

Southmoor Lane, Havant Flexible Power Generation Site

Planning, Design and Access Statement

Conrad Energy (Developments) Ltd

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1.0 Introduction

1.1 This Planning, Design and Access Statement [the Statement] has been prepared by Lichfields on behalf of Conrad Energy (Developments) Ltd [Conrad Energy]. It accompanies an application for a flexible electricity generating facility consisting of containerised reciprocating gas engines and ancillary equipment.

1.2 The purpose of this Statement is to assist Havant Borough Council in its consideration of a full planning application for:

“Erection of a flexible power generation facility with associated ancillary infrastructure, access and boundary treatment”.

1.3 The flexible power generation plant installation is an essential facility in the provision of a secure and stable energy supply, designated to generate electricity at short notice to fill an ‘energy gap’ within the local electricity network. This will be most commonly required at times when renewable energy sources fail to generate sufficient electricity, or alternatively during short periods of exceptional demand for energy and also unplanned outages from other generators thereby providing security.

The Application Submission

1.4 The purpose of the Statement is to bring together the necessary information to appraise the development proposals against prevailing planning policy and other material considerations. It forms part of a suite of plans and documents to accompany a full planning application. These include:

- 1 Planning Application Form and Certificate B;
- 2 Covering Letter;
- 3 Site Location Plan;
- 4 Site Plan;
- 5 Existing and Proposed Application Drawings;
- 6 Air Quality Assessment;
- 7 Preliminary Ecological Appraisal;
- 8 Indicative Landscape Masterplan;
- 9 Noise Impact Assessment; and
- 10 Arboricultural Impact Assessment.

Report Structure

1.5 The Statement adopts the following format:

- **Section 2.0** explains the background to the application, including the important role that flexible power generation plant developments provide in supporting the UK’s energy network;
- **Section 3.0** provides a description of the application site, its surroundings, and the relevant planning history;
- **Section 4.0** describes the proposed development;
- **Section 5.0** sets out the design and access statement;

- **Section 6.0** sets out the planning policy context against which this application should be considered;
- **Section 7.0** appraises the proposals against this policy and other material considerations; and,
- **Section 8.0** summarises the key issues identified and draws overall conclusions.

2.0 Background to the Application

- 2.1 National Grid [NG], in its role as a Systems Operator, operates the electricity supply system. Part of its role is to ensure that electricity supply meets demand on a second by second basis every hour of every day. Much of the conventional power generation infrastructure provides a certainty of electricity supply and continuous baseload; however, with the changing energy mix, including an increasing reliance on variable wind and solar photovoltaic generation, a larger degree of the country's electricity generation capability is reliant on the prevailing weather which as a result is variable.
- 2.2 As the capacity of wind and solar power added to the supply system increased, there will be an increased reliance on demand response/back-up energy to balance demand, generated by facilities such as the proposed flexible power generation plant, is required. Traditional power stations are generally not designed to meet short term demand and fail to deliver the flexibility that is provided by the reserve power facilities. It is for these reasons that NG predicts a much greater dependence on sources of reserve power from smaller embedded generating units in the future which are able to respond within a matter of minutes, typically 2 - 7.
- 2.3 Also known as a 'peaking' plant, the role of flexible power generation plant installations is to generate electricity at short notice to fill in 'energy gap' within the local electricity network. Typically, this will be required at times when alternative methods of energy generation from renewable sources fail to generate sufficient electricity, or when there is a short period of exceptional demand for energy that cannot be met through traditional 'frontline' sources. In such cases, NG considers flexible power generation as the 'last line of defence' to prevent serious fluctuations and blackouts.
- 2.4 The flexible power generation plant will operate within the Capacity Market [CM]; established as part of the Government's Electricity Market Reform [EMR] package. This seeks to attract £110 billion of investment needed to replace and upgrade the UK's electricity infrastructure. The EMR was introduced by the Energy Act 2013 and adopted in June 2014. It is considered the 'biggest-ever' shake up of the UK's energy sector and is primarily designed to:
- Decarbonise electricity generation;
 - Keep the lights on; and,
 - Minimise the cost of electricity to consumers.
- 2.5 The National Infrastructure Commission [NIC] produced a report entitled 'Smart Power' (March 2016), examining how the market can better respond to the energy supply and demand needs of a modern Britain.
- 2.6 The central finding of the report is that the development of 'smart power', based around three principles: interconnection, storage and demand flexibility, is key to helping the country meet its carbon targets, save consumer's money, and secure the supply of energy for many decades to come.
- 2.7 This notion of 'smart power' presented in the NICs report, which is re-endorsed in NIC's National Infrastructure Assessment (July 2018), is particularly relevant to the development of flexible power generation plant power stations. The less centralised nature of the modern energy market and increasing reliance on renewable energy means that new ways to efficiently manage the network are required. Flexible power generation plants are ideal for facilitating this efficient delivery. The report states:
- "As we switch to a more intermittent and less flexible low carbon generation mix, demand for these services [fossil fuel plants or hydro power stations] is expected to multiply by up to ten*

times... while effective deployment of storage technologies can significantly reduce the need for generating capacity to meet peak demand, it is not the case, particularly in the near term, that storage will eliminate the need for flexible forms of electricity generation (including gas fired plants) entirely. In particular, it will be necessary to ensure that there is sufficient capacity to provide security of supply when there is little wind or sunshine for a prolonged period” (Pages 22 and 43).

- 2.8 In this context, it is clear that the ability to generate electricity at short-notice in response to local demand is more important than ever before; and flexible power generation plant developments have an important role to assist in meeting this need.
- 2.9 As electricity demand increases locally, for instance as a result of a short-term spike in demand for electricity from homes or commercial development, the network reaches the point where it needs to be reinforced. Building this flexible power generation facility in this location will help to avoid the need to over generate electricity elsewhere and deliver electricity close to the point of demand.
- 2.10 The proposed development therefore provides the dual benefit of helping NG balance electricity supply and demand nationally, while also supporting the distribution network locally.

Applicant

- 2.11 The Applicant is Conrad Energy (Developments) Limited. Conrad Energy is an independent power producer focused on highly flexible small-scale embedded peaking generation in the UK. Its purpose is to provide risk managed power generation in the UK power sector. They have a large portfolio of power plants located across the UK.
- 2.12 Conrad Energy is focused on two main sectors: gas ‘peaking’; and, energy storage. Gas peaking relates to the provision of small-scale gas-powered electricity generation plants that are distributed at key points around the DNO network and provide top up generation capacity during times of peak demand. Conrad Energy installs reciprocating gas engine plants generally up to a maximum of 25MW dependent on available grid capacity, generating at 11 kv.
- 2.13 Energy storage is an ever-emerging sector and one that has great potential to assist NG to balance the UK’s power network both in terms of generation and demand and frequency services. Conrad Energy aims to be one of the biggest participants in this sector in the UK, having already developed a portfolio of 300 MW and a further 300 MW of sites going through the development process.
- 2.14 Conrad Energy currently has 70MW of operating assets, with another 189 MW in construction and a current development pipeline of over 200 MW of gas peaking and battery storage projects. As an Independent Power Producer, Conrad Energy is one of the few companies managing all aspects of development, construction, operation and trading of its own assets.

Economic and Environmental Benefits of Flexible Power Generation Developments

- 2.15 Development such as these are increasingly required throughout the grid network and play an important and strategic role in supporting the growth of renewable energy generation by ensuring the UK’s national electricity supplies are operated and managed in a sustainable, long term manner.
- 2.16 The development of peaking plants brings about many benefits. This includes economic benefits as a result of contract and employment opportunities for local and regional contractors both directly, during construction, and indirectly through the supply chain. As well as saving

money by ensuring generated electricity is not 'wasted' as can be the case with more traditional power plants which cannot be quickly turned on and off.

- 2.17 The gas generators will be fuelled by low carbon natural gas which is considered to be very clean. Furthermore, the majority of sources of renewable energy are less reliable than traditional power plants. For example, when the sun doesn't shine it affects the quantum of electricity generated from solar farms. During these events, an alternative source of energy is required to balance supply and demand and peak power plants are ideal to meet this short-term demand. Other traditional power plants can't respond as quickly to short term energy shortages.

3.0 **Site Description and Planning History**

The Application Site

- 3.1 The site falls to the east of Southmoor Lane within the existing Broadmarsh Business and Employment area and north of the Budds Farm Sewage Works. It lies within the built-up area and forms part of the Havant Lorry Park.
- 3.2 The site will be accessed from the existing access off Southmoor Lane, through the site. Internal access tracks will be used to enable both construction and maintenance vehicles to manoeuvre throughout the site.
- 3.3 The site falls entirely within Flood Zone 1 and Budds Farm Sewage Works to the south of the site benefits from flood defences. There are no heritage assets within close proximity of the site.

Planning History and Pre-Application Advice

- 3.4 Historic planning applications on and adjacent to this site are associated with the Havant Lorry Park development.
- 3.5 Pre-application feedback was received on 20th January 2020. This confirmed the following:
1. Accepted the proposed use (which would support the function of the employment area), subject to minimising any impacts on the operation of the existing lorry park;
 2. Noted that it would be helpful if any application at the site were accompanied by information on whether the proposals would impact on the functional requirements of the lorry park;
 3. Required that the line of trees to Southmoor Lane be maintained;
 4. No in principle objections to the proposals from the Highway Authority, Southern Water and Environmental Control;
 5. Raised no overriding concerns in relation to ecological matters, subject to the preparation and submission of an ecological assessment;
 6. Suggested that any application submitted at the site should detail how the development would complement renewable energy sources and the need to address periods of lower renewable generation and continuity of supply; and
 7. Recommended any application at the site be accompanied by an arboricultural assessment and noise assessment.
- 3.6 In direct response to the feedback received:
1. Paras. 7.1-7.9 of this Statement demonstrate that the proposals will have minimal impacts on the operation of the existing lorry park;
 2. The submitted landscape masterplan shows the existing trees to be retained along Southmoor Lane, as well as the proposed native trees and species rich native hedgerow shrubs that will strengthen the existing boundary;
 3. This application submission is accompanied by a Preliminary Ecological Appraisal which demonstrates that the proposals will not result in any adverse ecological impacts;
 4. Section 2 of this Statement explains how the proposals complement renewable energy sources; and

5. Arboricultural and noise assessments have both been submitted with this application and address the comments made re. each discipline in the pre-application feedback.

4.0 **Proposed Development**

Introduction

4.1 The enclosed application is for full planning permission for the following development:

4.2 *“Construction of a small-scale electricity generating facility with associated ancillary infrastructure, access and boundary treatment”.*

Flexible Power Generating Facility

4.3 The flexible power generation plant would provide a short-term reserve power supply to the local electricity grid. It would run for short periods of time to meet demand, typically with long period between operating times.

4.4 The proposed development is for the construction of up to two gas reciprocating engines and ancillary plant. The application site lies within the existing Havant Lorry Park.

4.5 The following will be provided on site:

- Up to two containerised gas-fuelled power units (with a finished height of circa 4.5m and anticipated stack height of 7m);
- Gas kiosk;
- DNO building;
- HV client building;
- Aux transformer;
- Oil tanks (clean and waste oil);
- Welfare/ amenity unit;
- CCTV and lighting;
- Landscaping; and,
- A 2.5m high fence surrounding the site with a pedestrian and a vehicular gate.

Access and Security

4.6 The proposals will be accessed from the existing access of Southmoor Lane via secured gates, through to the site.

4.7 A secure pedestrian gate is proposed at the southern end of the site.

4.8 CCTV is proposed to be situated at both the south east and north west corners of the site. The welfare/amenity unit will also offer natural surveillance.

Flood Risk and Drainage

4.9 The site falls entirely within Flood Zone 1. Budds Farm Sewage Works to the south of the site benefits from flood defences.

4.10 Proposals will utilise existing drainage systems.

Landscape

- 4.11 An indicative landscape masterplan is submitted with this application.
- 4.12 The proposals require the loss of 16 trees including 4 B category trees and 12 C category trees. In addition, the following tree groups will be removed: G4 Group consisting of 5 Acer pseudoplatanus.
- 4.13 The indicative landscape masterplan shows the existing trees and vegetation that will be retained and strengthened along Southmoor Lane, as well as the proposed species rich native hedgerows.

Ground Conditions

- 4.14 The proposed use comprises a reasonably small footprint and represents a use which does not present a materially different/ elevated risk relative to the existing sui-generis use as a source of contamination.

Lighting

- 4.15 Lights will be situated on the CCTV poles and outside the amenity cabins, all facing inwards to the site and only used when needed.
- 4.16 The proposed floodlighting has a slim profile and clean black finish making them as unobtrusive as possible.
- 4.17 The lighting is also on PIR sensors as bulkhead lights on the cabins and will face inwards, only to be used when needed.

Construction and Employment

- 4.18 Jobs will be created throughout the construction process. During operation, the plant will be remotely controlled and will not require full-time employment for its operation. That said, it should be noted that the success of projects such as the site support the sustainability of the company's employment in various strands of the business:
- Development of new projects such as this supports a team of 12 full time members of staff across all projects;
 - Conrad employs a range of back office staff like any business of their size to assist day to day running;
 - Conrad conservatively estimates that around 6800 hours of external resource is required to construct a project like the site which is equivalent to a full time job for one person for 3.2 years;
 - Conrad adopts a multi-contract approach so contracts with a generator supplier, a gas connection contract (UIP), a grid connection contractor (ICP), the local utility (in this case WPD) and a balance of plant contractor for civils and electrical works. There are also commissioning engineers and a range of smaller contractors for smaller tasks. Some specialist contractors will inevitably not be local based but other contractors are, such as concrete suppliers;
 - Engineers are recruited regionally to ensure visits can be conducted efficiently and at short notice. All operational team members are home based;
 - The operational staff include a number of key roles but predominantly cover onsite maintenance, servicing and safety checks with routine visits usually at least every 2 days.

The operations team currently manage 7 sites and is comprised of 15 members of staff which is 2.14 members of staff per site ratio. Safe working is Conrad's first priority so a range of maintenance and servicing work require a minimum of 2 staff to be present. In addition specialist contractors are employed during operations to maintain the sites, this can range from oil removal/replenishment, grounds maintenance and controls system engineers;

- As new sites become operational, the company is expanding the operational department by employing more staff; and
- Conrad Energy trades the electricity generated from its sites via its Asset Optimisation Desk (based in its head office in Abingdon). This supports 8 full time members of staff.

4.19 Overall, Conrad believe that 2 full time jobs is a conservative estimate of the equivalent jobs created by the project.

5.0 **Design and Access Assessment**

Introduction

- 5.1 This chapter sets out the design principles that have been applied in developing the flexible power generation proposal, having regard to operational requirements, and the design response to the site characteristics and its wider setting.

Use and Amount

- 5.2 The proposed use will support the function of the wider employment area and is for a flexible gas-fired generating plant.
- 5.3 The application site encompasses an area capable of accommodating the flexible power generation plant, ancillary equipment and installations. The Site Layout and Elevations Plans provides details on the layout of the proposed development.
- 5.4 In addition, the development will comprise oil tanks, aux transformer, DNO building, gas kiosk, welfare/ amenity unit and HV client building.

Design and Layout

- 5.5 The proposed development has been designed to assimilate with the surrounding employment and commercial development whilst also offering a functional and high-quality scheme that will satisfy Conrad's requirements.
- 5.6 The layout of the site has been designed to accommodate the necessary built elements to achieve efficiency in operation and to make the best use of the existing units. The design is compatible with the existing lorry park and its layout which forms a predominantly linear shape situated behind a landscape barrier helps to soften its appearance.
- 5.7 The stacks associated with the generators are required for the controlled release of emissions produced by the operations. These will be a maximum overall height of 7 m. The proposed engines will be gas fired, with a mains supply. No gas will be stored on the site.
- 5.8 The site will also be enclosed by a 2.5 m palisade fencing and will be accessed by controlled gates. CCTV is proposed for the site for additional security at each end of the site.

Scale

- 5.9 Each of the two units housing the engines will be 3.7m in width x 12.2m in length. The maximum height of the generator including the stack is 7m. The stack height is the optimum design solution ensuring the exhaust emissions are suitably dispersed, to minimise effects on local air quality.
- 5.10 Additional plant on the site will be limited to the following heights which will be enclosed by a 2.5 m perimeter fence:
- Oil tanks – 1.3m;
 - Aux transformer – 1.8m;
 - DNO building – 2.3m;
 - Gas kiosk – 2.4m;
 - Welfare/ amenity unit – 2.6m; and,

- HV client – 3.3 m.

5.11 The scale of the various flexible power generation plant's components reflects the operational and process requirements of the facility. The majority of these elements (other than the generator stacks) will be largely screened behind the perimeter fencing.

Appearance

5.12 The use of materials and the colour palette proposed for the buildings and external plant has been sought to integrate the development with the local context where possible, noting that the design has to meet the functional requirements of the operator.

5.13 The main generators are to be holly green in colour so as to assimilate with the proposed landscaping. The proposed stacks will be galvanised steel tubes. The proposed gas kiosk, DNO, HV client will also be holly green in colour. The oil tanks will be red and the auxiliary transformer grey.

5.14 The palisade security fencing will be galvanised finished in grey.

Landscaping

5.15 The proposed development site has been left unmanaged for some time. The proposed development offers the opportunity to regenerate the visual amenity value of the site through structured tree planting and appropriate landscape enhancements.

5.16 Best practice guidance has been followed to identify the key trees for arboricultural and landscape value, the majority of the trees to be removed are of low or poor quality and of limited public value.

5.17 The submitted Indicative Landscape Masterplan shows the existing trees and vegetation that will be retained and strengthened along Southmoor Lane, as well as the proposed species rich native hedgerows.

5.18 The height and density of the existing trees and understorey vegetation that will be retained will act to filter views and soften the effects of the proposals from Southmoor Lane and other vantage points to the east. It will also maintain the ecological connection corridor with the established habitat network to the west of the site and provide nature conservation and biodiversity benefits.

Access

5.19 The proposals will be accessed from the existing access of Southmoor Lane. This leads straight to the wider highway network. A pedestrian gate is provided to the south of the site.

6.0 **Planning Policy Context**

Introduction

- 6.1 This section of the Statement details the planning policy context for the application, describing the Development Plan policies relevant to the consideration of the proposal, as well as providing an account of the prevailing national policy guidance and other documents that represent appropriate material considerations.
- 6.2 This policy ‘framework’ is used as a basis for identifying a range of key planning policy considerations across the various policy documents against which this application should be assessed, to enable robust conclusions to be drawn on its appropriateness.

Statutory Development Plan

- 6.3 Section 70(2) of the 1990 Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Statutory Development Plan, unless material considerations indicate otherwise.
- 6.4 The Statutory Development Plan relevant to the assessment of this application comprises the adopted local plan which is made up of the Havant Borough Core Strategy (CS, 2011) and the Site Allocations Plan (SAP, 2014).

Material Considerations

- 6.5 The following planning policy documents are considered relevant to the determination of this application
- 1 The National Planning Policy Framework [the Framework] (Ministry of Housing, Communities and Local Government; February 2019);
 - 2 Planning Practice Guidance [PPG] (CLG);
 - 3 Overarching National Policy Statement for Energy EN1 [NPS] (Department of Energy and Climate Change; 2012); and,
 - 4 Smart Power (National Infrastructure Commission; March 2016).

Emerging Local Plan

- 6.6 The production of the Havant Borough Local Plan (HBLP) has been underway since 2016.
- 6.7 There are a number of changes that have arisen from responses received during the consultation and the ongoing issue of the Council’s desire to promote nutrient neutrality. Overall, the proposed changes to the local plan are likely to be significant enough to justify further consultation.
- 6.8 These changes were considered and agreed by the Cabinet on 1 July and are to be considered by the Full Council in due course.

Commentary on Policy

- 6.9 From a review of the site and its surrounding context; the nature of the development proposals; and the planning policy and material considerations established within the above documents, the key planning issues arising from the proposed development are considered to comprise the following:
- Demand and Necessity for flexible power generation plant development;

- Principle of Development;
- Energy;
- Impact upon the character and appearance of the area;
- Ecological Impacts;
- Trees;
- Access/ servicing;
- Noise; and
- Air quality.

6.10 Each of these topics is assessed in turn in the next section of the Statement, with specific reference made to relevant planning policy guidance.

7.0 Planning Appraisal

Demand and Necessity for flexible power generation plant development

- 7.1 Fossil fuel power stations continue to play an important role in providing a back-up source of energy to variable renewable alternatives; contributing to the UK's energy mix and security of supply; and, supporting the transition to low carbon electricity generation.
- 7.2 The Government's position on energy generation is established within NPS EN-1, and this is considered to represent a material consideration in the assessment of this application. Relevant extracts from the NPS confirming support for this type of development include:
- *Fossil fuel power stations play a vital role in providing reliable electricity supplies: they can be operated flexibly in response to changes in supply and demand, and provide diversity in our energy mix. They will continue to play an important role in our energy mix as the UK makes the transition to a low carbon economy" (Paragraph 3.6.1);*
 - *"Some of the new conventional generating capacity needed is likely to come from new fossil fuel generating capacity in order to maintain security of supply, and to provide flexible back-up for intermittent renewable energy from wind" (Paragraph 3.6.3);*
 - *"A number of fossil fuel generating stations will have to close by the end of 2015. Although this capacity may be replaced by new nuclear development and renewable generating capacity in due course, it is clear that there must be some fossil fuel generating capacity to provide back-up for when generating capacity is low and to help with the transition to low carbon electricity generation" (Paragraph 3.6.8); and*
 - *"Although our reliance on fossil fuels will fall, the transition will take some time, and gas will continue to play an important part of the UK's fuel mix for many years to come" (Paragraph 3.8.1).*
- 7.3 The Framework is equally supportive, establishing as a core principle that the planning system should support the transition to a low carbon future in a changing climate, and encourage the use of renewable energy and associated infrastructure (§148). The flexible power generation plant's role in facilitating energy generated by renewable sources is key in effectively and successfully implementing this transition.
- 7.4 The need for embedded flexible generation was highlighted by a power failure in England on the 9 August 2019, when a lightning strike caused the loss of an offshore wind farm and a power station resulting in disruption on the electricity network. Whilst some areas did lose power altogether, National Grid ESO utilised embedded generation, such as the one proposed at Southmoor Lane, to generate power and support the local grid network.
- 7.5 This demonstrates the need for the flexible generation site at Southmoor Lane as an essential infrastructure project which not only helps the transition to further renewables being integrated onto the grid network but provides resilience and security to help manage wider network challenges.
- 7.6 National Grid's Future Energy Scenarios report in section 5.2 highlights that plant such as gas fuelled generators will increasingly be relied upon to provide flexibility and grid network services. This is best suited to small generation sites, which can respond rapidly. It goes on to state:

“Supply and demand of electricity on a network must remain in balance on a second by second basis to keep networks stable. We define flexibility as the ability to easily and quickly respond to changing market conditions. From a supply perspective, this could mean a generator rapidly increasing output to ensure demand is met in a period of low wind or no sun, for example”.

- 7.7 Gas generators in the future energy mix are likely to be small-scale, distribution connected plant which run when renewable output is low. For the foreseeable future, they will be able to provide longer duration capacity than battery energy storage plant, if required to during times of peak electricity demand.
- 7.8 Flexible power generation plants also contribute to the security of the UK’s electricity supplies. Given that there is a move towards reducing the existing electricity generation fleet in the UK by a quarter, and approximately 10GW of nuclear generating capacity is expected to close over the next 20 years, flexible power generation plants have an important role as providing greater resilience to the national energy network.
- 7.9 At a local level, the Council acknowledge that *“renewable energy technology is a rapidly developing market where new products and improved efficiency and reliability are continuously emerging, together with changing public perceptions. Technologies that are currently not considered viable, or are only emerging such as tidal power, biomass, energy and heat from waste and ground source heat will become more viable. The use of renewable technologies will have an increasing role to play in energy production in the borough over the plan period”* (CS, para. 7.29).
- 7.10 Whilst the flexible power generation proposal itself does not constitute a source of renewable energy generation its purpose is to facilitate the growth in energy generation from renewable energy sources elsewhere.
- 7.11 The above national and local planning policy context establishes a clear need and strong in-principle support for flexible power generation development. It is clear that there remains an ongoing dependence on sources of reserve power from gas-powered generation units and that such a reserve power generation is essential if renewable energy technologies and decentralised sources of electricity are to provide a greater proportion of energy supply. This creates a positive policy context for the consideration of this application proposal.
- 7.12 Furthermore, with transmission losses associated with the ‘transport’ of electricity, the closer the flexible power generation plant’s location to the source of demand, the more efficient and effective its contribution will be to satisfying local demand. This is particularly important in this area of Havant as economic investment and growth in the area continues.
- 7.13 Conrad Energy has advised that for the development of the flexible power generation plant to be operationally viable and fulfil its primary function, it is necessary to locate it within relatively close distance of a large gas main and 11kV electricity substation. Extending this distance incurs considerable additional costs to the project and of course increases the risk of conflicting ownership issues. The use of a large gas main is necessary because there must be no instability in the gas network system. Similarly, the 11KV cable network is suitable for the transfer of high voltage electricity to the energy network. As such, the site is chosen as it is proximal to both gas supply and a substation to connect to the national grid, with minimal site constraints on site to allow the development.
- 7.14 Furthermore, the local DNO, SSE, are currently seeking flexible generation sites in this area and issued a tender for generators early in 2020 to connect into the local electricity network. These

schemes provide resiliency to the local DNO and gives them the ability to call on generators to support the network at times of need or when there are planned or unplanned outages.

Principle of Development

- 7.15 The lorry park is a sui-generis use and is not therefore strictly safeguarded by CS policies CS2 and DM2 which prioritise the use of previously developed land for new employment space and seek to safeguard existing employment sites from development proposals for non-employment uses, respectively.
- 7.16 Moreover, the site forms part of the Broadmarsh established employment area as proposed to be defined by the emerging HBLP Policy C1. The emerging policy recognises there are other employment generating uses which support employment, including uses which do not fall within a particular use class.
- 7.17 Para. 7.11 of the supporting text states that other uses will be supported provided they remain of a scale which is subservient to the main function of the employment area and do not have a significant adverse effect on the operation of adjoining and nearby commercial occupiers. The applicant has consulted on this matter in detail with the operator of the lorry park. The proposals have been specifically designed so that they are narrow at the top to facilitate access with HGVs whilst leaving the remainder of the site available for parking.
- 7.18 Moreover, the proposed development will be located on a small part of the existing lorry park on unused and redundant land and be situated within an area that imports large amounts of electricity during periods of peak demand.
- 7.19 Overall, the proposal will further diversification and income stream and support the function of the employment area.

Energy

- 7.20 The role of flexible power generating plants in meeting the UK's energy requirements was recognised recently by an Inspector in an appeal decision at Minehead in Somerset West and Taunton Council. This appeal considered proposals for a standby gas generator and carbon emissions as the proposals would rely on fossil fuel to generate electricity. In particular the Inspector noted that *"evidence provided demonstrates the particular advantages of a gas powered system, and the role that it plays in securing supply when generation from renewable generating sources is low and supporting the transition to low carbon electricity generation. It is understood that natural gas will continue to be required as a crucial part of the energy supply until at least 2050."*
- 7.21 The Inspector also noted that the proposals would assist in the transition to low carbon electricity generation by providing backup at times when renewable energy generation is low. This appeal decision has been included in full at Appendix 1.
- 7.22 The Council's support of energy generation from renewable sources is set out at CS14.2, CS19.1 and CS19.8.

Impact upon the character and appearance of the area

- 7.23 Both the adopted and emerging local plan require high quality of design in all development under policies CS16 and HBLP E1.
- 7.24 The proposed development has been specifically designed to minimise impacts upon the character and appearance of the area. The proposed structures will largely be holly green in colour so as to avoid any determinantal impacts on the landscape character.

7.25 Moreover, the height and density of the existing tress and understorey vegetation that will be retained will act to filter views and soften the effects of the proposals from Southmoor Lane and other vantage points to the east.

7.26 Overall, the proposals have been designed to assimilate with the surrounding employment and commercial development whilst also offering a functional and high-quality scheme that will satisfy Conrad's requirements.

Ecological Impacts

7.27 A Preliminary Ecological Appraisal, including an extended phase 1 habitat assessment and bat scoping assessment is submitted as part of this application.

7.28 The appraisal concludes that the proposed development will not result in the loss of significant habitats of ecological value, although includes a number of recommendations to follow to minimise the risk of impact on habitats of ecological value and protected and notable species.

7.29 The recommendations include:

- Taking care when removing the storage containers from the site to avoid harm to wildlife sheltering under them;
- Care to be taken when removing brash to avoid harm to hedgehogs which may be present; and
- Removing vegetation suitable for nesting birds during the nesting season if they have been checked by an ecologist and no nests were present.

7.30 In accordance with the NPPF, recommendations are also included to enhance the site for local biodiversity, including: installation of bird boxes; bat boxes; hedgehog boxes; invertebrate boxes, as well as tree and shrub planting plus log or stone piles.

7.31 Overall, the proposals comply with national policy and relevant development plan policy, including CS11, CS13, CS16 and DM23.

Trees

7.32 An Arboricultural Impact Assessment, prepared by Tim Moya Associates, is submitted with this application.

7.33 It concludes that the proposed development will have an impact on the arboricultural features of the site but these can be mitigated through planting.

7.34 The submitted Indicative Landscape Masterplan shows the existing trees and vegetation that will be retained and strengthened along Southmoor Lane, as well as the proposed species rich native hedgerows. Together these will: strengthen the existing boundary; maintain the ecological potential and screening qualities of the proposals; and offer nature conservation benefits.

7.35 Overall, the proposed development satisfies CS11 and DM8.

Access/servicing

7.36 The proposed development would be accessed from the existing access off Southmoor Lane and internal access tracks. The County Highways Officer confirmed acceptance of this arrangement in the pre-application feedback (pg.3):

“Post construction the proposal is only likely to generate minimal traffic movements. I therefore confirm the Highway Authority have no objection to this proposal”

7.37 Overall, it is considered that the proposed access/ servicing is acceptable in planning terms.

Noise

7.38 The submitted Noise Impact Assessment, prepared by Nova Acoustics, assess the potential increase in noise levels as a result of the proposals on the surrounding noise sensitive receptors.

7.39 The assessment concludes that the noise emissions from the proposed site fall within the assessed criteria and as such no mitigation is required.

7.40 Overall, the proposals comply with the NPPF and development plan policy, specifically CS DM 10 and 12.

Air Quality

7.41 Air quality has been fully considered in the proposal and an Air Quality Statement, prepared by Redmore Environmental, has been submitted as part of the application. In doing so, due regard has been had to national and local guidance and CS DM10 and DM12.

7.42 In summary, it concluded:

- Predicted concentrations of all pollutants were below the relevant EQSs at all locations of human exposure for all meteorological data sets modelled;
- Impacts on annual mean No₂ concentrations were predicted to be negligible at all receptors; and
- There were no predicted 1 hour mean EQ exceedances at any location.

7.43 Consequently, overall impacts are considered to be not significant. Impacts at relevant ecological sites were also predicted to be not significant at all identified designations.

7.44 On the basis of the above, the proposals are acceptable in air quality terms.

8.0 Summary and Conclusions

- 8.1 The proposal has been put forward to help to ensure that as the country transitions to a greater percentage of its energy production being produced from renewable energy sources, there are adequate back-up facilities to cater for periods when demand exceeds that produced by renewables, or where weather conditions are such that renewable sources of energy cannot meet demand. Part the need for these facilities arises from the Country rapidly moving away from highly polluting coal fired power stations. The rate of loss of the energy produced by coal is not currently being replaced by the production of enough energy from renewable or other energy sources.
- 8.2 The proposed flexible power generation facility will perform a vital role in ensuring a resiliency in local electricity supply during times where renewable energy sources alone cannot meet demand or where there is a 'spike' in demand in the national grid.
- 8.3 The Government recognises the importance of these types of energy power plants in providing reliable electricity supplies that can be operated flexibly to meet changes in supply and demand. They are seen as playing an integral role in supporting the UK's energy mix and the transition to a low carbon economy, and as the 'last line of defence' in preventing serious fluctuations and blackouts. The proposal would therefore meet a recognised national need for this type of development.
- 8.4 At the local level, the area is going to experience a further growth in development in the coming years. This will require investment in infrastructure to support new development and also meet the demands arising from Havant. Locating the flexible power generation facility nearby where the energy is used is essential to avoid inefficient transmission losses and provide a responsive, reliable supply.
- 8.5 The proposed site would enable connections to a suitable local distribution network both in terms of a gas main of a standard where there is no instability in the gas network and a cable network that can transfer high voltage electricity to the electricity network. The site therefore represents an appropriate location for the flexible power generation facility, given the prevailing operational requirements of the facility.
- 8.6 In addition to the clear need for these types of development and the clear benefits offered by the site optimising the efficient operation of local electricity network, the proposal would:
- 1 Provide a form of development in design terms that is in keeping with the prevailing commercial and industrial character of the area;
 - 2 Avoid any material adverse effects in respect of air quality, noise or access; and,
 - 3 Enhance the visual and ecological value of the site and therefore have a positive impact on the character of the local area in the future.
- 8.7 The proposals also address each of the points raised in the pre-application feedback which accepted the proposed use in principle subject to the provision of additional information. All information requested has been submitted with this application.
- 8.8 Overall, it is concluded that the flexible power generation facility will deliver on national and local energy objectives, to the benefit of the local community and future development growth in Havant, and planning permission should be granted.

Appendix 1 Appeal Decision

Appeal Decision

Site visit made on 13 July 2020

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 14 July 2020

Appeal Ref: APP/W3330/W/20/3251284

**Land at Minehead Major Employment Site (Manor Employment Site),
Minehead TA24 5BY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Colombi of Conrad Energy (Developments) Limited against the decision of Somerset West and Taunton Council.
 - The application Ref 3/21/19/099, dated 27 November 2019, was refused by notice dated 25 March 2020.
 - The development proposed is standby gas generator plant and associated infrastructure.
-

Decision

1. The appeal is allowed and planning permission is granted for standby gas generator plant and associated infrastructure at Land at Minehead Major Employment Site (Manor Employment Site), Minehead TA24 5BY in accordance with the terms of the application, Ref 3/21/19/099, dated 27 November 2019, subject to conditions set out in the attached Schedule.

Preliminary Matters

2. On 1 April 2019 West Somerset Council merged with Taunton Deane Borough Council to become Somerset West and Taunton Council. The development plans for the merged local planning authority remain in place for the former area of West Somerset Council until such a time as they are revoked or replaced. It is therefore necessary to determine this appeal with reference to policies set out in the plans produced by the now dissolved West Somerset Council.
3. I have added a postcode to the site address in the interests of providing the fullest address possible.

Main Issues

4. Whether or not the proposed development would be acceptable in principle, with particular regard to local planning policies relating to the allocation for the site, and carbon emissions.

Reasons

Local plan allocation

5. Although the appeal site is part of an undeveloped parcel of land it is located within an existing industrial area, adjacent to existing commercial and

industrial uses. It forms part of the employment allocation at Manor Employment Site, with reference to Policy EC2 of the West Somerset Local Plan to 2032 adopted 2016 (WSLP). The Policy states that within the site there will be a general presumption in favour of uses in the B1, B2 and B8 use classes. Although the appellant originally took the view that the proposal was in a use class of its own, it is now suggested that it should be considered to fall within the B use classes. Evidence submitted demonstrates a range of very similar development types that are within the B use classes. These energy generating uses are so very similar to the appeal proposal that I consider it reasonable to accept that the appeal proposal is within the B use classes for the purposes of Policy EC2.

6. As set out in the Policy title, the Policy has a clear aim to generate employment at the site. Evidence before me suggests that the proposal would generate very little employment. However, I have established that the use would be compliant with Policy EC2. Furthermore, the proposed use would appear to be entirely compatible with existing uses surrounding the site and would be distant from sensitive receptors. It would also occupy a small part of the vacant site, potentially stimulating the development of the remaining area of the site through the provision of a new 11,000 volt electricity connection and medium pressure gas connection.
7. Notwithstanding this, even if I were to take the view that the proposal is in a use class of its own, the Policy makes allowances for other uses where it can be demonstrated that they would make a positive contribution to the overall vitality and viability of the local economy. Evidence submitted refers to the potential for the proposal to prevent a lights out scenario in the area, whereby the demand for electricity exceeds available supply. I am therefore satisfied that the proposal would support the overall vitality and viability of the local economy by ensuring that a sufficient and reliable supply of electricity is available.
8. In summary, the proposal would be acceptable in principle with regard to Policy EC2 of the WSLP, which sets out a general presumption in favour of uses in the B uses classes at the site, and the acceptability of other uses which make a positive contribution to the vitality and viability of the local economy.

Carbon Emissions

9. Policy CC1 of the WSLP states that energy generating proposals will be supported where they satisfy certain criteria. The proposal would not harm the local natural or historic environment. It would be distant from sensitive residential receptors. Evidence provided demonstrates that noise impacts on the closest residential receptor would be acceptable. The proposal would not have any negative social or cultural impacts. The economic benefits are clear in terms of securing a sufficient and reliable source of electricity, and potentially stimulating the development of the rest of the vacant site.
10. In terms of its environmental impact, the proposal would rely on fossil fuel to generate electricity. This would result in an increase in carbon emissions. Evidence provided demonstrates the level of local need, whereby the Local Distribution Network Operator, Western Power Distribution, needs to rely on flexible assets such as the proposal to meet electricity demand.

11. Although a battery storage facility would not rely on fossil fuels it has limitations as it can only provide power for a limited period, and once batteries have been emptied, they can not be recharged until the incoming supply has stabilised. The Council is concerned that allowing the proposal would perpetuate a cycle in which alternative flexible assets which produce less carbon would remain financially unviable. However, evidence provided demonstrates the particular advantages of a gas powered system, and the role that it plays in securing supply when generation from renewable generating sources is low, and supporting the transition to low carbon electricity generation. It is understood that natural gas will continue to be required as a crucial part of the energy supply until at least 2050.
12. The proposal would be used intermittently when demand dictates, and the appellant has suggested that a condition limiting hours of use would be acceptable. Evidence suggests that by operating up to 2500 hours per year the proposal would be significantly below the threshold for a low emission installation.
13. Policy SD1 is an overarching Policy that sets out a presumption in favour of sustainable development. It links to the objectives of the planning system to achieve sustainable development set out in the National Planning Policy Framework¹ (the Framework). The Council is not satisfied that a proposal that relies on fossil fuel for energy generation can be considered sustainable, however overarching objectives set out in the Framework are broad. The economic objective would be satisfied as the proposal would help to secure a sufficient and reliable source of electricity to support the local economy, which would also satisfy the social objective by providing secure employment and housing that is not subject to power outages. In terms of the environmental objective set out in the Framework, the proposal would not cause harm to the natural, built or historic environment but would make an effective use of a long term vacant industrial site. Furthermore, the proposal would assist in the transition to low carbon electricity generation by providing backup at times when renewable energy generation is low.
14. In summary the proposal would be acceptable in principle with regard to Policies CC1 and SD1 of the WSLP, which set out the Council's approach to non-wind energy generating schemes and its presumption in favour of sustainable development.

Other Matters

15. The site is located within Flood Zone 3. A site specific Flood Risk Assessment (FRA) is before me, which shows that the risks would be very low. The Council is satisfied that the sequential test is met and I see no reason to disagree. In accordance with the recommendations of the Environment Agency I have added the mitigation measures within the FRA to the approved plan condition.

Conditions

16. I have had regard to the planning conditions that are included within the Council's submission, which are also suggested in the appellant's final comments. I have considered them against the tests in the National Planning Policy Framework and the advice in the Planning Practice Guidance.

¹ National Planning Policy Framework 2019 para 8

17. I have imposed a condition specifying the approved plans as this provides certainty.
18. I have not imposed part a of the suggested noise condition as the submitted noise assessment report suggests that the proposal would give rise to a rating noise level that is equal to the measured background sound level of the closest residential receptor of the site during the daytime. This part of the condition is therefore not necessary. I have imposed parts b and c of the suggested condition to restrict night time operations and ensure that actual operational noise levels are acceptable, to safeguard the living conditions of the closest residential receptor.
19. Although not suggested by the Council, with reference to the appellant's statement I have imposed a condition to limit operation to 2500 hours within a 12 month period. This is in accordance with the back up nature of the proposal and would limit carbon emissions.
20. I have imposed a condition relating to external lighting to ensure that any lighting installed at the site does not harm the potential for the site to serve as a foraging route for bats, and a condition to ensure that nesting birds are not disturbed during construction works. I have also imposed a condition to ensure that any vegetation clearance at the site does not harm nesting birds, reptiles or badgers. This needs to be a pre-commencement condition to ensure that vegetation clearance is carefully managed before the permission is commenced.
21. I have not imposed the suggested condition relating to invasive non-native species found at the site. I am not satisfied that this is necessary as it would only serve to rectify an existing problem at the site which was not created and would not be exacerbated by the proposal.

Conclusion

22. For the reasons above, the appeal is allowed.

Andrew Tucker

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development shall be carried out in strict accordance with the following submitted plans: MHD-PB-01 Rev A Site Location Plan, MHD-ESP-01 Rev A Existing Site Plan, MHD-PSP02 Rev A Planning Layout, MHD-EP-01 Rev A Elevation View (Planning), and the mitigation measures detailed within the Flood Risk Assessment by Clive Onions dated 27 November 2019 V1.
- 3) Once operational the development shall not operate for more than 2500 hours in any 12 month period.
- 4) Once operational the development shall not operate during the night-time (23:00 – 07:00) for more than 20 hours in any 12 month period.
- 5) An acoustic commissioning test and report detailing the audio impacts of the operation of the site shall be submitted to the local planning authority within three months of the full commissioning of the site. Once agreed in writing by the local planning authority, any changes or mitigation required shall be fully adhered to by the site operators.
- 6) Before any external lighting is installed at the site details of such lighting shall be submitted to and approved in writing by the local planning authority. Details shall show how and where external lighting will be installed (including through the provision of technical specifications) and that it has been designed to reduce impacts to bats utilising the area for foraging purposes. All external lighting shall be installed in accordance with the specifications and locations set out in the submitted details, and these shall be maintained thereafter in accordance with the submitted details.
- 7) No removal of hedgerows, trees or shrubs shall take place between 1 March and 31 August inclusive, unless an ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation to the local planning authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds at the site.
- 8) Prior to the commencement of ground works any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand. Brushings and cuttings should be removed and the remainder left for a minimum period of 48 hours in fine warm weather (limited rain and wind, with temperatures of 10 degrees centigrade or above) before clearing to minimise the risk of harming or killing any reptiles that may be present and to encourage their movement onto adjoining land. This work, which will also identify any constraints posed by badgers or their setts, may only be undertaken during the period between 1 March and 31 August inclusive under the supervision of an ecologist. Once cut, vegetation should be maintained at a height of less than 10 centimetres for the duration of the construction period. Details to confirm these operations, and findings of reptiles or badgers and any mitigating actions required shall be submitted and if necessary approved in writing by the local planning authority.

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