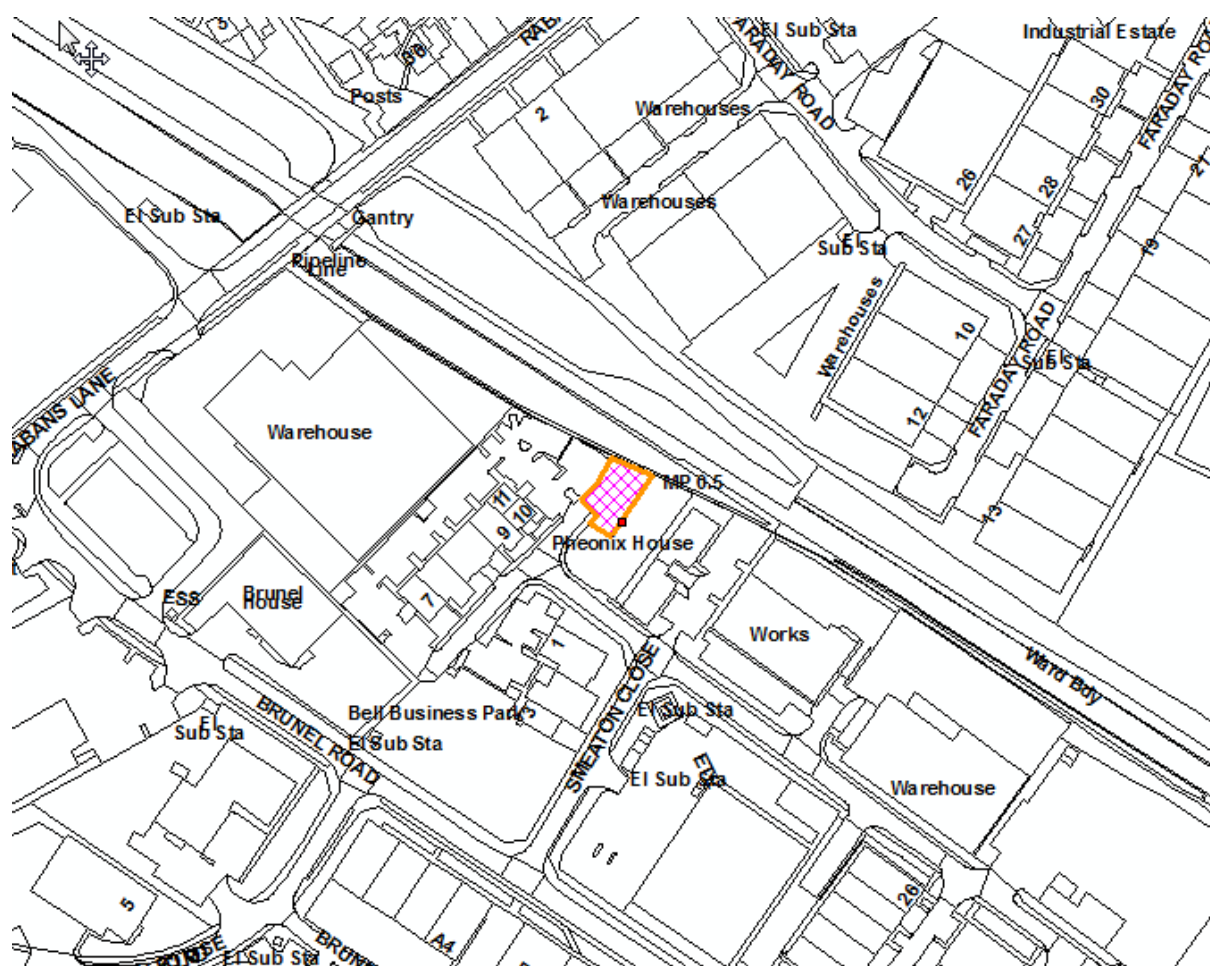


18/04581/APP



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REFERENCE NO	PARISH/WARD	DATE RECEIVED
18/04581/APP	AYLESBURY The Local Member(s) for this area is/are: -	21/12/18
CONSTRUCTION AND OPERATION OF AN URBAN RESERVE 2X 2MW GAS FIRED POWER PLANT AND ASSOCIATED WORKS	Councillor Chris Adams Councillor Andy Huxley	
EDISON POWERLAND REAR OF PHOENIX HOUSE RABANS LANE INDUSTRIAL AREA SMEATON CLOSE	Councillor Ashley Waite	
HP18 8UW MR BEN WALLACE		
STREET ATLAS PAGE NO. 100		

1. The Key Issues in determining this application are:-

<p>a) The Principle of Development</p> <p>b) Noise</p> <p>c) Impact on visual amenity</p> <p>d) Air Quality</p> <p>e) Highways and Parking</p> <p>e) Impact on the Railway</p> <p>f) Other Issues raised by Objectors</p> <p>The recommendation is that permission be GRANTED, subject to conditions</p>

- 1.1 The use of the site for an Urban Reserve power site will provide a much needed back up system for times of excessive demand in accordance with The National Planning Policy Statement for Energy (EN-1) (July 2011) which seeks to promote resilience in the grid. The application will be subject to separate approval from the Environment Agency for an Environmental Permit which will assess the air quality of proposal.
- 1.2 The applicant has demonstrated in the submitted noise report that the proposal will not cause unacceptable noise levels for the occupiers of nearby properties. A 3m high acoustic fence proposed around the perimeter of the site is proposed to provide noise mitigation. There are no objections regarding impact on the highway and parking due to the low level of activity proposed and the low vehicle speeds in the area.
- 1.3 The height of the exhaust stack at 7m and the acoustic fence would not harm the visual appearance of the area due to the context of the site and the nature of the commercial uses. It is therefore considered to be a suitable location for the proposed development taking into account the benefits the proposal will bring to the local area in order to ensure that businesses and residential properties have power during an increase in demand.

- 1.4 The proposed development is considered to be acceptable and would accord with Policies GP.8, GP.24, GP.35 and GP95 and the NPPF and the objections raised by local residents cannot be substantiated.

APPROVED subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years after the date of this permission. REASON: To comply with the regulations of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsary Purchase Act 2004.
2. The development shall not be carried out except in substantial accordance with the following drawings unless otherwise agreed in writing by the local Planning Authority: ED1-01, ED1-02, ED1-03, ED1-04, ED1-05 and ED1-06 received on 21.12.18 and the Planning Statement Ref: 404.08071.00001 Version No: 3 dated December 2018 and the Noise Impact Assessment produced by SLR Ref: 404.08071.00001 Version No: 8 dated February 2019. REASON: To ensure a satisfactory form and appearance to the development and to comply with Saved Policies GP.8, GP.24, GP.35 and GP95 and the NPPF.
3. The generators installed shall only be used to provide additional peak power generation for the National Grid as a back up only system and shall not be relied upon to run continuously when not required to meet a peak demand unless in the case of a national emergency impacting on the main generating capacity of the National Grid. REASON: To protect the amenity of the occupiers of nearby properties particularly the residents during the night time period at the closest residential receptors in accordance with Saved Policies GP8 and GP95 of the Aylesbury Vale Local Plan and the NPPF.
4. The total noise produced by each generator set installed shall not exceed 75dBLAeq,T unless a revised acoustic assessment has first been submitted to and agreed in writing by the Local Planning. REASON: To protect the amenity of the occupiers of nearby properties, particularly the residents during the night time period at the closest residential receptors in accordance with Saved Policy GP.8 and the NPPF.
5. Prior to the use becoming operational, a 3.5m high solid acoustic fence as shown on plan reference shall be constructed and thereafter maintained during the lifetime of the use. REASON: To protect the amenity of the occupiers of nearby properties, particularly the residents during the night time period at the closest residential receptors.
6. No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details. REASON: In the interests of the visual amenity and to comply with Saved policy GP.8 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

INFORMATIVES

1. Due to the close proximity of railway infrastructure to the application site, the applicant is required to submit directly to Network Rail a Risk Assessment and Method Statement (RAMS) for all works, including the siting of the acoustic fence to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations in addition to any planning consent. It is necessary for the applicant to ensure that the works on site follow safe methods of working and take account any potential impact on Network Rail land and operational railway infrastructure. The applicant should submit the RAMS directly to AssetProtectionLNWSouth@networkrail.co.uk. Any changes proposed to the approved plans as a result of compliance with the RAMS shall be submitted to the Local Planning Authority to establish if planning permission is required for the changes.
2. The applicant shall agree with network rail the drainage proposal for the development to ensure that the drainage on site does not materially impact the strength of the soil near the railway boundary (thence leading to stability issues).
3. The applicant is reminded that a Basic Asset Protection Agreement (BAPA) will need to be agreed between the developer and Network Rail in addition to any planning consent.
4. The applicant is reminded that a bespoke Environmental Permit will need to be obtained from the Environment Agency before the use becomes operational. Any alterations to the approved plans as a result of compliance with the Permit may require a further planning permission and advice should be sought from the Local Planning Authority before any changes to the approved plans are implemented.

2. INTRODUCTION

- 2.1 The application needs to be determined by committee as it has been called in by Councillor Andrew Huxley due to the level of objection from the neighbouring properties and the perceived environmental impact to the surrounding properties.

3. SITE LOCATION AND DESCRIPTION

- 3.1 The site forms part of the Rabans Lane Industrial Area located to the north west of Aylesbury centre. To the north of the site is the mainline railway, to the south, east and west are commercial B1 uses and to the north west and south west are residential properties. A block of three storey residential apartments is to the rear of the site known as Brookes Meadow.
- 3.2 The site measures approximately 0.047ha and is currently vacant and overgrown. It is surrounded by a metal palisade fence. Access to the site is from Smeaton Close.

4. PROPOSAL

- 4.1 The application is for an Urban Reserve power site comprising two steel containers measuring 12.2m long x 2.45m wide x 2.8m high which will house two 2MW generators with ventilation/cooling equipment and two exhaust stacks mounted on the flat roof. The exhaust stacks will extend between 6.4 and 7.0m high from ground level.

- 4.2 In addition a steel gas kiosk to house the supply which measures 4.0m x 1.5m x 2.5m high and a steel sub station which measures 2.4m x 6.0m x 2.6m high with connection point are also proposed. These are to be connected to the respective grids by underground gas pipeline and electricity cables.
- 4.3 The proposal also includes a 3.5m high acoustic fence around the compound on all boundaries with a set of double gates which will form the entrance.

5. RELEVANT PLANNING HISTORY

- 5.1 01/02579/APP - Erection of commercial/industrial unit with car parking and associated works - Approved

6. TOWN COUNCIL COMMENTS

Aylesbury Town Council - No objection but would like to see comments from Environmental Health.

7. CONSULTATION RESPONSES

- 7.1 Buckingham & River Ouzel Drainage Board - No comments
- 7.2 Councillor Andrew Huxley – Object to the power plant on the basis of noise and air quality. A nearby office block would be under threat, certainly in the summer months when windows are open and the wind blowing in a certain direction. The fence proposed would not provide any noise abatement as the plant is in excess of the fence height of 3.5m The sit is not suitable for a project of this nature.
- 7.3 Environmental Health Officer – Original comments related to the inadequacy of the details submitted in the Planning Statement regarding the generator and noise assessment and various inaccuracies and omissions.
- 7.4 *Comments on additional information*
The submitted noise assessment has addressed previous concerns raised. No objections subject to conditions regarding the use and noise levels of the generator and the construction of the acoustic fence to be installed prior to the first use of the site.
- 7.5 *Air Quality*
Given the nature of the area the site is located in and the limited running of the generators there will be no significant impact on the air quality in this area as a result of this application.
- 7.6 Network Rail – No objection in principle but recommends a Basic Asset Protection Agreement (BAPA) be entered into with Network Rail and a Risk Assessment and Method Statement (RAMS) for all works as well as details of drainage to ensure the works do not impact on the safe operation and integrity of the railway.
- 7.7 Economic Development Officer – The land is identified as white land and has not been allocated for any particular purpose so the land could be used for this particular use subject to the development satisfying other planning requirements such as environmental and sustainability requirements. A benefit to local business could be through the power purchase agreement and provision of heat to local companies. The Planning Statement states that power and heating could be provided at a significant discount. It is not clear how much power and heat would be made

available to local companies and what the expected reduction in costs businesses would receive.

- 7.8 Ecologist – No objection. There is not a likelihood of protected and priority habitats or species being affected by this development. Therefore no supporting ecological information is required.
- 7.9 County Council Highways – Smeaton Close is a private road subject to a 30mph speed restriction. As the proposals do not materially affect the public highway or propose works within there are no objection or conditions to recommend for this application regarding highway issues.
- 7.10 Environment Agency – This application is for development that is not included in the list of development that the EA requires to be consulted on. The EA does not wish to be consulted on the development and does not wish to comment.

8. REPRESENTATIONS

- 8.1 59 objections have been received on the following grounds:-
- Concerned about risk of gas explosion and safety.
 - Possible noise and air pollution, especially for people with breathing problems.
 - Noise will make it difficult to hear phone calls.
 - The noise levels readings did not take into account the business park.
 - Emissions testing will be required.
 - Site unsuitable for anything other than a car park or offices/flats.
 - Will cause further congestion and fewer parking spaces.
 - Not in keeping with the area.
 - Traffic and throughway issues on an already small and difficult site. Will create further congestion through Fairford leys and surrounding locality. Problem with trying to negotiate construction traffic on the already tricky road with parked cars. This will be hazardous for employees, visitors and learner drivers visiting the DVLA offices.
 - The site is adjacent to the railway line which could present safety issues. Concerned about health and safety of staff.
 - Not an appropriate location next to flats.
 - Dust, fumes and vibration during operation and construction. Will cause disruption prejudicing health and safety.
 - No consultation undertaken.
 - The site is not an industrial site but is bounded by offices, a new residential complex and a railway line.
 - Staff will be unable to use the outside eating area.
 - The size of the chimneys and large size of fence will negatively impact on the local area visually.
 - Exhaust fumes from the plant will be 18m from ventilation windows and at approximately the same height.
 - This will adversely contribute to climate change. Burning natural gas for electricity results in the release of CO₂ and contributes to global warming and the extraction, distribution and storage of natural gas results in the leakage of methane.
 - Concerned that the proposed plant uses natural gas to turn it into electricity and that it might produce sulphur Dioxide and nitrogen oxide emissions. Without more information on this type of power plant and its hazards it is not possible to conclude that the application would be acceptable.
 - Aylesbury is designated a garden city so why place heavy industry in such a highly populated area?
 - Concerned about smells.

- People will not see our offices as such a desirable place to work and a possible health risk and so recruitment may become an issue.
- Applicant has not secured environmental permit for Medium Combustion Plant or specified the Generator they will be using. Premature to assume the Environment Agency will grant this and reckless to proceed without it.
- Noise model is based on samples taken at 1.5 metres from the ground and calculations based on mitigating the noise using a proposed 3.5m acoustic fence. Exhaust flues extend vertically 6.5m from the based of the Generator containers (which will be mounted on raised concrete basis) and therefore the quoted 75dB noise level will be an unrestricted source 18m from an open office environment and at the same height as the first floor windows.
- The assessment has no reliable measure of the potential noise impact and offers no guarantee that it will not be significantly higher than the estimates.
- This will be an eye sore with the 7 metre tall chimneys being at direct eye level from the 1st floor windows.
- The road is already a rat run due to the DVLA test centre and this will get worse increasing the risk of accidents especially during construction with little to no room for large vehicles to manoeuvre within the confines of the car park.
- Parking in the Bell Industrial Estate is already at breaking point. Construction of this will cause more problems as vehicular access to other offices nearby cannot be guaranteed as large vehicles will most likely block the access through the small roads on the estate.
- There are high voltage overhead power cables running over the site and the potential danger to the office buildings. Any malfunction at the site that leads to an explosion would compromise the high voltage lines and endanger lives and the services of the railway.
- There is no assessment of the risks requiring the installation of a Blast Vent.
- The use of the plant is unsuited for office and commercial working hours.
- The instant start up and shut down is likely to mean it can never become a background but will be a 'jump' noise source which is particularly disruptive. Also makes valid noise and pollution estimates and models difficult as metrics obtained from steady state conditions will not be appropriate or relevant to those at start up and shut down which will be frequent occurrences for a peaking plant. Combustion engines are typically louder and more polluting when starting and stopping.
- The applicants must implement the 'Agent of Change' principle as set out in para 182 of the NPPF which means they need to implement suitable measures to mitigate any impacts on the existing businesses and residents of this area. The application does not address these impacts satisfactorily.
- There is a lack of evidence that the assessment has considered the impact of the power plant on Brookes Meadow. No noise readings have been undertaken at ground level or above two storeys. Given the proposed acoustic fence is 3.5m high and the exhaust stacks would be 7m tall noise from the plants could travel up and over the acoustic fence and would be significantly more audible from the 2nd and 3rd storeys than from the ground floor.
- No details are provided of the acoustic fence in terms of its properties in reducing noise and so unable to assess what extent it may or not be effective.
- Unclear why the predicted noise levels are indicated to be higher at the properties to the north west of the site as they are over twice the distance away and have soft ground in between whereas there is hard surface between the flats and the site.
- It appears the plant will be operational at any time of day and/or night. A condition should be imposed to restrict hours of operation to daytime only to prevent disturbance to residents.
- No report has been submitted on likely impact of the plant on air quality and this should not be left by condition.

- The plant will be significantly higher than the 3.5m acoustic fence and would be highly visible from the flats at ground as well as first and second floor levels. No assessment has been undertaken of these impacts and no mitigation proposed.
- The application site is subject of a covenant that our site should not suffer Nuisance, Disturbance or Damage from the other parties on the freehold title and this title covers the application site. This will be contested directly with the owner.
- Planning statement does not explore impact on Phoenix House & Bell Business Park offices who are direct neighbours.
- Existing business may need to relocate due to the close proximity of the offices to the application site which are 30m away.
- The planning statement does not rule out significant emissions. An air quality report is required for the purposes of the planning assessment and determination. Would contend that dispersion modelling would not sufficient for all parties to be satisfied that emissions are acceptable given the nature of the proposed use and its proximity to office and residential occupiers.
- There are 250 offices across Bell Business Park and Phoenix Datacom and so noise impact should be assessed on these properties.
- Chimneys will not be screened and will be unsightly.
- The proposed condition by the Environmental Health Officer does not provide sufficient control and is not enforceable as currently written.
- The area has been promoted as a high tech resource for leading edge Security and Financial Services business. Investment has gone into state of the art Cyber security laboratory and disruption of this work will affect local business and will have ramifications at the highest level of industry and government.
- The similar power plant that the applicant has used as an example is located in Bletchley which is more industrial area with two adjoining industrial buildings having no opening windows that face the installation.

- 8.2 Councillor Andrew Huxley – Objects to the power plant on the basis of noise and air quality. A nearby office block would be under threat, certainly in the summer months when windows are open and the wind blowing in a certain direction. The fence proposed would not provide any noise abatement as the plant is in excess of the fence height of 3.5m. The site is not suitable for a project of this nature.

9.0 EVALUATION

9.1 Principle of Development

- 9.2 The National Planning Policy Statement for Energy (EN-1) (July 2011) seeks to promote resilience in the supply of energy and identifies at paragraph 2.2.20 (Security of Energy Supplies).

“It is critical that the UK continues to have secure and reliable supplies of electricity as we make the transition to low carbon economy. To manage the risks to achieving security of supply we need sufficient electricity capacity --- to meet demand at all times. Demand for (electricity) must be simultaneously and continuously met by its supply. This requires a safety margin of spare capacity to accommodate unforeseen fluctuations in supply or demand”

- 9.3 The applicant has confirmed in their supporting Planning Statement that renewables like wind and solar generate electricity intermittently and cannot generate when weather conditions are not favourable. Urban reserve projects fill a gap in supply by generating electricity when renewables cannot and provide security of supply. Generating electricity locally reduces energy lost when transporting energy around

the country and ensures that local networks are secured and protected against shortages.

- 9.4 When choosing suitable sites for Urban Reserve projects the applicants have stated that a site of between 0.05 - 0.5ha of land is required. In addition, due to economic reasons, land with alternative uses such as employment or residential would be considered to be unviable. The existing site has been chosen due to its size, as it is 0.047ha and its limited use as well as it having a direct point into the high voltage electricity distribution network and the gas main which are both within the site boundary.
- 9.5 The principle of utilising this site for the proposed development would therefore accord with the NPPS for Energy and the Aylesbury Vale Local plan. However, other material planning considerations have to be assessed in order to establish whether this site is suitable for the proposed development.

Noise

- 9.6 Paragraphs 180 of the NPPF seeks to ensure planning decisions mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life. Policy GP8 of the Aylesbury Vale District Local Plan seeks to protect the amenity of local residents from inappropriate development.
- 9.7 A number of objections have been received regarding possible noise disturbance from the proposed development. A noise assessment has been carried out to assess the impact on the residential flats to the rear of the site as well as from the office buildings adjacent to the boundary of the site. Noise levels have been predicated to 4m above ground level which is the approximate height of a first floor office window. All noise levels taken include a 15 dB(A) reduction for an open window. The noise report demonstrates that when the ambient noise level of the site is added to the existing baseline ambient noise level, the resultant internal ambient noise level is 41.1dB(A) in the offices to the north west and 42.3dB(A) in the offices to the south west. With reference to acceptable design criteria for an open plan office, BS8233:2014 presents a range between 45dB and 50dB. The operation of the site would not cause an exceedance of the acceptable ambient noise level inside the offices assessed.

Receptor	Existing Internal LAeq,T Noise Level	Predicted Internal LAeq,T Noise Level from the Site	Cumulative Internal LAeq,T Noise Level
Office to NW	38.2	37.9	41.1
Office to SW	38.1	40.1	42.3

- 9.8 The International Organisation for Standardisation (ISO) Noise Rating Curve has been used to assess the background noise spectrum. The acceptable NR Curve in an office is NR Curve 40. The results presented in the applicant's noise report indicate that NR Curve 33 would be met at the office to the north west and NR Curve 35 would be met at the office to the south west. The calculations assume a 15dB reduction for an open window. This would be within the acceptable limits set by the ISO.
- 9.9 The noise report submitted has modelled the specific noise levels at 1.5m, 3m and 7m high. The modelling shows that the specific noise level will be below 55dB at the nearest commercial buildings. The Environmental Health Officer's own calculations

indicate that based on the noise source level assumed, the level would be around 50dB at the nearest building approximately 18m away, even with no barrier in place. As such an external noise level, even with windows open, internal noise levels would be below recommended internal noise levels for commercial spaces contained in BS8233:2014. Whilst, with windows open, the units will be audible at these premises it would not be at a level that would normally cause a significant disturbance in a working environment.

Receptor	63	125	250	500	1000	2000	4000	8000	NR Curve Met
Office to NW	45.9	44.7	37.4	36.5	31.6	27.8	21	8.8	33
Office to SW	48.8	47.8	39.8	38.4	33.7	29.8	23.9	13.2	35

- 9.10 Regarding the impact of noise on residential amenity, monitoring points south west of the site represented the Brookes Meadows development. The assessment included predictions at 4m and 7m above ground level to take account of first and second floor properties. The predicted noise levels were shown as follows:

Location	Period	Predicted Sound Level LAeq,T
Receptors to the south west	Daytime	39.6
	Night time (4m)	40.1
	Night time (7m)	39.8
Receptors to the north west	Daytime	34.9
	Night time	35.3

- 9.11 From the results above, it has been demonstrated that the levels of noise from the proposed units in relation to the impact on residential properties will be within acceptable limits. The Environmental Health Officer is satisfied that the operation of the site would not have an adverse noise impact on the adjacent offices. The proposal would therefore accord with paragraph 180 of the NPPF and Saved Policy GP95 of the Aylesbury Vale Local Plan.

Impact on Visual Amenity

- 9.12 Policy GP35 of the Aylesbury Vale District Local Plan and Section 12 of the NPPF seeks to ensure that the development proposals respect the characteristics of the site and its environment and Section 12 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 9.13 The visual appearance of the area is largely characterised by commercial properties. The proposed structures will be utilitarian in appearance due to the materials and the nature of their use. The proposed structures will be single storey in height and rectangular so by themselves they would not appear to be out of keeping with the locality.

- 9.14 The highest part of the proposal will be the cooling/extraction and exhaust infrastructure which will be sited on top of the roofs of the steel containers. Cooling and extraction infrastructure are normally sited on the roofs of industrial and commercial buildings and so this is not considered to be incongruous. The structures will be visually prominent from the private road and from the immediately adjacent properties. The location of the proposed development has been chosen because it will be close to the local area which the urban reserve will serve and also due to the proximity of the power connections. Whilst the proposed infrastructure will dominate in terms of the visual appearance of the immediate location and occupiers of the nearby properties would be able to view the structures, they are not considered to be so out of keeping and visually detrimental to the character of the area and amenity such that planning permission should be refused.
- 9.15 The proposed fencing around the perimeter of the site will be a 3.5m high close boarded acoustic fence. This will be higher than other fences and hard boundary treatments in the area. However, due to the commercial nature of the site it is not considered that this would be out of keeping with the area. In addition, the benefits that the proposal will bring to the local area in order to ensure that businesses and residential properties have power during an increase in demand, would outweigh the limited visual impact. The proposed development is therefore considered to be in accordance with policy GP35 of the Aylesbury Vale District Local Plan and the NPPF guidance.

Air Quality

- 9.16 Paragraph 181 of the NPPF seeks to ensure that planning decisions sustain and contribute towards compliance with relevant limit values or national objectives for pollutants. Whilst it is noted that a number of objections to the application refer to air quality, no objections are raised by the Environmental Health Officer regarding air quality or odour.
- 9.17 The applicants are aware that a complex bespoke Environmental Permit will be required from the environment Agency for the proposed development as it falls within the remit. An Air Emissions Risk Assessment (AERA) supported by a dispersion model will be necessary to support an environmental permit application. Paragraph 183 of the NPPF states that the focus of planning decisions should be on whether proposed development is an acceptable use of land rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. The Environment Agency does not wish to comment on the planning application as it does not lie within the vicinity of a water course and given the small scale of the proposed facility, it does not fall within the Environment Agency's remit for consultation. However, the permitting process will focus on the control of processes or emissions associated with a proposed development rather than whether a proposal presents an acceptable use of a particular piece of land. Any matters that the Environment Agency will be reviewing will be with regards to the control of processes associated with this proposal rather than whether the proposed development is an acceptable use of the land in question.
- 9.18 Due to the low emissions level and the requirement to apply to the Environment Agency for a complex bespoke permit which will address air quality safety issues covered by other legislation outside the scope of the planning application, the proposed development would accord with Paragraph 183 of the NPPF.

Highways and parking

- 9.19 Saved Policy GP24 of the Aylesbury Vale Local Plan and Parking Policy Guidelines AY21 seeks to ensure that there is sufficient car parking to serve development proposals and paragraph 108 c) of the NPPF seeks to ensure that new development proposals do not lead to significant impacts on the highway network in terms of capacity and congestion.
- 9.20 A number of objectors have raised concerns regarding congestion on the roads leading to the site as well as the problems of car parking in the area. The applicants have confirmed that the site will generate a small number of trips to and from the site by construction workers who would park within the site itself. Smeaton Road is a private road with a 30 mile an hour speed restriction. Due to the low level use of the site, it is not anticipated that there will be any significant impact on congestion as a result of the proposed development and as such no objections have been raised by the County Highway Authority. Notwithstanding this, any parking and highways issues can be controlled locally between the occupants that have rights of way over the access and the owner of the rights of way. The proposed development would accord with Policy GP24 of the Aylesbury Vale District Local Plan and the NPPF.

Impact on the Railway

- 9.21 Network Rail does not raise any objections to the proposed development in principle but have requested that a number of safety measures are put into place to safeguard the safety of workers and the railway infrastructure. It is recommended that informatives are imposed to address safety concerns during construction and operation stage to ensure that health and safety procedures are put in place during construction and operation.

Other issues raised by objectors

- 9.22 Objections have been raised regarding the hours of use, the possibility of odour emissions and health and safety issues. The applicant has confirmed that the plant will operate for short periods at a time and would be operational for approximately 1,750 hours a year. It is not anticipated that it will be operational at night or at the weekend but it will need to respond 24 hours a day, 7 days a week. A condition is proposed to restrict the hours of operation to safeguard the amenities of the occupiers of nearby properties in the area.
- 9.23 With regard to possible odours, the applicant has confirmed that burning natural gas does not generally produce an odour and so the type of operations proposed to be carried out at the site will not cause odour problems. No objections have been received from the Environmental Health Officer with regard to odour emissions.
- 9.24 Regarding health and safety issues and the fear of explosions and fire from the site. The site will require an Environmental Permit from the Environment Agency and this will only be issued if there would be no risk to human health. In addition, the development and operation would also be subject to regulations and controls enforced by the Health and Safety Executive. The applicant has confirmed that there will be no natural gas stored on site and so the risk of explosion would be no more than any other premises consuming natural gas. The proposed development would also include multiple layers of automated gas control which would take the level of safety beyond that of the standard mains natural gas user.
- 9.25 It has been suggested that that the hours of operation on the site should be restricted to safeguard the amenity of the occupiers of the nearby properties. There is no justification on noise grounds for restricting operational hours. The intention is to use these units to support peak time capacity and that they are also required to be available to provide generation capacity at times when other generation capacity is

lost i.e. to prevent the chaos that happened a few weeks ago when two plants failed at the same time. Whilst such situations are most likely to occur during the daytime when demand is greatest they could possibly happen overnight and therefore it is not reasonable to impose specific time restrictions on the site. There is no justification on noise grounds for restricting operational hours and this view is supported by the Environmental Health Officer. It is anticipated that the day to day use of the site is likely to be relatively low key compared to other commercial uses and there are therefore no grounds for imposing such a condition on grounds of vehicle movements or general noise and disturbance.

Case Officer: Angela Brockett

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