after this has been completed the level of movement would equate to one vehicle per month. The main issue for the Highway Authority relates to the sub-standard visibility to the right hand side of the access. This would usually result in an objection as the proposal would result in an increase in traffic movements. However after further discussion with the applicant the Highway Authority is satisfied that although the splay is considered to be sub-standard it can be managed appropriately through the construction phase.

As a consequence when taking into account the above information on balance the Highway Authority raises no objection to this proposal.

Conditions and informative notes have been recommended to the LPA should permission be granted.

BIODIVERSITY - Comments as follows:

The River Tone and its tributaries LWS is located 200m north of the site.

RPS carried out a Preliminary Ecology Appraisal survey dated August 2016. Findings were as follows:

Bats

The field offers very limited foraging habitat for bats but the plantation on the eastern boundary is likely to be used as a flight line for bats.

The River Tone and woodland offers more favourable foraging habitats.

Badgers

No active setts were found within the application site. The surrounding area provides good foraging habitat for badgers.

Birds

The semi improved grassland offers very limited opportunities for nesting birds. Birds may nest in the field boundary hedgerows and adjacent plantation woodland.

Reptiles

The semi improved grassland offers some opportunities for reptiles.

Otters and Water Voles

There are numerous records of otters and water voles within the search area. The River Tone is separated from the site by Fideoak Lane.

Once operational the electricity plant will produce noise during times of operation. This noise may affect fauna in and around the site. A precautionary approach should be followed during the stripping of longer vegetation.

Conditions and Informative Notes are recommended for any permission granted.

LANDSCAPE - Comments as follows:

The application is supported by a landscape and visual impact assessment, which is sound.

The facility will bring an additional industrial feature to this locality. However, it will be screened from the east by an existing tree belt and the proposed planting to the north, south and west will screen the facility further.

The landscaping of the site should be extended so that it does not reflect the exact size and shape of the facility.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - Comments as follows:

A number of large engines of this size does have the potential to affect air quality in the area and to be noisy enough to disturb neighbours. The applicant has submitted reports with the application.

- Air Quality Assessment, 4 August 2016. RPS Group

- Noise Assessment for Peaking Plant, 25 August 2016. RPS Group

The application says that the generators will be used at times of peak demand rather than in constant use. It estimates that they will run for around 1500 hours a year.

Air Quality

The RPS Assessment states that the gas engines will comply with the 'EU Directive of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants'. For new engines fuelled by natural gas, the only pollutant for which the Directive provides a limit is nitrogen oxides (NOx). It also says that the technology suppliers have advised that there are no other significant pollutant emissions.

To predict the potential level of pollutants the consultants have used the limit value in the Directive as the emission rate for their modelling. This was because they were not sure which make or model would be used, and so assumed a worst case situation, as the limit value would be the maximum at which the plant could operate.

The assessment compares the predicted NO2 levels to the existing background levels (based on a national data base). The assessment confirmed that the emissions from the gas engines will lead to an increase in NO2 levels over the

background level and to the Air Quality Objectives that are in the Air Quality (England) Regulations 2000. It is not surprising that the background levels are exceeded as they are low as the area is rural. There are two national air quality objectives for NO₂, one is an annual mean and one an hourly mean not to be exceeded 18 times a year. For long term predictions (annual means) the modelling estimates that the highest level of pollutants from the generators will be 7% of the annual mean objective level. For short term concentrations the modelling predicts that the highest levels of pollutants would be 69% of the hourly objective level. The report refers to guidance that states that the impacts are not considered significant if the predicted levels are below the action/objective levels.

The report concludes that the pollutants from the proposed generators will meet all relevant air quality standards and objectives and that no mitigation is proposed.

Based on the information submitted by the applicant, it is agreed that while the generators will have an impact on air quality in the area when they are running, it is not likely that pollutant levels would be close to exceeding the air quality objectives.

Noise

The Noise Assessment uses data provided by manufactures of different types of gas engine, as the applicant had not specified a particular model. The assessment estimated noise emissions from the engines and predicted the potential noise level at nearby residential properties. It then followed British Standard BS4141:2014 to rate the predicted level of noise from the site and compare it to the background noise level that had been measured by RPS in the vicinity of the site.

The assessment found that during the day, when background noise levels were higher, the rated noise level was below the background level. However, at night the rated level could exceed background levels by 7dB. The assessment notes that according to BS4142:2014 a difference of around +10dB or more is likely to be an indication of a significant adverse impact and a difference of around +5dB is likely to be an indication of an adverse impact, depending on the context.

The assessment refers to an acoustic barrier 3.5m high around the generators. (it also mentions a 5m high barrier around a cooler area, although the consultants have since confirmed that this paragraph should not be in the report, as the coolers will be integral to the generator units and not in a separate area).

Taunton Deane Borough Council would normally expect that noise from a new commercial development would not exceed background levels by 3dB. I have contacted the consultants regarding the report. They did say that the applicant did not expect that the generators to be running at night as they would be operating at peak times (daytime and evenings). However, there is still the potential for the generators to run at night on occasions. The consultants contacted the equipment suppliers and confirmed that there is a model that is quieter than the ones that they used in their assessment. They re-ran the noise modelling and confirmed that they could meet the 3dB above background level.

The plans with the application do not show a 3.5m acoustic barrier around the generators. There is a perimeter fence, but this is some distance from the generators, which would mean that even if it was higher and more solid it would not

be effective as a noise barrier. However, the consultants confirmed that a barrier could be installed within the site.

If the application is approved I would recommend that conditions are used to ensure that noise levels do not exceed background levels by more than 3dB and that the acoustic barrier recommended in the assessment is built. Suggested conditions are given.

DRAINAGE ENGINEER - Comments as follows:

This application falls below the requirement for LLFA statutory consultation. SCC does not provide drainage engineering support to the LPA.

BISHOPS HULL PARISH COUNCIL - Comments as follows:

This application is just over the boundary with Bishops Hull parish. Bishops Hull Parish Council supports the views of Bradford-on-Tone Parish Council and would request that conditions be imposed with regard to noise limits, landscaping and no construction traffic to be routed through Bishops Hull.

NORTON FITZWARREN PARISH COUNCIL - No response received at the time of writing.

Representations Received

A site notice was erected 30th September 2016 and neighbours notified 9th September 2016. Five **objections** have been received, their comments summarised as follows:

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Principle of development

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- There is available brownfield land within close proximity of the site, which would be preferable in accordance with the requirements of Policy DM1 of the Taunton Deane Core Strategy.
- The existing brownfield site would alleviate Parish Council concerns regarding access, increased traffic and loss of agricultural land.
- The existing brownfield site is already well screened by mature vegetation.

Visual amenity/landscape

- 7m high chimney stacks would be visible within landscape, even with increased planting.
- Screen planting would take years to grow and would be ineffective during winter months.
- Impact upon West Deane Way and other footpaths, with sightlines available from the footpath to the south of the field.
- View toward Quantock Hills would be blocked.

Highways

- Increased traffic/HGV movements unsafe.
- Proposed access point in unsuitable and very dangerous – It is situated on a double blind, cross road which at peak time travel is impossible to use.
- Increased vehicle movements will cause further damage to road – who would be responsible for their repair?
- Minor road does not support the infrastructure required for such a development.
- Council should consider extending the 30mph speed limit from Bishops Hull to the other side of Hele.

Noise

- Noise impact, particularly when prevailing wind comes from the north.
- Noise tests were carried out during the summer months (26th July – 3rd August). The result would have been different if carried out during winter months.
- Tests do not take into account the whole village.
- Engine units will create noise within a naturally tranquil and quiet area, which will travel. Eg. The tannoy for Pontispool Equine Sports Centre (1.5miles away) can be heard. Such disturbance within this area would be contrary to the NPPF.
- The 1,500 hours per year, as stated in the application, could be brought into additional use at peak times. Operational times are not enforceable.
- Lack of foliage cover to shield some of the noise.
- Equipment could be subject to change, which would alter the noise measurements.
- Mitigation measures would be subject to cost – who would enforce these if the application is successful?
- Noise report needs to consider winter measurements, additional locations and alternative generating sets.
- Acoustic screen should be taller and situated closer to the noise source.
- Applicants' website stipulates that these power stations must be 250m away from neighbouring homeowners – why does this not apply to this application?

Air quality

- Adverse impact on local air quality.
- Unclear whether tests were actually carried out within Hele. Data is taken from Dunkeswell. The background levels from these measurements are likely to be substantially higher than the clean air environment around Hele.
- Report does not appear to take account of the 10 chimney stacks. Instead, the data has been scaled up from 1 to 10 chimney stacks, which is a flawed methodology.
- Additional HGV traffic will affect local air quality.
- The use of solid oxide fuel cells offer a more effective form of technology.

Flooding

- Increased flood risk due to increased surface water run-off, particularly around the bridge.
- Increased run-off water will flood the road running through Hele, potentially

- cutting it off.
- Area already has problems with blocked drains – who would maintain this?

Other

- Impact upon wildlife
- Not clear if the proposed site would include the option of either a pipeline or gas tankers.
- Site does not currently have any gas connections – the closest is 0.5miles away.
- An application for a solar panel farm was previously rejected.
- Precedent for further industrial development.
- Wider public consultation should have been carried out.

Planning Policy Context

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

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), saved policies of the Taunton Deane Local Plan (2004), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below. Policies from emerging plans are also listed; these are a material consideration.

SD1 - Presumption in favour of sustainable development,
SP1 - Sustainable development locations,
CP1 - Climate change,
CP8 - Environment,
DM1 - General requirements,
DM2 - Development in the countryside,

Local finance considerations

Community Infrastructure Levy

The development would not be liable for any Community Infrastructure Levy (CIL) payments.

Determining issues and considerations

The main issues to consider in the determination of this application are the principle of development, impact upon visual amenity/landscape, impact upon highways, noise, air quality, biodiversity and flood risk/drainage.

Principle of development

The application site is situated outside defined settlement limits, where in accordance with Policy SP1 of the Taunton Deane Core Strategy (TDCS), the development is situated within an area defined as 'open countryside'. Development outside settlement limits is strictly controlled, however, Policy DM2 (TDCS) does identify various land uses that could be supported outside settlement limits, including development for essential utilities infrastructure.

The National Grid has clearly identified that there is a need for additional energy reserves. The proposed development would generate up to 20 megawatts (MW) of electricity (enough energy to power approximately 4,861 homes) to provide secure energy supply to the local electricity distribution network during times of peak demand. This energy 'peaking' plant is therefore considered to constitute an important part of the National Grids energy strategy to ensure it can continue to balance the demands of the electricity network, whilst also providing greater resilience to deal with increased energy demand at peak times. Subject to the assessment of other key issues identified within Part 8 of Policy DM2, there is considered to be an 'in principle' policy reason which supports the development.

Public comments regarding the availability of other more suitable 'brownfield' land sites have been noted. However, the exact location or availability of such land is unknown and unverified. Consideration has clearly been given to the proposed siting of the development, taking into account its proximity to an existing electricity substation; setting within a predominantly rural and isolated location; and siting outside defined designated areas (eg. heritage designations, floodzones etc). Whilst the LPA would be willing to consider the siting of the proposed development in alternative locations, the planning issues associated with such a development have to be considered on the site identified within the submitted 'red-line' area. The planning issues associated with alternative sites have not been tested and it is therefore considered unreasonable to refuse the application on the basis of alternative sites being available. Instead, the proposed application site is considered acceptable in land use terms, where the development plan supports the principle of development subject to other planning considerations.

Visual amenity/Landscape

The development would be situated toward the north-eastern corner of an existing agricultural field adjacent to an existing electricity substation, which is situated toward the east. Whilst its corner position within close proximity of existing electrical plant is preferable, the development would be situated within the open countryside and careful consideration therefore needs to be given to the impact the development would have on the visual amenity of the area and its setting within the landscape.

There is an existing tree belt situated toward the east of the site, which screens the existing electricity plant and any views from the east. To the north is a well-established hedgerow situated along the boundary of the field and adjacent to the road. This in part helps to screen the development, however, given the height of the container stacks proposed, the development would be visible above the existing hedgerow. The site is more open to the south and west where sightlines of the

development would exist from a distance from nearby residential properties to the west and a public footpath situated within a field to the south.

The application is supported by a landscape and visual impact assessment, which has been considered by the TDBC Landscape Officer who considers the information submitted to be sound. Landscape planting is considered to be key in helping to integrate the development with its rural location and planting has been proposed to the north, west and south of the site. As the development itself is relatively small in scale, landscape planting is considered to be an acceptable method in reducing any potential impact. However, the Landscape Officer has confirmed that additional landscaping should be provided over and above that currently proposed. This would help soften the appearance of the development within the landscape to ensure the planting does not reflect the exact size and shape of the development.

The closest public sightlines of the development would be from the road to the north. It is noted that the development would be situated approximately 36m back from the edge of the northern hedgerow, which does help reduce the impact to some degree. However, it is recommended that additional planting be provided to the north of the site, in-between the application site and existing hedgerow, to reduce the impact further. A suitably worded condition would therefore be attached to that effect to any permission.

Whilst it is noted that screen planting would take time to grow and be less effective during winter months, it is considered that with the careful selection of suitable plant species, the vegetation screening of the site would be quite effective. The existing screening of the adjacent electricity substation is tantamount to this. The development would also utilise an existing highway access, which would prevent further openings being created within the established hedgerow to the north.

There would be some sightlines of the development from close range receptors including nearby residential properties and the public footpath within the fields to the south. However, given the relatively small scale of the development, its siting close to existing electricity plant and enhanced landscaping of the area, the development is not considered to give rise to any visual or landscape concerns significant enough to warrant refusal. The development is therefore considered to be acceptable on these grounds subject to additional landscaping being agreed to the north of the site.

Highways

It is proposed to utilise an existing redundant farm access to the west of the site, linked by a new internal access road. The access is adjacent to an existing agricultural building and lies opposite the Hele bridge junction to the north. An existing access point was chosen to prevent the need to create a new access opening within the established hedgerow to the north of the site

Vehicle movements associated with the site post construction are expected to be very low, as the site itself would be unmanned and operated remotely. Access would only therefore be required for weekly maintenance checks where necessary. On this basis, the Local Highways Authority are of the view that the development would not result in an adverse impact upon the highway network.

Notwithstanding the above, the vehicle movements associated with the construction of the site would be far greater, with an average of 20 vehicle movements per day consisting primarily of HGVs. However, as these movements would take place for a limited period during the construction phase, highways have no objection in terms of traffic impact.

Regarding visibility, a splay of 2.4m x 43m would usually be required for the 30mph road that runs through Hele. Whilst this would be achievable to the left hand side, the splay to the right would not meet this standard. Instead, Highways have indicated that it is only possible to provide a splay of 15m to the nearside carriageway edge. Whilst this would normally result in a Highways objection, it is acknowledged that the intensification of the access would only be associated with the construction phase, which is for a limited period. Coupled with this, the applicant has provided additional information stating that a Construction Management Plan would be provided prior to the commencement of works on site (details of which are outlined in the Highways consultation response). Highways have indicated that the details contained within the report are acceptable and appropriately worded conditions should be attached to any permission. Appropriate conditions are made in the recommendation to Members. Other elements which are governed by the Highway Authority under works within the highway are added as notes, as they are inappropriate to add as conditions as they don't comply with the tests applied to conditions.

The internal layout of the site is considered to be acceptable and adequate independent parking and turning space is proposed.

In conclusion, whilst the visibility splay associated with the access is considered to be substandard, the Highway Authority are satisfied that this can be managed appropriately through the construction phase subject to conditions. On this basis, the development is considered to be acceptable on highways grounds.

Noise

A Noise Impact Assessment (NIA) has been submitted to accompany the application, which has been considered by the TDBC Environmental Health Officer

The assessment found that during the day, when background noise levels were higher, the rated noise level were below the background level. However, at night the rated level could exceed background levels by 7dB. The assessment notes that according to BS4142:2014 a difference of around +10dB or more is likely to be an indication of a significant adverse impact and a difference of around +5dB is likely to be an indication of an adverse impact, depending on the context. The assessment also refers to a 3.5m high acoustic barrier around the generators.

TDBC would normally expect that noise from a new commercial development should not exceed background levels by 3dB. The TDBC Environmental Health Officer has had confirmation from the applicants that they did not expect the generators to be running at night, as they would be running at peak times only (daytime and evenings). That said, there is still the potential for the generators to run at night on occasions. As such, the applicant has contacted the equipment suppliers, who has confirmed that there is a generator model that is quieter than the ones used in the

submitted NIA. The noise modelling has therefore been re-run and it has been confirmed that it would now be possible to accord with a 3dB noise restriction. As such, it is considered that a suitably worded condition should be attached to any permission to ensure noise levels remain within acceptable limits

The proposed acoustic barrier described within the report is not clearly shown on plan. There is a perimeter fence, but this is some distance from the generators, which would mean that even if it was higher and more solid it would not be effective as a noise barrier. The applicant has confirmed that a suitable acoustic barrier could be installed. It is therefore deemed reasonable to attach a suitably worded condition to that effect to the permission.

For the reasons outlined above, the development is not considered to give rise to any significant noise concerns subject to conditions.

Air quality

An air quality assessment has been submitted to accompany the application, which confirms that the gas engines would comply with EU Directive standards. The only pollutant for which the Directive provides a limit is nitrogen oxides (NO_x). The report also specifies that the technology suppliers have advised that there are no other significant pollutant emissions.

To predict the potential level of pollutants the consultants have used the limit value in the Directive as the emission rate for their modelling. This was because they were not sure which make or model would be used, and so assumed a worst case situation, as the limit value would be the maximum at which the plant could operate.

The assessment compares the predicted NO₂ levels to the existing background levels (based on a national data base). The assessment confirmed that the emissions from the gas engines would lead to an increase in NO₂ levels over the background level and to the Air Quality Objectives that are in the Air Quality (England) Regulations 2000. There are two national air quality objectives for NO₂, one is an annual mean and one an hourly mean not to be exceeded 18 times a year. For long term predictions (annual means) the modelling estimates that the highest level of pollutants from the generators will be 7% of the annual mean objective level. For short term concentrations the modelling predicts that the highest levels of pollutants would be 69% of the hourly objective level. The report refers to guidance that states that the impacts are not considered significant if the predicted levels are below the action/objective levels

The report concludes that the pollutants from the proposed generators will meet all relevant air quality standards and objectives and that no mitigation measures are proposed. The TDBC Environmental Health has confirmed that whilst the development will have some degree of impact to the air quality of the area whilst the generators are running, it is unlikely that the pollutant levels would be close to exceeding the air quality objectives. The development is therefore considered to be acceptable on these grounds.

Biodiversity

An ecology report has been submitted to accompany the application and the TDBC Biodiversity Officer has not raised any significant wildlife concerns. Instead, a condition has been recommended to ensure the recommendations contained within the ecology report are adhered to. A condition to that effect would therefore be attached to any permission.

Flood risk/ drainage

The application site is situated within Flood Zone 1, which has been identified by the Environment Agency as an area that is not at significant risk of flooding. Nevertheless, the site is within close proximity of identified flood zones and consideration should therefore be given to increased surface water run-off that may be generated as a result of the development.

The application has indicated that Sustainable Urban Drainage (SUDS) measures would be incorporated into the proposed development to help mitigate against flood risk. No details have been provided to accompany the application and it is therefore considered pertinent to attach a suitably worded planning condition to any permission to ensure adequate drainage provision is provided.

Conclusion

It is evident from the details submitted that there is a justified need for an energy 'peaking plant' to alleviate the increased energy pressures of the National Grid. In this respect, the development is considered to constitute essential utilities infrastructure, which the development plan supports subject to the assessment of other related planning issues. Such issues have been assessed within this report and for the reasons outlined above, the proposed development is considered to be acceptable and it is therefore recommended permission be granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

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