

**Report of the meeting of the Development Control Post-Committee Site
Inspection Panel held on 29-03-2022**

REF NO: CM/69/21/PL
LOCATION: Land at Northwood Farm
Yapton Road
PROPOSAL: Flexible Generator Plant and associated infrastructure. This application is in CIL Zone 3 (zero rated) as other development and is a Departure from the Development Plan.

The report that went to the March Committee explained that 'Although the proposal is not for a form of renewable energy production, Policy ECC DM1 of the Local Plan is relevant in that it refers to proposals for both renewable and low carbon development.' It needs to be noted that this policy does not specifically include proposals for low carbon development so this policy is not relevant to this application which proposes lower carbon energy development in the form of a flexible gas fuelled power plant.

However, the connection that this proposal has with policies ECC SP1 and ECC DM1 and promoting renewable sources of energy is where the glossary to the National Planning Policy Framework defines low carbon technologies alongside renewable and low carbon energy, those that can help reduce emissions (compared to conventional use of fossil fuels).

This application was deferred from last Planning Committee on 02-03-22 to allow for receipt of additional information and for a site visit to be undertaken by Members.

The committee site visit took place on 08-03-2022. Councillors Chapman, Lury, Bower, Coster, Thurston and Worne attended.

Additional information has been provided by the applicant to address the matters raised by Members.

Members requested:

Photographs of similar installations.

These have been provided. Their nearest operational site is at Down Barn Farm, Boarhunt Road, Fareham. This is a larger site than the one proposed at Bilsham. A similar sized scheme is located at Arncott near Bicester.

Where is the nearest installation to the site?

The nearest operational site is at Down Barn Farm, Boarhunt Road, Fareham. This is a larger site than the one proposed at Bilsham. A similar sized scheme is located at Arncott near Bicester.

Where would the installation be connected to in terms of output of electricity? Is it to be used in connection with the solar power site at Bilsham?

The flexible generation project will connect via an 11 kV cable to the Bilsham Primary Substation located off Bilsham Road which will be undergrounded and owned by SSE. This is an independent connection to provide power to the local grid network and benefits the immediate region.

The site does not connect into the solar farm. It does however facilitate further penetration of renewables into the network, by providing temporary power during peak period or times of system stress.

Details of catalysers.

They do not typically install catalytic converters as they use 'Lean-burn' gas engines which operate at best-in-class electrical efficiency whilst achieving low emissions to air.

The agent has confirmed that the engines Conrad select are highly efficient at utilising natural gas within the engines to produce electricity. The engines have low exhaust emissions as referenced in their Air Quality Assessment which has demonstrated they are acceptable. In addition to the planning requirements, Conrad will be required to secure a permit from the Environment Agency under the Medium Combustible Plant Directive which will regulate emissions from the plant and require monitoring for compliance.

Does the proposed equipment comply with industry standards in respect of noise and emissions? Can we have a copy of manufacturer's specifications?

An engine specification sheet has been provided for information but there is no guarantee that this particular engine will be used as this may be subject to change when the engine is selected once planning permission has been secured. All equipment that is proposed to be installed will meet relevant industry standards/regulations and the requirements set out in the planning submission.

As part of the application noise and air quality assessments have been completed which assesses any potential impact from the proposals. Where necessary, mitigation has been incorporated to ensure this remains acceptable. With regard to air quality, the applicant will also have an obligation to secure a permit from the Environment Agency to operate the site. Initial monitoring of point source emissions (from the stack) has to be done within 4 months, then every 3 years.

The Government's Department for Business, Energy and Industrial Strategy Department document entitled 'Transitioning to a net zero energy system Smart Systems and Flexibility Plan 2021' states that 'The analysis also considered the scale of low carbon flexibility deployment that could be needed to ensure energy security as we transition to net zero, and the sources that could provide this flexibility. The need for flexibility will rapidly increase as variable renewable power replaces fossil fuel sources, and we electrify heat and transport.' The analysis referred to that concerning the role of flexibility in a net zero system. This shows the Governments support for low carbon technology as that proposed by this application.

REPORT UPDATE

Application No: CM/69/21/PL

Reason for the Update / Changes

Reason for Update/Changes:

Additional information from agent

- Levels of methane generated:

Methane will vary engine to engine. Emissions of methane will be sufficiently managed by the engines control systems. Post-planning consent and prior to operation, all generation plants will require an environmental permit which will ensure all emissions do not risk human health and environment. In addition, the submitted Air Quality Assessment confirmed that concentrations were predicted to be negligible at all locations. As such, overall impacts from emissions are considered to be not significant.

The applicant has recently undertaken monitoring of methane/unburnt hydrocarbon from 2 of their sites and the levels were well below any relevant benchmark limits. This suggested that regular maintenance in accordance with best practice for engines used in flexible generation, can be considered appropriate and proportionate measures in terms of controlling methane slip.

- Distribution of Sites.

The Applicant's site distributions proposed and active sites are located around the country in locations which have the energy demand and infrastructure to require and support the technology. Most sites are located in areas of higher population density/high-energy demand (e.g. outskirts of major cities, manufacturing hotspots) as a key aspect of the technology is to generate at the point of demand instead of several larger energy plants transmitting electricity across the country. By implementing this technology, it supports the transition to renewables by reducing the reliance on the larger generation plants to a point where we no longer require them and can rely on local renewable generation instead (solar/wind/storage and back-up flexible generation).

The flexible generation facility will provide back-up to the local grid network rather than a specific renewable site. Flex Gen sites work in conjunction with renewable technologies (solar/wind etc.) to ensure energy can be supplied at any time of demand.

At the local level the development proposals would provide support to the local grid network, thus increasing the viability of Arun employment and residential related development. At a local level, the strategic residential allocations in nearby Yapton, (SD7), Ford (SD8) and Climping (SD10) and any future growth in the established Rudford Industrial Estate, will rely on 'flexible power' to help meet the surging demands for reliable power.

The agent has provided third party contact details to companies who either approve of the applicant (Conrad Energy) or recommend the use of flexible generation:

1. UK Power Network (UKPN) support letter, who are the Distribution Network Operator (DNO) in East Anglia. The letter represents a third party organisation, an Distribution Systems Operator, recognising the need for technology that can resolve system issues e.g. voltage instability. They recognise the role of Conrad Energy in providing resilience as they are able to call upon them to support the local grid network. They also state that the need for this is triggered by "the increasing number of residential and

commercial developments, along with increasing demand on the network through the roll out of Electric Vehicles and increasing electrical demand generally", which is applicable to Arun.

2. National Grid. They state "In recent years, Great Britain has seen rapid growth in renewable electricity sources like wind and solar. Despite this, gas-fired power generation still provided approximately 42% of electricity demand in 2016. As we continue our journey towards a decarbonised energy future, gas-fired power stations alongside other balancing mechanisms will be increasingly expected to meet the variability associated with renewables. This change in requirement creates operational uncertainty that we need to quantify, to understand the risk it poses."

They go on to say "At certain times of the day we may need access to sources of extra power to help manage actual demand on the system being greater than forecast or unforeseen generation unavailability. Providers of the service help to meet the reserve requirement either by providing additional generation or demand reduction."

The agent has confirmed the applicant has a grid connection offer from the local distribution network operator (DNO), Scottish and Southern Electricity Networks (SSEN).

Electricity generation in the UK is transitioning from generation at large scale by major energy providers (nuclear, coal-fired, large CCGT) to a decentralised energy system with generation at a local level. The transition fully to renewable assets (and switch off major non-renewable power stations) cannot be done without having back-up technology that can meet this energy consumption at a local level at times when renewable generation is intermittent (think solar and wind being solely reliant on weather and season). Conrad Energy are actively developing battery and hydrogen assets with the ambition of running all gas turbines across the UK on a green hydrogen/natural gas mix, including the site at Ford.

The applicant has provided a letter of approval from DNO's accompanying the application which shows a site in East Anglia where UKPN highlight the need for flexible generation assets. Whilst this relates to another site in another DNO's region (UKPN), SSEN would likely be willing to provide a similar letter, however at such short notice this is not feasible.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

PLANNING APPLICATION REPORT

REF NO: CM/69/21/PL

LOCATION: Land at Northwood Farm
Yapton Road
BN18 0HR

PROPOSAL: Flexible Generator Plant and associated infrastructure. This application is in CIL Zone 3 (zero rated) as other development and is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The development comprises :

- 4 generator engines each housed within a container 17m by 5m and 4.5m height (including pipework 7m high). Each engine will have its own external transformer and its own radiator fan beside the container;
- 4m high CCTV columns;
- 1 Substation;
- 1 Switchgear room;
- Clean/waste oil tanks;
- 1 Amenity cabin and communications room measuring 12.2m by 2.4m, with a height of 2.5m;
- 1 Gas governor and metering kiosk;
- 2.4m high palisade fence around the perimeter of the site; and
- 4m high acoustic fence on northern boundary.

The colour of the infrastructure indicated on the elevation plans is holly green.

The compound will house up to four 'genset' containers and their individual transformers along with the other GRP cabins listed above. The generators are encased in a container.

The plant will operate an average of 4 hours per day up to a maximum of 3,000 hours per year.

The application is supported by an Ecology Assessment (EA), Air Quality Assessment (AQA), Noise Assessment (NA) and Landscape Appraisal.

SITE AREA

Approximately 1.34 hectares.

TOPOGRAPHY

Predominantly flat.

TREES

None affected by the proposed development. Tree planting has been carried out in the adjoining fields to delineate field boundaries.

BOUNDARY TREATMENT

Various fences and hedging.

SITE CHARACTERISTICS

The site is located on south west corner of the western most field closest to the TJ Waste and Recycling Centre.

Access is via the existing gateway on Yapton Road. There is an existing trackway comprising concrete hardstanding, which runs parallel to the old air strip/runway and services the TJ Waste and Recycling centre and Northwood Farm. It then loops round and connects to an existing lorry storage yard/parking area. The proposed flexible generation site will be accessed from this existing track just before it curves round to the concrete batching plant to the south. To the south of the site is the 'Ceasefire Cafe', which is associated with the Ford Rifle range.

The nearest residential properties Meadow Cottages are located over 250m to the north.

CHARACTER OF LOCALITY

Predominantly rural.

RELEVANT SITE HISTORY

CM/29/21/AG	Application for Prior Notification for a grainstore incorporating a conditioning floor.	No Objection 28-06-21
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CM/29/21/AG related to a grainstore which was 42.7m long, 15m wide and 8m high to the ridge located to the North of the proposed site.

REPRESENTATIONS

Climping Parish Council - Objection.

- The need is unproven. Not aware of any local power restrictions and cannot see how power exported to the National Grid can be considered of benefit to local residents.
- The site is adjacent to residential developments and will add to noise and disturbance to local residents who are already experience disturbance from TJ Waste and the cement batching plant. The fact that the application states that it will only operate at night in emergency situations acknowledges noise impact.
- The use of gas is not environmentally acceptable and is in short supply. Gas boilers are to be phased out for residential developments.
- The development is out of proportion for a rural village.

8 Objections.

- Does not protect the environment.
- The proposal would affect nearby residential properties and subject them to noise, light and environmental pollution.
- Inappropriate timing. Households are being encouraged to replace gas boilers in favour of greener options. This plan to build gas powered turbines is completely out of step with current thinking.
- Would involve turning agricultural land into an industrial site.
- This massive building would be situated on the edge of a residential garden, directly impacting on privacy and security, as well as the quality of the air.
- Potential to increase likelihood of theft.
- There will be an increase in noise pollution in this quiet residential / agricultural village location.
- Congestion of local roads.
- No evidence has been produced to support the case for the need for local power generation in this area. National Grid would look at renewables as the first call for power to balance the electricity needed.
- Methane is the primary component of natural gas. It poses a significant threat to the climate because of its greenhouse gas potency, natural gas contains other hydrocarbons that can degrade regional air quality and are bad for human health.
- The applicants air quality assessment is based on nitrogen dioxide measurements which mainly arise from traffic. There is no mention of methane or carbon dioxide in this report. The Air Quality assessment is irrelevant.
- ADC have declared a climate change Emergency. This application is not consistent with that declaration.

COMMENTS ON REPRESENTATIONS RECEIVED:

The comments made are noted and are addressed in the conclusions section of the report.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Landscape Officer - Objection.

Whilst the location does offer significant screening the proximity to proposed and existing residential properties should still be a consideration of any decision.

Further detail would need to be supplied regarding actual quantities of the heavy standard trees indicated for the embankment screening. It is suggested an element of smaller understory native planting is incorporated into this area. This would provide low level screening and would assist in the stabilisation of the embankment.

Fire Officer - Comment.

Potential issues with the proximity of the development to the nearest fire hydrant which is located, 425 metres more than the required 90 metres distance for a commercial property and accessibility by a fire engine.

Environmental Health Officer - No Objection.

Request conditions to cover noise and hours of construction.

Drainage Engineer - No Objection subject to conditions.

The application is within the Lidsey Treatment Catchment, therefore surface water drainage design should be carefully considered. Infiltration must be fully investigated.

County Minerals and Waste - No Objection.

It is not expected that the proposed infrastructure would have any impact upon the normal operation of the safeguarded waste facility.

County Highways - No Objection.

Request imposition of a condition in respect of a Construction Management Plan.

Ecology Officer - No Objection.

Request conditions relating to bats, nesting birds, hedgehogs and biodiversity net gain.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

The agents have responded to the fire officer's comments confirming the proposed site is one of their most accessible flexible generation sites. The width of the access road adjoining the site is over 10m (3.7m is required). The access is already used by HGVs accessing the adjacent waste and recycling plant. Acceptable space is provided to allow a crane to safely turn and operate within the site during construction and therefore access for a fire truck would be achievable. There will also be a water connection provided onsite.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM5	ENV DM5 Development and biodiversity
EMPDM1	EMP DM1 Employment Land: Development Management
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
SDSP1	SD SP1 Sustainable Development
QEDM3	QE DM3 Air Pollution
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
INFSP1	INF SP1 Infrastructure provision and implementation

[Clymping Neighbourhood Plan 2015 Policy CPN11](#) Quality of Design

Clymping Neighbourhood Plan 2015 Policy CPN8 Protection of Trees and Hedgerows

Clymping Neighbourhood Plan 2015 Policy CPN14 Traffic and the Environment

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The relevant policies of Clymping Neighbourhood Plan have been considered.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that there would be no materially adverse impact on residential or visual amenity.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

BACKGROUND

The application proposes lower carbon energy development in the form of a flexible gas fuelled power plant. The glossary to the National Planning Policy Framework defines low carbon technologies as those that can help reduce emissions (compared to conventional use of fossil fuels). Although the proposal is not for a form of renewable energy production, Policy ECC DM1 of the Local Plan is relevant in that it refers to proposals for both renewable and low carbon development. The rise in renewable energy is widely supported in Government policy.

The proposal would provide support to the local grid network. The proposal would assist in the transition to low carbon electricity generation by providing backup at times when renewable energy generation is low. The flexible gas generators are proposed to prevent a 'lights out' scenario in the local area, whereby the demand for electricity exceeds available supply. The proposed development seeks to support the overall vitality and viability of the local economy by ensuring that a sufficient and reliable supply of electricity is available. National Energy Policy and Statements suggest that natural gas will continue to be required as a crucial part of energy supply until at least 2050.

PRINCIPLE AND SITE SELECTION REQUIREMENTS

The site lies outside the built up area boundary of Climping as defined in the Local Plan where Policy SD SP2 of Arun Local Plan states that development should be focused and permitted subject to consideration against other policies of the Local Plan. Policy C SP1 prevents development unrestricted to the needs of agriculture unless it accords with policy elsewhere in the plan related to the development proposed.

The development proposed, by its very nature, needs to be located outside the main residential areas. This site has been selected by the applicant because it meets the following criteria:

- It is sufficiently close to a medium or intermediate gas main for connection. In this case the proposed development is in close proximity to the nearby grid substation and available gas connection on Yapton Road;
- Proximity to a sufficient 11,000Kv electrical grid connection point;
- Sufficient space for the equipment and for safe and practical separation within the site for maintenance access;
- Good existing access arrangements; and
- Suitable separation distances from any air quality or Noise Sensitive Receptors (NSRs).

Policy ECC SP1 of the Local Plan considers climate change adaption and outlines how the Council will

support development which is located and appropriately designed to adapt to impacts arising from climate change. Policy ECC DM1 concerns renewable energy and requires schemes to contribute to the social, economic and environmental development and overall regeneration of the District. This proposal meets these criteria by helping to provide a constant supply of electricity supporting the role of renewables. The policy requires development to be located and designed to minimise adverse impacts to landscape and habitats as discussed below this proposal meets these aims and the impact on the landscape is assessed in the accompanying Landscape Appraisal. The proposal would integrate and supplement existing development and would assist in provision of electricity to the new approved homes in the area and demonstrates a suitable connection to the electricity distribution network. It is considered that the proposal is compliant with these policies and therefore accords with policy C SP1.

The Council's policy SD SP1 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 Framework. The NPPF states that the economic role contributes "to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure" (paragraph 7).

Although the proposal relies on fossil fuel for energy generation, it can be considered sustainable as the 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. Renewable forms of power rely on flexible dispatchable (used on demand) generation to safeguard security of supply locally, regionally and nationally. This is supported by an abundance of market research which forecasts significant growth of plant like that submitted in this proposal between now and 2030. The development proposals would also satisfy the social objective by providing secure employment. In terms of the environmental objective set out in the Framework, the proposal would not cause harm to the natural, built or historic environment as it is a small parcel of land that is well screened along its western / north western boundary by a new bund. In addition landscaping and the existing waste and recycling centre and Northwood Farm complex directly adjoins to the east / north east.

The National Planning Policy Framework (NPPF) does not include guidance on the specific type of energy generation proposed within this application but does include policy on renewable and low carbon energy developments. Paragraph 155(c) requires Local Planning Authorities to identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers. Paragraph 158(a) states that Local Planning Authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and approve the application if its impacts are (or can be made) acceptable.

Paragraph 152 of the National Planning Policy Framework states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.

The Overarching National Policy Statement (NPS) for Energy (EN-1, Department of Energy and Climate Change, 2011) sets out National policy for energy infrastructure. Para 1.2.1 states that the NPS, 'is likely to be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 (as amended)'. EN-1 supports the transition to a lower carbon economy (para. 2.2.6). It also mentions the need to improve energy security (para. 2.2.6) and the importance of secure and reliable supplies of electricity from a diverse mix of technologies or fuels (para. 2.2.20). The NPS supports the move to renewables, but para 3.6.8 states: 'It is clear that there must be some fossil fuel generating capacity to provide back-up for when generation from intermittent renewable generating capacity is low and to help with the transition to low carbon electricity generation'.

The proposal would have local benefits and enable the continued growth of variable renewables. The proposal is therefore compliant with policies CSP1 and SD SP1 of Arun Local Plan and provides a supporting role to renewable energy in accordance with the aims and objectives of policies ECC SP1 and ECC DM1.

COMMERCIAL CONSIDERATIONS

The proposal follows the provision for new employment development in accordance with policy EMP DM1 of the Local Plan which supports new employment opportunities in the District. The development proposed would also support the planned growth in the District. Policy EMP DM1 allows for development outside the built up area boundary provided there are no alternatives within existing permitted or allocated sites, there is no detriment to highways, access, design and landscaping are acceptable for the location and the relationship with neighbouring properties is acceptable. The proposal meets these requirements as discussed below.

The applicant has 46 operational sites. The majority of the workforce are operations engineers. The applicant estimates 2 full time jobs will be created by the proposal. The proposed development is compatible with nearby employment uses and will indirectly help to facilitate and support investment and regeneration in the area.

RESIDENTIAL AMENITY

Policy QE SP1 of the Arun Local Plan requires all development to contribute positively to the quality of the environment and ensure that development does not have a significantly negative impact upon residential amenity. Policy D DM1(3) of the Arun Local Plan requires development to have a minimal impact to users and occupiers of nearby property and land. Policy QE DM3 refers to air quality.

An Air Quality Assessment has been submitted as part of the planning application. This has modelled the background air quality of the area and the predicted impacts on human and ecological receptors as a result of emissions from the plant. Overall it concluded that no significant air quality effects on human health or ecological receptors are likely to occur and therefore the proposals accord with Policy QE DM3 of the Local Plan.

Policy QE DM1 of Arun Local Plan requires noise generating development to demonstrate that there are no suitable alternative locations, that a noise report is submitted and that there is no adverse impact on areas within Arun valued for their tranquillity.

Noise levels generated by the proposal are typically at or below the measured background sound level in the area. The results set out in the Noise Impact Assessment identify that the operation of the scheme, as proposed, can occur without affecting the amenity of the closest residential receptors to the site during the daytime. In addition to the bund and landscaping, an acoustic fence is also proposed along the western / north western boundary and eastern side of the development and its provision is conditioned.

It is also noted that the generators will only operate for short periods and are more likely to operate during peak load hours only, when the demand for electricity is higher. The generators are located a considerable distance from any noise sensitive receptors (250m from the nearest residential dwellings) and the noise generated would take place against the backdrop of the existing Northwood Farm and the TJ Waste and Recycling Centre.

Environmental Health officers have assessed the documents submitted and have no objection to the proposal in principle subject to imposition of conditions in respect of compliance with the noise

assessment. Given that the generators will be housed in containers, the likely level of noise emissions, the context of the site and surrounding land uses it is not considered that the development will have an unacceptable noise impact and therefore it accords with policy QE DM1 of the Local Plan.

HIGHWAY CONSIDERATIONS

Arun Local Plan policy T SP1 seeks to ensure that development provides safe access on to the highway network and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network.

Policy CPN 14 of the Climping Neighbourhood Plan states that development which will have a detrimental impact on highway safety and the living conditions of residents will be resisted.

Access to the site would be via the northern entrance into the former Airfield. The existing access road will mainly be used during the construction period and thereafter for infrequent maintenance vehicles. During the construction period, the gas generators will arrive in 4 containers, each on an HGV and 5 lorries transporting the remaining GRP units and oil tanks. A crane will also be required to lift the containers from the HGVs and into position on the site. The remaining requirements for construction deliveries and plant will be very limited. When operational the site will generate very little traffic. In terms of maintenance the gas generator plant will generate 2 full time jobs (although they will not be permanently based at the site) and will require only routine 'check visits' to the site by the technicians, which will not require a vehicle larger than a light van.

County Highways have no objection to the proposal in terms of vehicle movements, access, highway safety or car parking. The proposal is not considered to have an adverse impact on highway safety or the living conditions of residents and would therefore comply with policy CPN 14 of Climping Neighbourhood Plan and policy T SP1 of Arun Local Plan.

VISUAL AMENITY

Policies D DM1 and D SP1 of Arun Local Plan (ALP) state that planning permission will be granted where development meets amongst other criteria, the highest standards of design, providing a high-quality living environment in keeping with the character of the surrounding area. The Arun Design Guide suggests development in rural areas respects and enhances this distinctive rural character. In addition, paragraph 130 of the NPPF requires developments to be visually attractive and sympathetic to local character. Government advice in section 12 of the NPPF indicates that design which is inappropriate in its context should not be accepted. Policy CPN 11 of Climping Neighbourhood Plan refers to quality of design and the need to protect and enhance local character as assessed by the Climping Character Assessment. Policy CPN 8 requires development proposals to be designed to retain trees or hedgerows of good arboricultural and amenity value. Trees, woodlands and hedgerows which are important to the generally open rural environment of the Parish are identified in the Climping Character Assessment.

The development will be 'industrial' in both character and appearance but also relatively simple and low key both in terms of appearance and activity. Construction of a large grain barn has been approved adjacent to the application site which will screen the flexible generator compound from any views from the north. To the west the new proposed bund with bolstered landscaping will screen any views from the open expanse of fields.

The design of the flexible gas generators is of no architectural merit, however the holly green colour will help blend the structure into the landscape. This colour is that most commonly used for electrical enclosures in the countryside as it is acknowledged that it assimilates well with rural surroundings.

The structures are tucked away in the south west corner of the open field which will be screened by a new bund and associated landscaping along its western boundary. This will screen views of the development when looking east from the open countryside. The Northwood Farm complex and the TJ Waste and Recycling centre are dominant features in the background. Direct views of the site looking west from Yapton Road will not be possible due to the various visual barriers including intervening vegetation and topography. The acoustic fencing provided along the northern boundary and on the western side of the compound would either be screened from view by the landscaped bund or viewed with it as a backdrop. The Landscape Section plan indicates the planting on top of the bund would exceed the height of the fencing.

The proposed development will not be viewed as an isolated feature in the countryside as it is relatively close to the existing building group (130m to the north and 180m to the east) and former airfield directly to the south and to the approved concrete batching plant to the east which was approved under CM/6/18/PL and is still to be implemented. Careful siting and appropriate landscaping will mean that the infrastructure is assimilated into the appearance of existing buildings. No new internal road is required as the existing road and access arrangements will be utilised.

Landscape mitigation is being offered which seeks to make sure all existing trees and maturing vegetation to the western boundary of the site is maintained and protected. Retention of existing hedging accords with policy CPN4 of Climping Neighbourhood Plan. A landscape bund along the western edge of the site which will be supplemented by tree planting and species rich grassland will further soften the appearance of the energy compound and its boundary treatments from external viewpoints to the north-west of the site and the proposed planting will provide improvements that complement existing native hedgerows and trees. Submission of a full landscaping scheme is conditioned to be provided.

The design of the proposed structures accords with this countryside location, by replicating the appearance of modern farm structures, in accordance with the NPPF, ALP policies D SP1 and D DM1 and policy CPN 11 of Climping Neighbourhood Plan.

ECOLOGY

Policy ENV SP1 of Arun Local Plan confirms that Arun District Council will encourage and promote the preservation, restoration and enhancement of biodiversity and the natural environment through the development process and particularly through policies for the protection of both designated and non-designated sites. Where possible it shall also promote the creation of new areas for habitats and species. Policy ENV DM5 of the Arun Local Plan seeks a net gain in biodiversity.

An ecology assessment supports the planning application which concluded that the most suitable area for protected species was a strip of poor semi improved grassland to the west of the site boundary. However, this area is isolated with arable land on all sides thus restricting the movement of any animals into and out of the site. Furthermore, as there are no trees within the site boundary and it is made up of bare ground, there is no suitable habitat for nesting birds. Trees planted within the strip of poor semi-improved grassland are not suitable to support roosting bats or nesting birds and no evidence was found during the ecological surveys.

There is a field drain present to the west of the site within the grassland area and no evidence of water vole was found during the survey and the ditch is isolated, restricting the movement of animals. Overall the site was assessed as providing low suitability to support protected species.

Subject to conditions relating to enhancements, as suggested by the Ecology Officer, the proposals would adequately protect ecology and result in net biodiversity gains, in accordance with policy ENV

DM5 of the Arun Local Plan.

DRAINAGE

Policy W DM3 of Arun Local Plan seeks to increase the levels of water capture and storage and improve water quality by ensuring all development identifies opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS). Policy CPN 11 of Climping Neighbourhood Plan refers to adoption of the principles of sustainable urban drainage.

The site is located within Flood Zone 1 indicating a low probability of flooding from tidal and/or fluvial sources, but lies within the Lisdsey catchment area. The Council's Drainage Engineers have no objection to the proposal, subject to imposition of appropriate conditions.

The proposals would have an acceptable impact on flood risk and with the use of appropriate conditions surface water drainage can be increased in accordance with the NPPF, policy W DM3 of the Local Plan and policy CPN11 of the Neighbourhood Plan.

CONCLUSION

The proposal would ensure the provision of a local electricity supply whilst complying with the Development Plan policies and the NPPF. It should therefore be approved subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Location Plan - Drg No. 20014-LP-002;
Proposed Site Plan - Drg. No. 20014-PL-004;
Proposed Site Plan - Drg. No. 20014-PP-005;
40 ft Large Amenity Cabin - Drg. No. CEL-STD-AMENL-540;
Timber Acoustic Fence - Drg. No. CEL-STD-AF-730;
CCTV Column - Drg. No. CEL-STD-CCTV-800;
Generator Ground Mounted Radiator - Drg. No. CEL-STD-GEN-361;
Gas Kiosk - Drg. No. CEL-STD-GK-400;
Oil Tank - Drg. No. CEL-STD-OT-600;
Metal Palisade Fence - Drg. No. CEL-STD-PF-G-700;
GRP Substation - Drg. No. CEL-STD-SUB-SSE-220;
Switch Room - Drg. No. CEL-STD-SW-100;
Transformer - Drg. No. CEL-STF-TX-150
Auxiliary Transformer - Drg. No. CEL-STD-TX-160

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 Prior to installation of any part of the plant a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development shall be submitted to, and approved by, the Local Planning Authority. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

- 4 The development shall proceed in accordance with the document entitled 'Bilsham Power Plant STOR, Burndell Noise Assessment for Planning Application' (dated 20th October 2021) produced by 'in Acoustic' with night-time operations shall limited to emergency scenarios only. The 4m high acoustic fence detailed in section 5.1.2 of the document shall be provided before the use of the site commences and shall be retained in perpetuity.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan.

- 5 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan.

6 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy T SP1 of the Arun Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

7 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

8 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals to discharge flows to watercourses or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values and in accordance with current policies. No construction is permitted, which will restrict current and future landowners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement

condition to protect existing watercourses prior to the construction commencing.

- 9 Prior to first use of the development hereby approved, a Biodiversity Net Gain Plan (setting out the proposed biodiversity enhancement measures to ensure Biodiversity Net Gain on site) shall be submitted to and approved in writing by the Local Planning Authority. These measures shall include a hedgehog box, a bat box installed on the building onsite facing south/south westerly positioned 3-5m above ground, bird boxes, replacement at a ratio of 2:1 to those removed, wildflower meadow planting, filling any gaps in tree lines or hedgerows with native species, grassland areas managed to benefit reptiles, log piles and gaps included at the bottom of any fences to allow movement of small mammals across the site. The agreed enhancements shall be installed prior to first use and the approved measures shall be retained in perpetuity.

Reason: To ensure the proposals result in a net gain in biodiversity, in accordance with the Environment Act, the National Planning Policy Framework and policy ENV DM5 of the Arun Local Plan.

- 10 **INFORMATIVE:** Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm event plus 40% on stored volumes/rainfall intensity (allowance for climate change) between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year storm event plus 40% on stored volumes/rainfall intensity. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

- 11 **INFORMATIVE:** Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.

- 12 **INFORMATIVE:** The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

- 13 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in

accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 14 INFORMATIVE: The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

CM/69/21/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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