

Report To: The Planning Board

Date: 3 January 2018

Report By: Head of Regeneration and Planning

Report No: 17/0260/IC
Plan 01/18

**Local Application
Development**

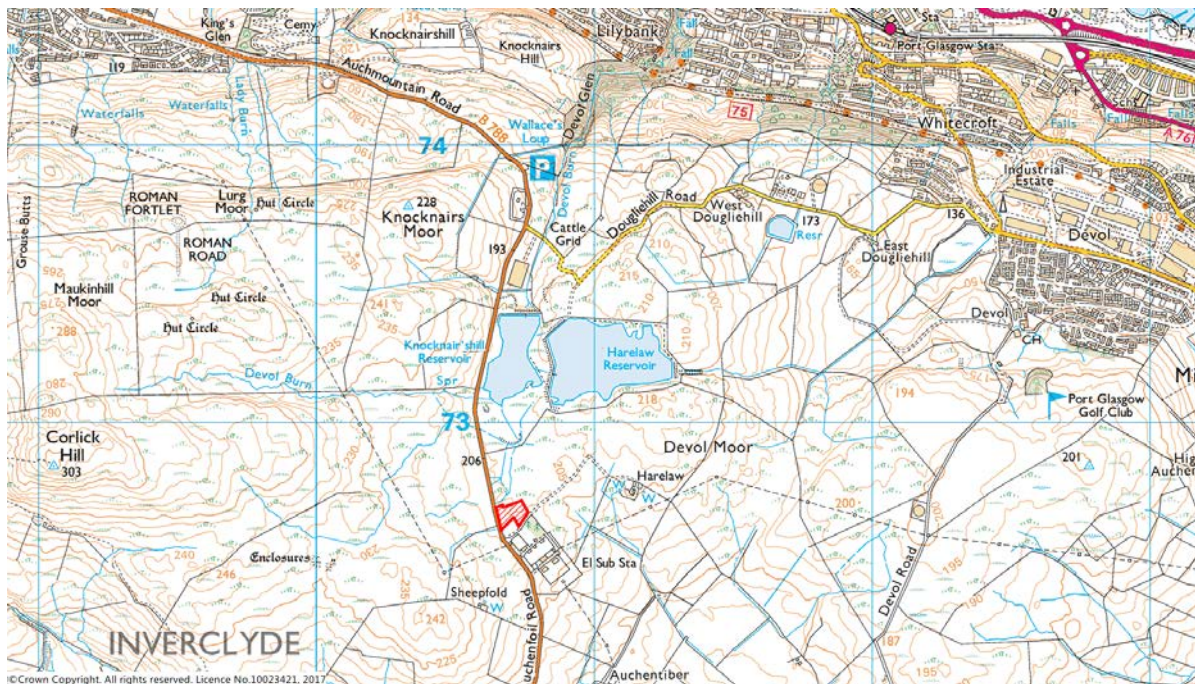
**Contact
Officer:** David Ashman

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Subject:

Construction of a small scale gas-fired energy reserve facility for the generation of up to 19.9MW of electricity consisting of: 10 x containerised gas engine units with emission stack and cooling unit, 1 x control building, 1 x gas skid comprising gas meter kiosk and control, 1 x transformer unit, 5 x engine unit transformer, 1 x ancillary plant for storage of spare parts and consumables, 3 x car parking spaces and perimeter fencing on

Land East Of The B788, Adjacent To Devol Moor Substation, Greenock



SUMMARY

- The proposal accords with the intent of the Inverclyde Development Plan.
- One representation has been received supporting the proposal subject to appropriate landscape screening.
- Consultations present no impediment to development.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=OVV2XWIMM9R00>

UPDATE

The December 2017 meeting of the Planning Board continued consideration of the application to enable the Head of Regeneration & Planning to consult with the applicant on potential alternative sites within Inverclyde for the development. The consultation has now taken place and the applicant has confirmed that all substations in Scotland, including substations in Inverclyde were assessed to determine which had sufficient capacity to accommodate a gas peaking plant between 10MW and 50MW. There were only two suitable grid supply points identified in Inverclyde, at Devol Moor and Spango Valley. Spango Valley was unavailable due to an alternative proposal for a battery storage facility. With specific reference to the former Inverkip Power Station site, the National Grid Electricity Transmission information published in 2017 states that the transmission connection has been removed or de-energised and the site does not offer a grid connection.

The applicant therefore advises that the proposal accords with the intent of the Inverclyde Local Development Plan, that there is a specific locational need next to an electricity substation and a gas supply with a suitable pressure and that it has limited visual impacts. The applicant also considers that the Harelaw site is the only site in Inverclyde for this type of development and has requested that the application be determined as submitted.

SITE DESCRIPTION

The application site comprises a 0.49 hectares area of ground to the east of the B788 and to the north of the Devol Moor electricity sub-station. The site was formerly used as a municipal landfill site but has been colonised by a range of grasses and other vegetation common to the surrounding parts of Devol Moor. There is also some evidence of unauthorised fly-tipping.

With the exception of the sub-station to the south-east and the B788 to the immediate west, the application site is otherwise surrounded by moorland.

PROPOSAL

Planning permission is sought for the construction of a "gas peaking plant" with a maximum operational capacity of 19.9 Megawatts. The proposed development comprises ten gas generators, each consisting of a containerised turbine unit, inter-cooler equipment and an emission stack. There will be associated infrastructure consisting of a control building, a transformer unit, a gas skid (which is a gas meter kiosk and control unit), ancillary plant, parking facilities and security columns. This equipment will be contained within a secure compound surrounded by 3 metres high noise attenuation fencing. Some items of equipment extend up to 7 metres in height and will protrude above the fencing.

A landscaping scheme has been submitted with the application showing planting outside of the northern and western elevations (those most visible to passing traffic). This consists of a range of woodland and shrub species, including silver birch, crab apple, aspen, hawthorn and holly. These are intended to visually soften the impact of the fencing.

The applicant has provided a supporting statement explaining the background to the application. The UK Government is reforming the electricity market, aiming to support the deployment of renewable energy development by ensuring the grid network has sufficient flexible generation capacity to meet demand during peak times. This also covers periods when, for example, wind farms are not operating efficiently due to calm conditions. Gas peaking plants, such as the one proposed, use natural gas as a clean fuel and are generally employed at times of "stress" on the network. It is anticipated that the plant would only operate for a limited number of hours per week on request from the National Grid. It is noted that the location of gas peaking plants are very specific in that they require to be close to a suitable point of connection to the national grid (e.g., a sub-station with sufficient available capacity and appropriate voltage, and a gas supply with suitable pressure). Devol Moor sub-station has sufficient capacity for a plant of this nature and a suitable connection can be made to a nearby intermediate pressure gas supply.

The site is immediately to the north of where the applicant has received planning permission for the construction of Inverclyde Windfarm's Substation and Control Building. A track crossing the moor formed part of this permission and, for the purposes of construction of the Wind Farm and for recreational use thereafter, connects to the B788; it is from this track that access is proposed to be taken.

DEVELOPMENT PLAN POLICIES

Policy ENV2 - Assessing Development Proposals in the Green Belt and the Countryside

Development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances, while development in the Countryside will only be considered favourably where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy (refer Policy INF1); or
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and has an economic, social and community benefit (refer to Policy ECN6); or
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site (refer Policies INF3 and INF7); or
- (d) it entails appropriate re-use of redundant habitable buildings, the retention of which is desirable for either their historic interest or architectural character or which form part of an establishment or institution standing in extensive grounds (refer to Policy RES7); and
- (e) it does not adversely impact on the natural and built heritage, and environmental resources;
- (f) it does not adversely impact on landscape character;
- (g) it does not adversely impact on prime quality agricultural land;
- (h) it does not adversely impact on peat land with a high value as a carbon store;
- (i) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (j) there is a need for additional land for development purposes, provided it takes account of the requirements of the Strategic Development Plan; and
- (k) it has regard to Supplementary Guidance on Planning Application Advice Notes.

Policy SDS8 - Green Belt and the Countryside

There will be a presumption against the spread of the built-up area into the designated Green Belt and careful management to prevent sporadic development in the designated Countryside, as identified on the Proposals Map.

Policy ECN4 - Business and Industrial Proposals Outwith Designated Areas

Proposals for new or expanded business or industrial development on sites outwith the identified Business and Industrial Areas on the Proposals Map, will require to be assessed against the following criteria:

- (a) compatibility with neighbouring uses;
- (b) economic and social benefit; and
- (c) range and suitability of available sites identified in the Local Development Plan as being suitable for the proposed development.

CONSULTATIONS

Scottish Water - No objection subject to advisory notes on making a connection to the supply.

Head of Environmental and Commercial Services - Details of the access will require a Section 56 Agreement. A traffic management plan should be provided for the approval of the Roads Authority and this should exclude any movements to and from the site at school start and finish times to avoid danger to children on Kilmacolm Road.

Head of Safer and Inclusive Communities - There are no predicted air quality or noise issues associated with this development. Conditions in respect of Japanese Knotweed and contaminated land are suggested.

Health and Safety Executive – No objections. Hazardous Substances Consent may be required.

PUBLICITY

The application was advertised in the Greenock Telegraph on 22 September 2017 as a Schedule 3 development.

SITE NOTICES

The nature of the proposal did not require a site notice.

PUBLIC PARTICIPATION

Kilmacolm Civic Trust has no objection in principle but is concerned over the potential visual impact of the facility and has therefore asked for imaginative planting of appropriate trees and other vegetation which will, as it matures, help to screen the site.

ASSESSMENT

The material considerations in determination of this application are the Inverclyde Local Development Plan, the consultation responses and the objections. The determining factor is does this proposal comply with the Development Plan?

The application site is located within the Green Belt, as defined by the Local Development Plan Proposals Map and Policy ENV2. Policy ENV2 indicates that development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances. Consideration therefore requires to be given as to whether there are exceptional or mitigating circumstances.



Although the application site is located within the Green Belt under Policy ENV2, it is acknowledged that Devol Moor sub-station and its environs are an established infrastructure facility. The existing sub-station contains a range of transformer equipment and control buildings, all contained within high compound fencing. Overhead power lines emanate out from the site in various directions via pylons. The environment adjacent to the application site is therefore already despoiled by existing infrastructure. The visual impact of the proposed equipment and the screen fencing will be localised, mainly impacting on users of the B788. Due to the landform the proposal will not have a wide geographical impact and certainly not as wide an impact as the electricity pylons and the forthcoming turbines. As already noted, the range of electric generating facilities is expanding in response to the Inverclyde Wind Farm, which was granted planning permission on appeal in May 2016. This consists of a sub-station and control building between the application site and the existing Devol Moor sub-station. Hence there is an established built context for the proposal. I am also mindful that the application site has itself been subject to development in the past, forming part of a landfill site, and is therefore not an undisturbed natural environment.

In reaching his decision to approve the Inverclyde Wind Farm within this part of the Green Belt, the Reporter gave significant weight to Government energy policy and in particular the overall aim of developing a more sustainable renewables based energy supply. These were regarded as acceptable exceptional or mitigating circumstances in support of the Wind Farm. As the gas peaking plant is in support of the move towards a renewable energy based supply, addressing potential energy “drop-out” periods, I consider that the same positive consideration can be given, in principle, to this proposal. I accept the applicant’s explanation over the appropriateness of this location, given the proximity to a gas supply from the nearby pipeline and the available capacity of the Devol Moor sub-station.



I therefore conclude that there are exceptional circumstances which justify the proposal in terms of Policy ENV2. It follows that, with respect to Policy ECN4, the proposal is compatible with neighbouring uses (criterion (a)) and it will bring economic benefit in helping to reduce reliance on imported energy supplies (criterion (b)). With respect to criterion (c), the range and suitability of available sites identified in the Local Development Plan capable of accommodating the proposed development, it is clear that the unique requirements for a connection to a sub-station with capacity will not result in existing business and industrial areas, which are remote from such sub-stations, losing out on such development. Hence the proposal does not have any adverse implications for the Council's strategy in respect of its identified industrial and business areas. On this basis I conclude that the proposal may be satisfactorily assessed against Policy ECN4.

Although Policy SDS8 relates to the Green Belt, this is more relevant to expansion of the built-up area into the Green Belt and not the sporadic nature of the proposal.

I therefore conclude that the proposal accords with the Local Development Plan. It remains to be considered, however, if there are any other material considerations suggesting that planning permission should not be granted. In this respect the consultation replies may all be addressed by conditions (traffic management plan, Japanese Knotweed and site contamination) or advisory notes for all other matters. I agree with and support the concerns of the Kilmacolm Civic Trust, notwithstanding the restricted localised visibility of the application site, and a landscaping scheme has been secured to assist screening of the compound. Further conditions will be required in respect of the detailing of some of the planting. Noting the guidance from the Health and Safety Executive, I have assessed the need for Hazardous Substances Consent. This requirement relates to substances, in this instance natural gas, being stored above certain thresholds within a site. Based on the applicant's advice, no such storage will occur at the facility as it will be piped in from the nearby main.

There are no other material considerations suggesting that planning permission should not be granted and I therefore conclude that the proposal should be supported, subject to appropriate condition and advisory notes.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. That prior to the commencement of development, full details shall be provided of the colour of the acoustic screen fencing. The fencing shall thereafter be erected in the approved colour unless a variation is agreed in writing with the Planning Authority.
2. That full details of the approved landscaping scheme shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt, this shall include clarification of the numbers of each species, their location, the maturity of the species on planting and a management and maintenance regime.
3. That in the event any of the approved planting dies, is damaged, becomes diseased or is removed within 5 years of planting, it shall be replaced by others of a similar size and species within the first planting season thereafter.
4. That prior to the start of development, details of a survey for the presence of Japanese Knotweed shall be submitted to and approved in writing by the Planning Authority and that, for the avoidance of doubt, this shall contain a methodology and treatment statement where any is found. Development shall not proceed until appropriate control measures are implemented. Any significant variation to the treatment methodology shall be submitted for approval, in writing by the Planning Authority, prior to implementation.
5. That the development shall not commence until an Environmental Investigation and Risk Assessment, including any necessary Remediation Scheme with timescale for implementation, of all pollutant linkages has been submitted to and approved, in writing by the Planning Authority. The investigations and assessment shall be site-specific and completed in accordance with current codes of practice. The submission shall also include a Verification Plan. Any subsequent modifications to the Remediation Scheme and Verification Plan must be approved in writing by the Planning Authority prior to implementation.
6. That prior to the facility hereby permitted becoming operational the applicant shall submit a report for approval, in writing by the Planning Authority, confirming that the works have been completed in accordance with the agreed Remediation Scheme and supply information as agreed in the Verification Plan. This report shall demonstrate that no pollutant linkages remain or are likely to occur and include (but not be limited to) a collation of verification/validation certificates, analysis information, remediation lifespan, maintenance/aftercare information and details of all materials imported onto the site as fill or landscaping material. The details of such materials shall include information of the material source, volume, intended use and chemical quality with plans delineating placement and thickness.

7. That the presence of any previously unrecorded contamination or variation to reported ground conditions that becomes evident during site works shall be brought to the attention of the Planning Authority and amendments to the Remediation Scheme shall not be implemented unless it has been submitted to and approved, in writing by the Planning Authority.
8. That prior to the commencement of development a traffic management plan shall be submitted to and approved in writing by the Planning Authority and this should exclude any movements to and from the site at school start and finish times to avoid danger to children on Kilmacolm Road.

Reasons

1. In the interests of visual amenity.
2. To clarify the planting arrangements in the interests of visual amenity.
3. To ensure retention of the approved planting scheme.
4. To help arrest the spread of Japanese Knotweed in the interests of environmental protection.
5. To satisfactorily address potential contamination issues in the interests of human health and environmental safety.
6. To ensure contamination is not imported to the site and to confirm successful completion of remediation measures in the interest of human health and environmental safety.
7. To ensure that all contamination issues are recorded and dealt with appropriately.
8. In the interest of traffic and pedestrian safety.

Stuart Jamieson
Head of Regeneration and Planning

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact David Ashman on 01475 712416.