

Reference: 11/00315/FUL
Date submitted: 14.04.11
Applicant: UK Power Reserve Limited
Location: Asfordby Business Park, St Bartholomews Way, Melton Mowbray
Proposal: Electricity Generating Equipment ‘Short-Term Operating Reserve’

Introduction:-

This application seeks planning permission for a Short Term Operating Reserve (STOR) consisting of 20 diesel generators each with an associated transformer and ancillary buildings to support the National Power Grid when demand occurs. The application site is within the Asfordby Business Park and will be sited between large industrial units on brown field land. The generators, together, will be capable of providing an additional 20 MW of power to the national grid. The purpose of the generators is to temporarily export electricity to the national Grid and will enable the plant to form part of the National Grid’s Short-Term Operating Reserve programme. The location is crucial to the successful operating of the STOR given that there is an existing Central Network sub station on the site.

The proposal is not considered to be EIA development due to not being sited in a sensitive location. The application has been accompanied with a Noise Assessment.

It is considered that the main issues relating to the proposal are:-

- **Impact upon residents in terms of loss of residential amenities through noise and smells**
- **Compatibility with the surrounding uses**
- **Environmental impacts**

Relevant History:-

No relevant planning history.

Planning Policies:-

PPS 1 ‘Delivering Sustainable Development’ - The guidance says that planning should promote sustainable and inclusive patterns of development. The general theme of PPS1 is that the planning system should contribute to global sustainability by addressing the causes and potential impacts of climate change. PPS1 seeks a reduction in energy use and emissions (specifically citing the encouragement of development which reduces the need to travel by private car), and also says that climate change impacts should be taken into account in the location and design of development. PPS1 requires local authorities to deliver development that is located in areas which reduce the need to travel by car and provide access to all members of the community to jobs, health, housing, education, shops, leisure, and community facilities. PPS1 suggests that the focus for development should be existing centres and discourages any new development which would impact negatively on the environment and actively encourages development which reduces the impacts of climate change.

PPS 4 ‘ Planning for Sustainable Economic Growth’ – sets out the Governments comprehensive policy framework for planning for sustainable economic development in urban and rural areas. To help achieve sustainable economic growth objectives include; delivering more sustainable patterns of development and reducing the need to travel, especially by car, and responding to climate change. At the local level PPS4 requires assessment of the existing and future supply of land available for economic development,

ensuring that existing site allocations for economic development are reassessed against the policies in the PPS. It also promotes the most efficient and effective use of land, promoting previously developed land which is suitable for re-use. Development should promote key distribution networks and the delivery of sustainable transport. With regards to rural area, economic development should be strictly controlled and most new development should be located in or on the edge of existing settlements.

PPS23 ‘Planning and Pollution Control’ - In accordance with national policies, the Government expects LPAs to adopt a strategic approach to integrate their land use planning processes with plans and strategies for the control, mitigation and removal of pollution, as far as it is possible and practicable to do so. The overall aim of planning and pollution control policy is to ensure the sustainable and beneficial use of land (and in particular encouraging reuse of previously developed land in preference to greenfield sites). Within this aim, polluting activities that are necessary for society and the economy should be so sited and planned, and subject to such planning conditions, that their adverse effects are minimised and contained to within acceptable limits. Opportunities should be taken wherever possible to use the development process to assist and encourage the remediation of land already affected by contamination.

PPS24 – ‘Planning and Noise’ - advises that the planning system has the task of guiding development to the most appropriate locations. Local authorities are advised to use their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise. Paragraph 10 states that much of the development which is necessary for the creation of jobs and the construction and improvement of essential infrastructure will generate noise. The planning system should not place unjustifiable obstacles in the way of such development. Nevertheless, local planning authorities must ensure that development does not cause an unacceptable degree of disturbance. They should also bear in mind that a subsequent intensification or change of use may result in greater intrusion and they may wish to consider the use of appropriate conditions.

Adopted Melton Local Plan

Policy OS2 – planning permission will not be granted for development outside the town and village envelopes except for, amongst other things, limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside.

Policy BE1 - Siting and design of buildings: Allows for new buildings subject to criteria including the design harmonising with the surroundings, no adverse impact on neighbouring properties by loss of privacy or outlook, adequate space around and between buildings being provided and adequate access and parking arrangements being made.

Policy EM9 – Planning permission will be granted for industrial development within the confines of an existing industrial site outside of the town and village envelopes providing that:-

- a) the form, scale, design and construction materials of the development are appropriate to the surroundings and would not cause visual intrusion;
- b) there would be no loss of amenities by virtue of noise, smell, dust or the wider operational effects of the development;
- c) adequate access and parking provision can be made available;
- d) the development would not result in an unacceptable increase in traffic levels;
- e) landscaping can be provided to reduce the effect of the development in the locality.

Melton Core Strategy (preferred Options) DPD is supportive of sustainable economic development in appropriate locations. Melton Mowbray is the main service and employment centre. In focusing major development at Melton Mowbray it will directly influence energy use and emissions by reducing the need to travel.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highways Authority: No observations to make in regards to the installation of generators.</p>	<p>The site lies within the site confines of the Asfordby Business Park which is well served by the local highway network. Access to the site is via Bartholomew Way off the A607 which is the Oakham to Nottingham route which passes through the town where links to A606 Leicester to Grantham can be established.</p> <p>There will be limited impact upon traffic movements from the existing industrial site, with 2/3 tanker deliveries per month and a weekly visit to undertake maintenance at the site. The site is unmanned and will not create daily trips.</p>
<p>Asfordby Parish Council: Objects</p> <p>The Parish Council would like to raise objections to this application on the grounds that it does not sit within the anticipated future development of the site for green energy projects and developments.</p>	<p>Asfordby Business Park lies outside of the town envelope for Melton and has no specific designated land use within the Local Plan. The planning permission for the Business Park allows B1, B2 and B8 uses and this proposal sits within the B2 use class which is compatible with the existing uses on the site. A design brief for the site was approved in 2000 which promotes the site for employment and leisure uses.</p> <p>There are no adopted policies which promote the use of the site for a centre for green energy projects and development.</p>
<p>MBC Environment Health Officer: No objections</p> <p>Noise:</p> <p>The Officer has had regard to the Noise Impact Assessment prepared by NoiseAssess, ref 10113-01-v2, June 11.</p> <p>The report includes background noise level measurements in the vicinity of the nearest residential properties during day, evening and night time periods. It also includes calculated noise levels at those nearest residential properties from the proposed generators when all of them are running. The report demonstrates that noise levels from the generators will be below background noise levels during both day and evening periods accordingly the Officer does not anticipate a nuisance would arise from the proposal during those periods.</p> <p>The Noise Impact Assessment does discuss the use of the generators during the night time period in emergency situations. Having regard to the data provided in the Noise Impact Assessment, the Officer would not envisage this to give rise to a justifiable complaint of a nuisance. However, should the generators begin to be used during the night-time</p>	<p>The application proposes the installation of 20 diesel generators along with associated transformers and switchgear apparatus contained within ancillary buildings to be sited on an existing industrial estate north of the town. Each generator will be housed in trailer units of no more than 7.440 m x 3.050 m with an overall height of 3.6m; including supports which are expected to be in the form of sleeper. The units will be laid out in two rows of 10 with the substation buildings and fuel tanks at the end of the site. All equipment will be sited within a security perimeter fencing of 3 metres high.</p> <p>The nearest residents lie to the northeast of the site belonging to Welby Grange Farm; at a distance of 470 meters with the nearest residential estate to the east at a distance of 1431 metres (Horseguards Way); the closest residential properties at Asfordby hill lies to the south along, Welby Road, at a distance of 960 metres. The key findings of the assessment, that have been critically reviewed by the Environmental Health Team, are as follows</p> <ul style="list-style-type: none"> • <u>Worst case noise rating levels from the proposed generators during normal operating periods will be no higher than 2dB below the existing background noise levels at the closest residential properties.</u>

<p>more regularly than considered 'infrequent' then the Officer suggest it would be appropriate for a revised noise impact assessment to be carried out.</p> <p>Pollution and Air Quality:</p> <p>The generators are likely to require a permit under the Environmental Permitting Regulations and this will need to be applied for by UK Power Reserve. If a permit is granted then the plant will have to comply with conditions set by Defra with regard to emissions to air, including Sulphur Dioxide, oxides of nitrogen and total particulate matter.</p>	<ul style="list-style-type: none"> • The night but only infrequently during emergencies. If windows are open the generator noise levels within the bedrooms of the closest residential properties will be around 24-29 dBL_{Aeq} which is below the normal criteria of 30-35 dB L_{Aeq} for bedrooms. <p>The applicant has stipulated operational hours from 0700 – 2230 to give more flexibility for when the generators can be called upon without the need to necessitate approvals for the increase in hours. The conclusion above is based on these limited hours and it is possible that a different scenario may arise if use was more frequent. Accordingly, it is necessary limited use in night-time hours to the limited scope on which the assessment was carried out.</p> <p>It is not intended to run the generators over night as the demand will not exist. The purpose of the proposal is to support the National Grid when demand occurs which is typically in the morning and afternoon peak but overnight use in extreme circumstances can not be ruled out. The Environment Health Officer has no objection to an occasional night time use however a condition should be imposed to request a revised noise survey should there be an increase in night time use in order to prevent a statutory noise nuisance occurring. It has been suggested that the use should not exceed more than 8 operations; no longer than a continuous use of 2 hours, within any four month period. If the frequency of the night time use increases the noise assessment will have to be revisited as the comments have been issued based on the content of the application which proposes no evening operations unless in an emergency situation.</p> <p>Noted.</p>
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Representations:

A site notice was posted and neighbouring properties consulted. As a result 27 letters of representation has been received objecting to the proposal. Following the submission of a Noise Assessment a further round of consultation has been undertaken which received 1 response removing their objection.

Representation	Assessment of Head of Regulatory Services
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<p>Impact upon Residential Amenities - Noise:</p> <p>The noise of 20 large generators and diesel engines of this type running constantly could be extremely prominent particularly in residential areas with otherwise very low background noise levels.</p> <p>Object to the generators which will create noise especially in the evenings</p> <p>Object on the ground of noise and the level of use</p> <p>Object to being allowed to run up until 22.30 this is would cause noise issues in the evening contrary to them saying that they will not operate during the night.</p> <p>Given that wind farms do not generate enough power will the generators be in demand more in the future – this raises concerns in relation to noise issues.</p> <p>Object to the submitted Noise Assessment as it has not been conducted near to houses on Asfordby Hill</p> <p>Pollution and Air Control:</p> <p>Atmospheric pollution from the use of diesel will occur</p> <p>Impact on the countryside, local wildlife and protected species due to the noise and air pollution associated with the proposal</p>	<p>The hours of use applied for gives a time frame of 0700 – 22.30 with a maximum annual usage of 300 hours. This allows scope for when the generators may be called upon by the National Grid. The generators are not designed for continual use and would be too costly to run full time they are purely intend for standby generation only. It is anticipated the level of use would not exceed 200 hours per annum but with the decommissioning of the Coal fired power stations coupled with the lack of renewable energy proposal coming forward the demand may increase.</p> <p>The proposal is to support the National Grids Short-Term Operating Reserve programme to assist with meeting the energy demand. Should the use become more intensive than what has been applied for a fresh planning application would be required with a revised noise assessment.</p> <p>The noise assessment was carried out at residential properties closest to the site. This included Welby Grange and from the Stute Car Park to the south of properties along Welby Road within the boundary for Asfordby Hill.</p> <p>The Environment Health Officer has reviewed the submitted Noise Assessment and is satisfied that there will not be a loss of residential amenities resulting from excessive noise.</p> <p>Following consultation with the Environment Health Officer the applicant’s submitted further information to enable an assessment to be undertaken in regards to potential impacts upon Air Quality. No objection has been received. A permit under the Environmental Permitting Regulations may be required and UK Power will have to adhered to strict guidelines in order to operate. As this matter is covered under separate legislation it is not requiring consideration by the Local Planning Authority.</p>
<p>Health and Safety:</p> <p>The storage of over 50,000 litres of Diesel at this site will encourage criminal activity and could be an environmental risk if the tanks are ruptured by criminals trying to remove diesel</p> <p>How safe is the storage of diesel on site concerns regarding explosion.</p> <p>Concerns for safety of children at St Mary’s Primary School due to close proximity</p>	<p>Dangerous Substances and Explosive Atmospheres Regulations 2002 do not normally regard diesel fuel as a dangerous substance. This is because its flashpoint is fairly high and therefore not considered as a flammable substance. The flashpoint of diesel is much higher than the normal ambient temperatures experienced in Great Britain so the risk of explosion is considered to be minimal.</p> <p>Two sealed tankers are proposed and each will have a capacity to store 50,000 litres of diesel. Diesel is pumped underground to each generator once it is in operation. The fuel is then combusted in compression</p>

	<p>ignition engines which drive an alternator, generating electricity which is transported to the sub station. The site will be secured by a 3 metre high palisade perimeter fence and Asfordby Business Park has on site security which will deter any criminal activity on the site.</p>
<p>Other Issues:</p> <p>The Government is pushing for renewable energy and steering away from fossil fuel which is perceived as bad this proposal uses diesel generators which is not green.</p> <p>Diesel generation must be one of the least environmentally friendly generating options available to us as a country.</p> <p>Why is the development needed?</p> <p>It would appear that this is to support the Wind Farm proposal by Peel Energy.</p> <p>Fail to see how this particular application will benefit the local area. Once again, we are dealing with prospecting developers with no consideration for the impact/benefit to local residents</p> <p>Question the use of the word ‘temporary’ in the application as to the meaning of this</p> <p>If approved conditions should be imposed to restrict the hours of use so its not used in the evening.</p> <p>The idea this development will increase local employment is simply a ruse</p> <p>How does the proposal on a business site generate more employment?</p>	<p>The issues raised are not genuine planning matters for consideration with this proposal for 20 generators and ancillary buildings. However the purpose of the generators is to temporarily export electricity to the National Grid when demand occurs. Aging Coal fired power stations are to be decommissioned from 2011-2015 and in order to meet the supply and demand on the national grid a programme to provide balance to the Grid during unexpected periods of high demand is required. This type of development known as STOR’s – Short-Term Operating Reserves, will fill this gap until a permanent solution is found. They are not going to be used instead of renewable energy proposals but will have a supportive role in producing the UK energy.</p> <p>This application is not linked to the wind farm application and is not dependant on the wind farm gaining approval, or not. The location has been chosen due to there being a Central Networks sub station on the site which will allow easy connection to the Grid. The short distance for the connection ensures greater efficiency of transporting the power from the generators.</p> <p>The cost of running diesel generators is great and therefore not cost effective for the applicants to run long term hence seeking operating hours up to 300 hours per annum, allowing flexibility if conditioning the permitted amount of usage hours per annum however the predicted level of use at this time is considered to be no greater than 200 per annum.. There is an operational site at Trumfleet, Doncaster and within the past year it has been called upon 73 times with the average running time of 83 minutes totalling to 6000 minutes per annum this is less than the requested allowance of 300 hours per annum. It is recognised that when the Coal fired power stations are taken off line the demand may rise which is why the flexibility is requested.</p> <p>Whilst limited employment will be created by the construction and operating of the site it will provide improvements to the energy efficiency of the area and provide efficient energy transmission into the National Grid, supporting local amenities and areas of demand. The proposal will therefore provide additional support to the essential infrastructure network, thus reducing lost hours of work due to</p>

<p>Too much going on in the same area with the wind farm application and the bio waste site. House prices will fall as a result.</p> <p>The area is too industrial as it is without more development being shoved there.</p> <p>The cumulative impact should be addressed with other planning applications in the area.</p>	<p>electricity supply failure.</p> <p>The Council has no control over the timings of the submission for development proposals or the location for proposal; or indeed deter developers from submitting proposals. The council has a duty to consider each application on its own merits in accordance with the Local Plan and the policies contained within. The application to site generators; which fall within a B2 use, within an existing industrial area, accords with the plan policies and is therefore deemed acceptable.</p> <p>A screening opinion was carried out in accordance with the Environment Impact Assessment Regulations. Whilst the development was deemed to fall within schedule 2 due to creating more than 5 MW of energy the scale, size or location is acceptable and accordingly the development is not development requiring an Environment Statement. There are no committed proposals in the location which require a different view.</p>
<p>Highways:</p> <p>Traffic impact / inconvenience - concern about the increased volume of traffic on Horseguards Way.</p>	<p>The Highways Authority has not objected to the proposal. The business park is supported by a good highway network which will be utilised in the construction of the proposal. Once the proposal is operational it will be unmanned with weekly maintenance trips to the site. The delivery of diesel is expected to be between two or three tankers per month dependant on the amount of time the facility is called upon.</p> <p>It is considered that there will not be a material increase in traffic visiting the site due to the nature of the proposal.</p>
<p>Impact upon the character of the Area:</p> <p>Impact upon listed buildings in the vicinity</p> <p>Numerous footpaths and bridle ways are around the site and enjoyment of the peace and tranquillity of the area will be lost by the noise associated with the development.</p>	<p>Welby Church and Welby Grange farm are Listed Buildings that lie within the surrounding landscape. The generators and ancillary buildings will sit within the existing industrial park and will be screened by the existing large industrial buildings and the current landscaping for the area. The proposal will not be viewed from outside of the confines of the site. It is considered that the proposal will have no impact upon the historic environment.</p> <p>There are no public footpaths falling within the Asfordby Business Park. There are public footpaths to the north (G60), south (E14) and northwest (G63, H33) of the area outside of the confines of the business park. Due to the nature of the proposal, being used only when demand requires, and that there is sufficient distance separating them apart there will be no impact upon the users of the footpaths.</p>

<p>Impact on sporting / leisure facilities - Holwell Football Club, Holwell Fishing Club and the local hunts will all be impacted by the development.</p>	<p>It is not clear why the proposal will impact upon the sporting and leisure facilities. For reasons stated above the development is not considered to have any negative affects upon the surrounding area. There could be more benefits derived from the proposal, as should power failure occur there will be support in close proximity to assist in normal operation.</p>
<p>Public Consultation: Why were residents not notified of the proposal?</p>	<p>The application site lies within the confines of an existing large industrial estate. The immediate neighbours are therefore the business's adjacent the application site. The residential neighbours are beyond the confines of the Business Park some distance away and therefore do not fall within the scope of being notified by letter. In order to capture the wider community a notice was printed in the Melton Times and a site noticed placed on the site in accordance with the requirements of the Planning Act.</p>

Other considerations not raised through representation.

Representation	Assessment of Head of Regulatory Services
<p>Application of the Development Plan Policies:</p> <p>Policy OS2 provides a general presumption against development in the open countryside except for limited small scale employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside.</p> <p>Policy EM9 allows for further development within the confines of an existing industrial site outside of the town envelope providing the form, scale, design and construction materials of the development are appropriate to the surroundings and there would be no loss of amenities by virtue of noise, small, dust or the wider operational effects of the development amongst other criteria's</p>	<p>The proposal will sit within the confines of the Business Park and on a part of the site that is currently under used and constitutes waste land with hard standing available, in that regards the site is considered to be brownfield land. The construction of STOR on this site is acceptable in principle and is considered to not have any detrimental Environmental impacts. The site lies to the rear of large industrial buildings and there is will still be capacity for more industrial development on the site.</p> <p>It has been demonstrated that the noise associated with the running of the generators is acceptable it is also worthy to note that it is very unlikely that all 20 generators will operate all at once. The site is unmanned and an operator will bring on line the required no. of generators to for fill the shortfall in electricity demand. It is stated that it is typically 3 times a week for about an hour but this varies throughout the year, dependant on demand. The proposed development has the potential to provide backup electricity supplies to the Business Park and the industrial and employment facilities located there during times when there is a power cut on the local Central Networks electricity distribution network. This capability will enable local businesses to avoid any loss of productivity due to loss of supply. The very fact the additional security is installed will make the Business Park more attractive to those developers who require very</p>

	<p>secure electricity supplies such as, data storage and manufacturing.</p> <p>The proposal is considered to offer longer term benefits in supporting the Grid in a time when Coal fired power stations are being decommissioned and be in a position to provide power to business's and residents when required.</p>
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Conclusion

The proposal seeks permission for standby generators on the Asfordby Business Park to support Central Networks Short-Term Operating Reserve programme. The area consists of industrial uses away from residential properties and makes the location ideal for this type of development. There will be no detrimental impact upon the environment and the amenities of near by properties will not be affected by noise or smells. The proposal is considered to comply with the development plan policies OS2, BE1 and EM9 and accordingly is recommended for approval.

RECOMMENDATION: - Permit, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details
3. The start up of one or more of the generators after 22:00 hours shall not exceed 2 hours continuous use and be operated no more than 8 uses in any four month period. A register of the usage delivered shall be maintained and the records for the immediately preceding twelve months kept available for inspection at any reasonable time by the Local Planning Authority on request. The record of usage for the period requested shall be made available for inspection by the Local Planning Authority within three working days of receipt of the request from the Local Planning Authority.

Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To ensure a satisfactory standard of external appearance.
3. To protect the residential amenities of nearby properties as a more intensive night time use is not covered within the submitted Noise Assessment. Therefore the Local Planning Authority is unable to determine if a noise nuisance would occur and would require a revised Noise Assessment in order to demonstrate compliance with development plan policy BE1 and EM9.

Officer to contact: **Mrs Denise Knipe**

23rd June 2011