



## Report to Buckinghamshire Council – Strategic Planning Committee Report

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<b>Application Number:</b>	20/03539/APP
<b>Proposal:</b>	Installation of a gas tanker off loading facility for injection of renewable gas into the national gas distribution network
<b>Site location:</b>	SGN Gas Depot, Bletchley Road, Newton Longville, Buckinghamshire
<b>Applicant:</b>	Bawden Energy Limited
<b>Case Officer:</b>	Karen Fossett
<b>Ward affected:</b>	GREAT BRICKHILL
<b>Parish-Town Council:</b>	NEWTON LONGVILLE
<b>Valid date:</b>	19 October 2020
<b>Determination date:</b>	14 January 2021
<b>Recommendation:</b>	The application be deferred for approval subject to the recommended conditions, the satisfactory completion of a legal agreement and the receipt of no new material representations or if these are not achieved the application will be reported back to Committee for further consideration.

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### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The site is an existing gas depot which has been distributing Natural Gas since the 1960s. The proposal for an “offloading” facility which comprises the plant and equipment to allow for methane gas to be delivered to the site in heavy good vehicles (HGVs). At the site the HGVs will park in the loading bays and connect into the gas network to allow the bio-methane gas to be injected and thereby allowing it to blend with the existing natural gas supply. This relatively new innovation is intended to minimise the use of fossil fuels and their associated pollutants. The blending of methane gas with natural gas helps to minimise carbon dioxide and nitrox emissions.
- 1.2 Many objections have been received to this application which raise concerns about the number of associated vehicular movements through Newton Longville village and about the health and safety implications of the gas depot use.
- 1.3 The number of vehicle movements associated with the process of blending methane with the natural gas at the depot is considered in detail within the report. The number of vehicles that can access the site is limited by the number of vehicle bays available and the time it takes to download the bio-methane gas into the natural gas network. The

Transport Addendum identifies 6 deliveries which equates to 12 movements per day at roughly one per hour, per bay over 24 hours.

- 1.4 The application has been evaluated against the Development Plan which comprises the Vale of Aylesbury Local Plan. and the Minerals and Waste Plan 2016-2036. The NPPF is a material consideration. The application has been assessed against the objectives of the NPPF and whether the proposals deliver 'sustainable development'
- 1.5 Noise, air quality and residential amenity have been assessed as having only very small impacts on the environment and on residential quality of life and therefore do not result in demonstrable harm.
- 1.6 The site is already hard surfaced and there is little difference in the visual impact of the alternative and additional features on the site.
- 1.7 The proposal complies with the development plan policies. Within a broader national context, it seeks to increase the quantum of renewable energy produced to help reduce the greenhouse gas emissions generated in the UK.
- 1.8 The application has been called in for consideration by committee by Councillor Scott Raven and supported by Councillor Ben Everitt. It has been decided to refer this application to Strategic Committee because it is considered to have implications for residents in Newton Longville and Milton Keynes given its location on the border between Buckinghamshire and Milton Keynes Council areas.
- 1.9 It is therefore recommended that the application be deferred for approval subject to the satisfactory completion of a legal agreement to secure the provisions as set out on page 17 of this report subject to the receipt of no new material representations and conditions as set out in this report, or if these are not achieved the application will be reported back to Committee for further consideration.

## **2.0 Description of Proposed Development**

- 2.1 The site is 0.37 ha in size and is situated in the southwest corner of the SGN gas distribution depot. The proposed compound area is 0.25 hectares, solely in SGN ownership, with the remaining application area comprising the private access road from the highway which is in shared ownership.
- 2.2 There are existing structures within the wider depot (not part of the application site) which include gas distribution plant and equipment, a 37.5m high telecommunications mast and a storage and distribution building with offices and storage yard.
- 2.3 Access to the site is via the existing access road off Bletchley Road. This access serves the existing gas depot and a delivery company on the adjacent site.
- 2.4 The site is situated on Bletchley Road, a single carriageway of 6.3m width, close to Milton Keynes administrative boundary. The road has a 40mph speed limit in this section of road. The A4146 to the east and the south provides access through Newton Longville to the M1, the A505, A509 and A5.

- 2.5 The railway line to the north of the site is disused but is being reinstated and upgraded as part of the East West Rail (EWR) scheme. The works are part of Phase 2 which is anticipated to completed by the end of 2023.
- 2.6 The proposal is for the installation of a gas tanker off loading facility for the injection of renewable gas (biomethane) into the natural gas grid. The development includes a gas entry unit, pressure reduction system, portacabin (providing mess facilities) a generator, 4 vehicular bays, security fencing and gates and car parking. There are a number of elements of the proposal some of which require planning permission, some of which benefit from permitted development and some of which would not constitute development. The table below itemises the different elements and identifies which aspects of the proposal require planning permission.
- 2.7 Proposed Plant and Equipment

Item	Description	Dimensions	Material	Colour	Permitted development
Gas Entry Unit	Housed in a container includes automated testing equipment and controls	2.6m H X 8m X 3m	Steel	Moss Green	Only the container requires planning permission as it exceeds 29 cubic metres, the plant does not as it benefits from permitted development. (GPDO schedule 2, Part 15, Class A, Power Related Developments)
Generator	Housed in a container	2.6m H X 6m X 2.6m	Steel	Moss Green	As above
Pressure management system	Housed in a container includes boiler and automated testing equipment and controls	3.4m H X 5m X 12.2m	Steel	Moss Green	As above
Vehicles bays	Parking areas	17m X 4m	Concrete	Asphalt	Permitted

	for biomethane trailers X 3. 1 spare parking area during maintenance				development under part 15 class A of GPDO 2015 schedule 2.
Portacabin	Mess facilities for drivers and maintenance personnel	2.6m H X 10.36m X 2.4m	Steel	Moss Green	Planning permission required
Car Parking	Parking for maintenance personnel	4 spaces	Concrete	Asphalt	Planning permission not required.
New fencing	To provide security	1.8 m high- (now increased to 2.4m)	Chainlink	Galvanised steel	Planning permission required
New gates	To provide security		Chainlink	Galvanised steel	As above
Lighting	Required for health and safety and security	2.4m to 8m height	Steel	Steel	Planning permission required for free standing lighting does not benefit from permitted development.
Surfacing (new and existing)	Mixture of permeable and impermeable areas		Concrete, asphalt and stone		Planning permission not required

2.8 The existing site surface comprises a mixture of concrete, tarmac, and rough ground. The concrete and tarmac will be retained; the area of rough ground will be tarmacked and will form the tanker bay, other areas will be dressed with stone, except for localised concrete slabs which will house individual items of plant and equipment. Site levels will remain unchanged.

2.9 Biomethane will be delivered to the site from Anaerobic Digestion (AD) plants in dedicated trailers. (Biomethane is a renewable low carbon energy source and can be used as a direct substitute for natural gas). The trailers will be reversed into an available vehicle bay and

manually uncoupled from the lorry by the driver. The gas offload involves a simple manual connection and thereafter is an automatic download process directly adding to the distribution network along with the natural gas. Once the trailer is empty which takes around 4 hours to download, the empty trailer is removed and taken back to the AD facility for refilling. The layout consists of 4 bays of which three tankers can be accommodated at any one time and the fourth bay is a maintenance bay.

- 2.10 It is intended that there would be a maximum of 20 deliveries a day, as explained in the Transport Addendum, with 6 deliveries and 12 movements per bay per day. There will be only one vehicle arriving/leaving at any one time and they will be staggered to avoid queuing.
- 2.11 The biomethane in the trailers is compressed gas and this depressurised on site in the Pressure Management System. The site will be surrounded by an ultrasonic gas detection system and each container will carry a gas detector over the equipment. Safety valves will close automatically, and gas supply would be shut down in the unlikely event of any leak being detected.
- 2.12 There are no permanent storage facilities for biomethane on the site. There are Health and Safety regulations which govern the operation of the plant.
- 2.13 The Gas Depot access from Bletchley Road will be widened slightly and visibility splays of 2.4x 120m are provided either side of the existing access as it also serves other users and vehicle tracking shows that gas tankers can enter and exit the site in forward gear.
- 2.14 The application is accompanied by:
- a) *Planning Design and Statement and subsequent revision*
  - b) *Lighting Scheme Plan*
  - c) *Light Spill Plan*
  - d) *Transport Statement and Transport Addendum*
  - e) *Traffic Management Plan*
  - f) *Flood Risk Assessment*
  - g) *Swept Plan analysis*
  - h) *Air Quality Assessment*
  - i) *Noise Impact Assessment, etc*
- 2.15 During the course of the application the proposal was amended to exclude the originally proposed standby flarestick and the propane tanks, to which specific objections were raised

### **3.0 Relevant Planning History**

- 3.1 The existing operation has been present on this site since the 1960s with Natural gas being piped to the site underground, before distribution locally at low pressure and nationally into the National grid at high pressure. Before then, it is quite likely to have been a

distribution site for manufactured gas but this is unconfirmed. Reference: 78/00224/AV

Development: LAYING OUT SITE AS AN INDUSTRIAL AND/OR WAREHOUSE ESTATE

Decision: REFUSE Decision Date: 11 May 1978

Reference: 80/02128/AV

Development: CONSTRUCTION OF REGULATOR HOUSE SILENCER PIT INSTRUMENT ROOM AND NEW ACCESS ROAD AND SECURITY FENCE

Decision: FPP1 Decision Date: 19 February 1981

Reference: 83/00239/AV

Development: EXTENSION TO EXISTING SOUTHERN GAS SERVICE AND DISTRIBUTION DEPOT

Decision: APPROV Decision Date: 14 April 1983

Reference: 85/01705/AV

Development: ERECTION OF SECURITY FENCE AND EXTENSION OF PARKING AREA

Decision: APPROV Decision Date: 27 February 1986

Reference: 88/02117/APP

Development: SITING OF PORTAKABIN FOR TEMPORARY OFFICE ACCOMMODATION

Decision: APPROV Decision Date: 17 October 1988

Reference: 89/02894/APP

Development: 37.5 METRE HIGH RADIO MAST

Decision: APPROV Decision Date: 1 October 1990

Reference: 92/01169/APP

Development: SITING OF PORTACABINS (RENEWAL OF APP/2117/88)

Decision: APPROV Decision Date: 8 September 1992

Reference: 99/01583/APP

Development: Change of use to an internal & external storage & distribution depot together with ancillary office uses

Decision: FPP1 Decision Date: 7 October 1999

Reference: 19/04102/ACL

Development: Application for a Lawful Development Certificate for the proposed removal of most above ground equipment and pipework, Dismantle of below ground concrete pits, Installation of above ground equipment (reduced in extension compared to the existing), Installation of 1 new kiosk (GPR material) to contain the pressure reduction equipment, and Installation of 1 new, smaller, Boiler House (GPR material), Other minor civil works

including but not limited to, underground cable ducts for the new equipment are required.  
Decision: Certificate granted. Decision Date: 17 January 2020.

(Officer note - The biomethane connection was a permitted installation under a Lawful Development Application approved in 2020 (ref 19/04102/ACL) along with the removal of much groundwork equipment and pipework and installation of a smaller boiler house in preparation for this installation

#### **Relevant Background Information.**

- 3.2 **The Governments 2017 Clean Growth Strategy** will help the UK meet its net zero emissions target by 2050 and is driving the achievement of the UK's heat consumption from renewable sources up towards the target, which it failed to meet in 2019 to reduce greenhouse gas emissions by 34% by 2020.
- 3.3 This objective depends on biomethane production from anaerobic digestion plants which do not currently connect directly to the national grid, hence, rely on remote connection points such as the one proposed. Purified Biomethane production, involving the removal and upgrading of bio gases at the AD plant, has the potential to generate heat for 4.5million homes by 2030, by injecting a pure stream of bio-methane into the Main gas grid to replace natural gas or used as road fuel with increases in technology in this area. This site would enable around 5000m<sup>3</sup> per hour of biomethane to be injected into the grid, equivalent to providing renewable heat for up to 30,000 households. Any gas not in compliance with a strict quality regimes will be returned to the A.D plant for further purification before being returned for injection. This is a rare occurrence.

#### **4.0 Policy Considerations and Evaluation**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

The development plan for this area comprises of:

- Buckinghamshire Minerals and Waste Local Plan 2019 (BMWLP)
- Vale of Aylesbury Local Plan (15th September 2021)
- Newton Longville Neighbourhood Development Plan is at the early stages. The Plan is undergoing initial consultation and the currently suggested settlement boundaries exclude this site which is outside the main village area.

In addition, the following documents are relevant for the determination of the application:

- National Planning Policy Framework (NPPF)
- National Planning Policy for Waste (NPPW)
- National Planning Practice Guidance (NPPG)
- National Design Guide (NDG)
- Buckinghamshire Council Climate Change and Air Quality Strategy to be adopted

on 19 October 2021.

Vale of Aylesbury Local Plan (Adopted 15th September 2021)

The following policies are relevant to the application:

- S1: Sustainable development for Aylesbury Vale
- S2: Spatial strategy for growth
- S3: Settlement hierarchy and cohesive development
- T1: Delivering the sustainable transport vision
- T6: Vehicle Parking
- BE2: Design of New Development
- BE3: Protection of Amenity
- NE1: Protected Sites Biodiversity and Geodiversity
- NE5: Pollution, Air quality and Contaminated land
- C3 Renewable Energy
- C4: Protection of Rights of way
- I1: Green Infrastructure
- I4: Flooding

#### **Minerals and Waste Local Plan 2016-2036, adopted 2019**

The MWLP continues the presumption in favour of sustainable development in line with national policy by promoting resource efficiency by driving waste up the hierarchy of sustainable considerations and diverting waste away from landfill, thereby reducing landfill tax costs. The waste hierarchy is explained in detail in Para 5.11 of the MWLP and the hierarchy moves upwards in 5 steps from disposal to recycling and finally prevention.

There are a number of existing waste management facilities permitted in Buckinghamshire which include 2 Anaerobic Digestion (AD) facilities. Once digested, processed and purified, this waste can be used to generate clean energy and reduce greenhouse emissions.

Policy SO4 Facilitating the Delivery of Sustainable Waste Development. Paragraph 5.72 identifies a table which indicates that there is future facility needs for up to 5 medium or 2 large composting or another biological treatment process e.g. AD.

Policy SO8: Tackling Climate Change. This policy seeks to facilitate the move to low carbon future by planning positively for sustainable development that includes measures to reduce greenhouse gas emissions, minimise vulnerability and increase resilience to the impacts of climate change.

and this document replaces the former County Council Energy Strategy.

The Strategy sets out how the Council will achieve net zero carbon emissions by 2050 and improve air quality across Buckinghamshire.

The strategy focusses on the Council reducing the emissions of its own assets as well as encouraging others to follow suit with the provisions of necessary infrastructure such as electric vehicle charging points and installation of LED street lights.

It encourages input from all stakeholders and recognises the complex and interconnectedness of activities impacting climate change.

The Strategy identifies that transport is the largest source of carbon emission with the domestic use of gas representing 20% of carbon emissions. Removing emissions from domestic gas supplies might require removing or replacing 180,000 gas boilers in Buckinghamshire.

One of the other objectives in the strategy concerns the re-procurement of gas and electricity contracts to a more sustainable offer in term of carbon impact as well as minimising waste.

#### The National Planning Policy Framework

The NPPF Para 152 states that the planning system should support the transition to a low carbon future in a changing climate. There is a clear requirement to support renewable and low carbon energy and associated infrastructure. Para 155 states to help increase the use and supply of renewable and low carbon energy and heat, plans should:

- (c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems for co-locating potential heat customers and suppliers.

Para 158 requires that when determining planning applications for renewable and low carbon development that local planning authorities should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions and approve applications if its impacts are (or can be made) acceptable.

In addition the **NPPF revision in 2021** supports and explains the agreement to pursue the 17 Global Goals for Sustainable Development in the period to 2030, which arose from the commitments of the Government in the 1992 Rio Earth Summit and have now been adopted by the United Nations Department of Economic and Social Affairs. Goal 7 seeks to 'ensure access to affordable, reliable, sustainable and modern energy for all. There are 5 targets for achievement of this goal. Target 7.2 – by 2030 increase substantially the share of renewable energy in the global economy mix; Target 7.a – by 2030 enhance global co-operation to facilitate access to clean energy research and technology, including renewable energy, energy efficiency and advanced and cleaner fossil fuel technology , and promote investment in energy infrastructure and clean energy technology.

#### **National Planning Policy Guidance**

Advises that Planning has an important role to play in the delivery of new, renewable and low carbon energy infrastructure in locations where the environmental impact is acceptable.

## **Principle and Location of Development**

VALP Policy S1 sustainable Development for Aylesbury Vale, Policy S7 Previously developed land, Policy C3 (Energy Strategy - requires all development schemes to achieve greater efficiency in the use of natural resources.

- 4.1 The Plan identifies within its Strategic objectives that the Council will manage development in a way that ensures that climate change is adapted to and mitigated against and this includes making appropriate provision for the generation and use of renewable or low carbon energy, and locally distributed energy.
- 4.2 The proposal is for gas related development within an existing gas depot. It would not constitute a change of use as land because in effect it would be an extension to existing facilities. As such it would represent the effective and efficient use of land and in principle be acceptable subject to compliance with relevant development plan policies.
- 4.3 Anaerobic digestion plants produce the bio methane gas but are unable to feed that directly into the grid without accessing depot linking facilities. Therefore, there is a requirement to bring the bio-methane gas to appropriate facilities as the existence of a suitable grid connection is a constraint in delivery of clean gas. The proposal arises from the development of this new technology which allows natural gas to be blended with a “greener gas”. The current intention is to roll out this technology at a small number of sites which includes the gas depot at Newton Longville.
- 4.4 Policy C3 states that planning applications involving renewable energy development will be encouraged provided that there are no unacceptable adverse impacts. In this instance the key issues for consideration would be highways and access issues and residential amenity.

## **Employment issues Policy**

VALP policy E2 (Other Employment sites)

- 4.5 The current gas depot provides some employment opportunities and as such would be considered as an employment site. Policy E2 provides protection for such employment sites seeking to retain their employment opportunities. Whilst there is likely to be more activity from the depot site, there is unlikely to be any significant increase in employees, other than drivers, attending the site. No permanent presence is required on site. Emergency situations already have cover by existing SGN 24 hour call out staff and visiting truck drivers will not be present for more than a short respite as they detach one trailer to download the gas and the attach an empty trailer to return to the next location. The proposal does not conflict with E2 but little weight is given to this because it will not generate additional employment.

## **Transport matters and parking**

VALP policies T5 (Delivering transport in new development), T6 (Vehicle parking), Appendix B (Parking Standards) and T8 Electric vehicle parking.

- 4.6 This is a key area of consideration. The transport statement Addendum Forecasts the traffic generation from the site to be modest and not result in an environmental impact on the local highway network.
- 4.7 The estimated vehicular movements equate to a maximum of 6 deliveries per bay, per day equating to 18 deliveries with a maximum capacity of 20 per day allowing for variations to occur. The 4<sup>th</sup> bay on the site will be used for any required maintenance. The deliveries are limited by the physical and practical capacity of the site and equipment. It is on this basis that the application has been assessed.
- 4.8 The operation requires each truck to book a slot and the scheduling factors in, any unavoidable delays that occur and will deny access to additional trucks. The management arrangements can be controlled because the operation is managed by a single company. In the event of a misjudgement, an extra truck will be denied access and will have to wait its turn along the entrance roadway, for which there is sufficient space without compromising the operation of the adjacent distribution company or stop up at a previously agreed location if there is a known delay en route.
- 4.9 Some surveys were carried out on the local transport network in combination with the pallet depot on the adjoining site in February 2021. Peak rate flows were 54 HGVs per day and Bletchley road caters for 150 HGVs per day indicating that the one or two extra per hour will have little material effect on the network even in peak times. The local roads have also been assessed and HGV tracking applied using the biggest vehicles and indicates that in either direction the vehicles can safely access the site. Phase 2 of the EWR will introduce some additional activity during its construction but the gas depot will not operate at capacity until the EWR nears completion.
- 4.10 The visibility splays adjacent to the existing site access would be extended to 2.4mx120m in both directions in line with the 40mph speed limit on Bletchley Road. The submitted Transport statement tracking demonstrates that articulated vehicles can already adequately access and turn within the site to exit in forward gear, despite the access being tight along Bletchley road and Newton Road under the railway bridge and on the bend which measures only 5.2 width at that point.
- 4.11 The Highways engineer also acknowledges the difficulty in negotiating Newton Longville village especially at the crossroads along this route which is the most likely direction for incoming traffic to flow due to the proximity of the main road network in Milton Keynes. Consequently, a traffic routing plan has been agreed with the applicant and is to be the subject of a S106 agreement. The traffic routing plan shows more than 1 access route to spread the traffic between routes Milton Keynes Council have raised concerns about the bridge width and height and its unsuitability for HGV movements, the applicants state that their vehicles will have a height of 3.6m and be able to pass comfortably underneath the 4.2m high bridge on Bletchley Road . Furthermore, to clarify the point raised regarding the left turn into the site, this access is currently used by the neighbouring pallet company and their HGVs without any highway safety issues resulting. This company operates between

5am to 7pm and generates 5 HGV movements at night and 10 during the day.

### **Raising the quality of place making and design**

VALP policy BE2 (Design of new development) and NE4 (Landscape character and locally important landscape).

4.12 BE2 states that all new development proposals should respect and compliment the characteristics of the site and character of the surrounding area. In relation to the gas depot, it is already an open, hardsurfaced site containing gas pipes and plant as well as cabins containing pressure measurement equipment. It is all relatively low level and low key with very little activity on site. The character of the site would change very little in visual appearance apart from the ingress and egress of the large HGV delivery trucks. The proposed minor alterations on site would be in character with the local surroundings and appropriate for the prevailing business activity.

### **Amenity of existing and future residents**

VALP policy BE3

4.13 There will be very little change on the wider SGN site that can be seen from nearby houses as they will only have an oblique and distant view. Other local operations including the EWR works have resulted in the removal of significant elements of the former boundary tree screening making the larger gas depot site more visible to neighbouring property but the new facility proposed would not be in the direct line of view from the rear of the nearest properties

4.14 The visual impact of the proposed development would be minimal although it is recognised that some of the pre-existing tree and boundary screening has been removed by other local activities. The view from the rear of the nearest houses will be very oblique as the siting of the new operations will be in the SW corner of the site out of direct view and at considerable distance. The visual impact from local residences will be similar to the current situation. The structures proposed on site will contain the majority of the plant necessary for the operation, as they do now, and those cabins will be noise insulated. The site is relatively isolated, and the nearest properties will not experience any material increase in noise, emissions, vibration or odour and lighting impact has been minimised and concentrated in the operational areas. A noise assessment was submitted during the application and is considered in more detail in the Environmental Issues section of the report.

4.15 The main objections relate to the traffic movement proposed which has been outlined above. Concerns about traffic have been considered in the relevant section and it has been established that other than a possible small time overlap in 2023, between the EW Railway construction and the start of the gas offload facility, the traffic movements are unlikely to significantly worsen the traffic conditions on a relatively main road.

### **Environmental issues**

NE5 Pollution, air quality and contaminated land. BE3 Protection of the amenity of residents.

#### Air Quality

- 4.16 The applicants commissioned an air quality assessment from Redmore Environmental to measure the pollutant emissions from road traffic vehicles visiting the site. All delivery trucks will be fuelled by biomethane gas. The results suggest that the air quality impacts created as a result of traffic generated by the site, from nearby sensitive location was not significant. Based on the DEFRA Air Quality Standards in 2007, which is recognised national standard.
- 4.17 The assessment area was based on the proposed location and access routes in relation to the nearest residential properties in order to calculate maximum potential changes. It also considered worst case scenarios. The conclusion suggested that the annual mean predicted change in NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> emissions was negligible based on December 2020 data and as assessed under the Air Quality Standards Regulations 2010, for the pollutants listed.

#### Noise

- 4.18 A noise assessment was also undertaken by Professional Consult to identify the key sources of noise associated with the operation of the site from key locations such as 120 Bletchley Road and Fontwell Drive and it was found that the internal noise levels fall below the typical background noise level of 30dB with a window open. The potential change in ambient noise level is classed as none/not significant under the 2019 British Standard (BS 4142) and is classed, from the closest residential properties, as being 'no observed effect level' (less than 2.9 dB). The methodology was also confirmed by Buckinghamshire's Environmental Health Department.

#### Lighting

- 4.19 The most relevant policy is NE5 which states that external lighting will only be permitted where it is the minimum required and light spill is minimised so as not to prejudice wildlife. It also states that air quality is governed by the National Air Quality Strategy Standards.
- 4.20 A lighting scheme was also submitted as part of the application which undertook a thorough assessment of the site and proposed lighting. It concluded that the new facility would offer an environmentally sympathetic lighting scheme, minimising luminance.

#### Odour

- 4.21 In terms of odour, gas is odour free until the smell is added at the point of network distribution.
- 4.22 In conclusion, the evidence presented in terms of environmental impacts demonstrates that there are no material adverse impacts. As such it is considered to comply with the relevant policies.

#### **Flooding and drainage**

Policy I4 - Flooding

- 4.23 A small part of the red edge land which lies to south of the site, adjacent to the river Ouzel, lies within Flood Zone 3a. With regard to the Hazardous Substance Consent the Applicants and the HSE have confirmed that this is not required and therefore the flood risk category is Less vulnerable.
- 4.24 An initial objection was received from the Environment Agency for failure to submit a Flood Risk Assessment due to the site being within Flood Zone 3a. The objection was withdrawn once the FRA Addendum was submitted and considered by the EA.
- 4.25 While a small part of the site is within Flood zone 3a the relevant flooding policy requires a Sequential Test to be undertaken. However, because the nature of the development is classified as Less Vulnerable an Exceptions Test is not required.
- 4.26 The aim of the Sequential Test is to ensure that a sequential approach is followed to steer development to areas with the lowest possibility of flooding. This site is a gas depot and the development is associated plant and equipment to allow for the blending of gas coming into the gas network. On this basis it is considered that a pragmatic approach is required to the availability of alternative locations. This development can only be in this location because of the existence of the gas depot and necessary infrastructure. Therefore, the development meets the sequential test and this approach is in line with the advice in para 33 of the National Planning Policy Guidance (Flood risk and coastal change)
- 4.27 Any tidal flooding risk was assessed as LOW in the FRA submitted in September 2020 by the applicants consulting engineers, as the adjacent watercourse is not tidally influenced in this location. Surface Water flooding is also assessed as low risk from the surface water flooding risk map scenarios in high rainfall events. In a 30-year storm event, the area to the south of the site has been measured as a depth less than 300mm and the existing vehicular route leading onto Bletchley Road has a very low risk rating. In a 100-year storm event, the area of flooding would increase but the depth projected remains below 300mm. This would increase if a 1000-year storm event occurred, at which point the site might well temporarily close.
- 4.28 As the proposed development does not involve any below ground construction the FRA considers the flood risk to be LOW and no artificial flood risk have been identified.
- 4.29 The porta cabin to be sited on the south of the site for the mess facility would be raised off the ground to mitigate any potential flood risk from rare storm events and would sit 300mm above the fluvial 100year+ climate change level. The steel containers securing equipment would be raised on concrete plinths set above 86.95mAOD which is 300mm above 100yr+ climate change flood level.
- 4.30 In terms of odour, gas is odour free until the smell is added at the point of network distribution and consequently there is no impact on residential amenity.
- 4.31 Subject to proposed conditions the application is considered to satisfy the policy requirements.

## **Landscape Issues**

VALP policies NE4 and NE8 Landscape character and locally important landscape trees, hedgerows and woodlands

4.32 The site has been hard surfaced and in a gas distribution use for at least 50 years, so this character is well established. There is no additional harm to the landscape from the proposal.

### **Ecology**

VALP NE1 (Biodiversity and geodiversity)

4.33 The Preliminary Ecological Assessment was an accurate assessment of the habitats and features for biodiversity present on the site. The best practice recommendations put forward as part of the PEA are largely acceptable with further consideration required in relation to Great Crested Newts, due to the presence of ponds within 250m of the site, whilst recognising that the negligible suitability of the landscape for amphibians and reptiles and the works proposed being unlikely to impact such species. A precautionary method statement is therefore recommended, prior to the commencement of works, highlighting best practice methods and suitable mitigation. A condition is therefore recommended.

### **Sustainability**

Policy C3 (Renewable Energy) of VALP

4.34 The applicants have responded directly to the concerns raised in the objection from Milton Keynes Council. In terms of the MK Sustainability comments they states firstly in para 4.12 of the Design and Access Statement that the proposed development could provide up to 30,000 households a year with renewable heat with significant greenhouse gas savings over using natural gas supplies. Studies have been carried out by specialist consultancy, Aardvark which suggest that greenhouse gas savings within a 50km radius would be in the order of 58,128 tonnes a year, equivalent to removing 19,221 cars from the road or planting 2.7 million trees. This also includes the 2019-2050 Sustainability Strategy use of bio methane fuelled transport.

4.35 In direct relation to the Milton Keynes area, many homes in the district, which are currently served by the medium pressure gas main ring around Milton Keynes would be served by the renewable gas source. This would meet their own targets for a green energy revolution in their 2019-2050 Sustainability Strategy.

4.36 The greatest environmental impact of this renewable energy proposal is the HGV movements and their use of fossil fuels. As part of the discussions which have taken place during the course of the application the applicant has undertaken to use bio methane fuelled trucks for delivery of the gas and for the drivers to follow a routing plan agreed with the Council, other than in exceptional circumstances. Greenhouse gas savings of bio methane fuelled vehicles can be significant as they have extremely low emissions of local pollutants including NOx and particulates when compared to petrol and diesel vehicles.

- 4.37 The applicant has agreed to a voluntary S106 Legal Agreement by way of Unilateral undertaking to secure these environmental benefits. The fleet is under the control of the same company and therefore it is possible to achieve a position that would be difficult to deliver in most other circumstances. There is also space to park an HGV truck off the road outside the depot without compromising the business activities of the neighbouring pallet, delivery company who also have a fleet of HGVS using the same access point from Bletchley Road.
- 4.38 These measures are welcomed and help towards the strategic objectives of the VALP however they are additional benefits being offered by the applicant. Failure to provide these benefits would not make the development unacceptable or lead to reasons for refusal.

### **Other Matters**

- 4.39 It is acknowledged that the development has received unprecedented levels of objection. Much of the concerns are round highway impacts and health and safety. The necessary consultations have been undertaken and the responses indicate that these concerns are not supported by the evidence. Additional information in relation to some of these issues is provided within this section, although it should be noted that they are not material planning considerations.
- 4.40 The gas facility is also controlled by other Regimes than Planning and Building Control. The HSE and licencing regimes have stringent control and enforcement measures which will ensure that the facility is properly managed and controlled in accordance with legislation and guidelines, thereby allaying some of the fears expressed in the objections received. Planning Guidance discourages the Planning System from duplicating other legislation and therefore discourages the overzealous imposition of planning conditions which may be neither reasonable nor enforceable under planning regulations. This would also render them inappropriate under the NPPF paragraph 55 criteria. For example, there is a Quality Protocol for Bio methane from Waste which sets out the end of waste criteria for the production of bio methane arising from the degradation of organic waste from landfill or anaerobic digesters. That requirement falls outside Planning.
- 4.41 There has been some suggestion of a path running along the railway boundary to the site. This is NOT a public footpath and access to the area will be limited in future by the re-emergence of the railway. The path previously crossing the railway bridge is also likely to disappear with the railway construction.

### **Infrastructure and Developer Contributions**

- 4.42 It is not considered that there would be other types of infrastructure that will be put under unacceptable pressure by the development to justify financial contributions of the direct provision of infrastructure.
- 4.43 However, as mentioned in the section on sustainability the applicant has undertaken to limit the impact of their development in terms of carbon emissions in accordance with the

objectives of the VALP and specific policies. The applicant has volunteered a unilateral undertaking which has been submitted to the Council.

4.44 The drafted s106 legal Undertaking states in schedule 2: -

- From the date of first operation of the development, the operator shall ensure that the HGV movements to and from the site are in compliance with the Traffic Management Plan and for the avoidance of doubt this paragraph 6 shall not apply in the event of and for the duration of emergencies, where the police, officer of the emergency services, or officer of the Council direct HGVs to use another route, where road works or natural events(including but not limited to snow or floods) prevent or render unsafe the use of the route, where highway works are being undertaken or there are relevant changes to the highway network.
- From the date of the first operation of the development, the operator shall transport biomethane to and from the site using biomethane powered HGVs save where exceptionally it is not operationally feasible as a result of one of the following occurrences: -
  - The bio methane fuelling infrastructure is not in operational use
  - There is insufficient number of biomethane powered HGVs in operational use in use; or
  - There is an insufficient number of appropriately licenced drivers available

4.45 An annual report will be submitted to the local Planning Authority indicating the frequencies of such occurrences.

4.46 Schedule 2 also requires a further Traffic Management Plan to be submitted and approved by the Council prior to the commencement of the development to ensure that HGV movements are managed appropriately and in compliance with the TMP.

4.47 This is not a requirement to make the development acceptable but is a voluntary undertaking and has not been given weight in the planning balance.

## **5.0 Weighing and balancing of issues / Overall Assessment**

5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.

5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
  - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
  - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with development plan policy C3.
- 5.4 The culmination of all the factors involved in this proposal, all be they complex and emotive, point to the planning concerns having been satisfactorily addressed.
- 5.5 The site is a small area within a long existing gas distribution compound which has been successfully operating on this site since 1969.
- 5.6 The additional facility proposed here, complies with all the national and local policy ambitions concerning energy production, reducing both waste and greenhouse gas emissions.
- 5.7 Concerns about safety have been addressed and fall within other Regulatory regimes than planning.
- 5.8 Therefore, in the circumstances, it is considered that a highly regulated and licenced operation by a nationally recognised and supported operator and delivering environmental and climate change gains is acceptable in planning terms and meets with policy objectives. The harm to the environment, Highway and residential amenities is not so significantly harmful as to warrant a defensible refusal of planning permission
- 5.9 This facility will offer the dual opportunity of using digested degradable waste as well as providing an opportunity for clean gas generation and distribution and fully complies with Policy with insignificant additional harm to local areas, landscape character and their residential amenities.
- 5.10 The s106 undertaking although not required, does help to achieve further environmental benefits from the development and meet overall strategic objectives in the Vale of Aylesbury Plan 2021.
- 6.0**
- 6.1 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the **Equalities Act**, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.
- 6.2 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

## **7.0 Working with the applicant / agent**

- 7.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 7.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 7.3 In this instance
- the applicant/agent was involved at every stage of the consideration and responses positively and constructively to all the matters of concern as they were raised .
  - The application will be considered by the Strategic Planning Committee where the applicant/agent has the opportunity to speak to the committee and promote the application.

## **8.0 Recommendation**

Therefore, the recommendation is that planning permission be granted subject to the Unilateral Undertaking under s106, and the following conditions.

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.

Reason: To comply with the requirements of section 91(1) of the Town and Country Planning Act 1990, as amended by s51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall only be carried out in accordance with the following drawing and documents no's:
  - i. Site location Plan for offload facility No. JMJ/NL/003 17/09/2020
  - ii. Lighting scheme Plan AOA SEPT 20
  - iii. Light Spill Plan – SK-03 A 12/12/20
  - iv. Site layout plan R6 Dec 2020, (removing propane tank and flarestack)
  - v. Portacabin elevation plan no. JMJ/NL/004 7/10/2020
  - vi. Gas Load facility –Revision 7 without propane tank and flarestack and with fencing and elevations updated.
  - vii. Portacabin elevations Drwg No JMJ/NL/004 Reva 7/10/2020
  - viii. Transport Statement by David Tucker Associates
  - ix. Transport Addendum 15/02/2021with routing plan – Figure 1.
  - x. Flood risk assessment Addendum A 16/12/2020 to FRA BLI.2020.3 Sept 2020 Rev 01
  - xi. Lighting Scheme Sk-02 Rev A Dec 20
  - xii. Lighting assessment Dec 2020 with items removed.
  - xiii. Light Spill SK-03 Rev A Dec 20
  - xiv. Swept path analysis – 22195-02
  - xv. Planning Design and access statement - Revision Feb 2021

- xvi. Air Quality Assessment 16/06/2021
- xvii. Noise Impact Assessment – 18/06/2021
- xviii. Visibility splays sept 2020 no. 22195-01, David Tucker Assoc.
- xix. Preliminary Ecological Appraisal (Scales Consultancy Ltd, 8/10/2020)

Reason: for the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority and to comply with National Planning Policy.

3. Prior to the commencement of the development minimum vehicular visibility splays of 120m from 2.4m back from the edge of the carriageway from both sides of the access onto Bletchley Road shall be provided and the visibility splays shall be kept clear of any obstruction between 0.6m and 2.0m above ground level

Reason: to provide adequate visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

4. Prior to the commencement of the operation, vehicle and HGV parking and manoeuvring shall be provided as shown on the approved plans and not thereafter be used for any other purpose

Reason: To enable vehicles to draw of, park and turn clear of the Highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

5. Prior to the commencement of the operation a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the Local Planning Authority and the approved CTMP shall be adhered to throughout the construction period. The CTMP shall provide for the following:

- Construction access and routing details
- The parking of vehicles of the site operatives and visitors off the highway
- Loading and unloading of plant and materials storage off the highway
- Delivery hours
- The erection and maintenance of site security hoarding.
- Wheel washing facilities
- Pre-condition highway surveys

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

6. The development shall be implemented in accordance with the agreed mitigation and best practice methods detailed within the preliminary Ecological Appraisal (Scales Consultancy Ltd, dated 8th October 2020).. Any variation to the agreed plan shall be agreed in writing by the Local Planning Authority before such change is made. The condition will be considered discharged following; a written statement from the ecologist acting for the developer testifying to the plan having been implemented correctly.

Reason: To ensure that biodiversity is preserved and enhanced and 10% net gains in biodiversity are delivered in accordance with adopted policy and the NPPF and the conservation of habitats and species regulations and s99 of ODPM circular 06/2005.

7. No development shall take place (including site clearance, demolition and ground works) until a method statement for the Great Crested newts has been submitted to and approved by the L.P.A. The content of the method statement shall include
- a) the purpose and objectives for the proposed works
  - b) the detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
  - c) extent and location of proposed works shown on appropriate scale maps and plans;
  - d) timescale for implementation, demonstrating that works are aligned with the proposed phasing of construction;
  - e) persons responsible for implementing the works
  - f) initial aftercare and long term maintenance (where relevant)
  - g) disposal of any wastes arising from works

The works shall be carried out strictly in accordance with the approved method statement and shall be retained in that manner thereafter.

Reason: To ensure that biodiversity is preserved and enhanced and 10% net gains in biodiversity are delivered in accordance with adopted policy and the NPPF and the conservation of habitats and species regulations and s99 of ODPM circular 06/2005.

8. The development shall be carried out in accordance with the submitted flood risk assessment Addendum BLI Consultant Engineers, ref BLI.2020.3, Dec2020. Rev 01 and the following measures it details:
- The portacabin located to the south of the site will be raised of the ground on stilts. The FFL will be set at 86.75AOD which is 300mm above the fluvial 100-year (70%) plus climate change flood level.
  - The steel containers/ kiosks will be raised up on a concrete plinth. The top of the concrete base will be set at 86.59AOD which is 300mm above the fluvial 100-year (70%) plus climate change flood level.

Reason: To reduce the risk of flooding to the proposed development and future operatives.

9. There shall be no storage of biomethane gas anywhere on the site independent of the trailers within which it is delivered

Reason: To ensure that the development is operated in accordance with this permission.

## **APPENDIX A: Consultation Responses and Representations**

### Councillor Comments

Councillor Scott Raven wrote in support of the application but recognised that there were a number of aspects of the scheme that needed serious discussion at Committee and hence called in the application to Committee for decision.

Councillor Ben Everitt (no longer elected Councillor) - has supported Councillor Scott Raven's call in and says that he objects on the following grounds:-

It's a stupid idea??

Explosion risk next to EW Rail works and a key railway network

Serious concerns about the traffic from the tankers

Explosion risk of the tankers

- The proposed site is too close to a residential area
- Also worth pointing out that the engagement from the applicant has been woeful and the community are rightly angry

### Parish/Town Council Comments

#### **Newton Longville Parish Council**

An informal meeting took place between the Parish Clerk and the then case planning officer where concerns about the application were raised. However, no formal comments have been received by the Parish Council Clerk.

**West Bletchley Parish Council** objected to the lack of HSE objections to the proposal and also raised serious concerns about the traffic movements and the delivery of propane to the site as well as air pollution, noise and the leakage of gas from the site in a residential area, as well as the location of a hazardous site.

Following subsequent consultation the Parish Council raised the following concerns

- The traffic generated would be detrimental to the community.
- The proposal would generate unacceptable levels of noise and air pollution.
- There would be an adverse impact on residential amenity.
- This is an inappropriate location for a hazardous site

**Bletchley and Fenny Stratford Town Council** comments:

- Lack of HSE report.
- Negative impact on traffic.
- No detailed information on whether the vehicles will be able to handle specific local road

junctions.

- Unacceptable levels of noise and air pollution from the site.
- Impact on visual amenity
- This is an inappropriate location for a hazardous site.

**Whaddon Parish Council** also objected along similar lines to the other Parish Councils citing traffic and residential amenity concerns as their reasons for objection and expressing concerns about the physical and mental health issues arising from the anticipated noise and pollution.

**Milton Keynes** - Councillors Samantha Brown, Katherine Ward, Elaine Wales and James Lancaster also object on the same grounds of residential amenity, traffic, noise and safety as well as raising concerns that the lorries would be delivering effluent from anaerobic digestion plants and would be unsafe and odorous.

Councillor Allan Rankine (Milton Keynes Councillor - Bletchley Park Ward) - has requested a committee decision on this application due to the high level of local interest from residents of Newton Longville and Bletchley in the application and the fact that this facility should be not be in or near residential areas. He also comments on the risks of connecting and disconnecting high pressure gas mains raising the potential for a catastrophic leak which he considers is not adequately addressed by the HSE in the context of the emerging rail line to the North. He suggests restoring the land opposite, formerly a landfill site, to a nature reserve which will be visited by many people. Councillor Rankine also expresses concern about the lack of physical barriers alongside the public pathway adjacent to the site and alongside the railway line and serves Chepstow Park via an underpass. Security fencing would be insufficient in the event of any emergency. He expresses concern about introducing a new facility in an urban area and objects on this basis. He further objects in April 2021 on the basis of the landfill site opposite becoming a nature reserve.

#### **M.P for Buckingham**

Matthew Walsh on behalf of Greg Smith M.P visited the site with the Parish Council Clerk and raised objection to the proposal on the grounds of road safety; the cumulative impacts on the local area; and the passage of HGV lorries through Newton Longville village as well as noise, pollution and the impacts on local residents.

A further comment was received dated 22/9 21 which emphasized his concerns about putting further pressure on the road network and introducing an unacceptably high risk to residents in Newton Longville. He comments on the further deterioration condition of the local road network and the public safety hazards of the transportation of high pressure gas so close to residential properties.

His final objection to the expansion of the current gas depot site relates to the proximity of the footpath NLO 18/1 and the risk to its users.

#### **Consultation Responses (Summarise)**

**The Health and Safety Executive** - is a statutory consultee under the Planning (DMPO) Order 2015 where Major Hazard Sites/Pipelines exist and confirm that the site lies within the Consultation distance of a major gas pipeline. This may restrict access if the operator has a legal interest in the pipeline and may also restrict any proposed building works. HSE advice is based on the current situation and maybe affected by the operator. The **HSE advice clearly states that they do NOT advise against this development on safety grounds**

**Environmental health** - have no objections to this application.

However, from a noise and lighting perspective, it is noted that the main noise source will be from the HGV movements delivering gas to the site. The nearest residential properties are 150m away and an increase of a maximum 20 HGV movements a day would not add significantly to the noise already experienced by these properties on a relatively busy road. Originally, the proposal included a flare stack and a propane gas tank but they have now been removed from the proposal as gas technology at the AD plants has improved sufficiently to preclude the need for either. The EH officer further considered the noise from the EWR line construction traffic would far outweigh the noise from the gas site in the next few years. Other properties are separated by the EWR line and are 225m away therefore masking any noise from the gas site.

In terms of lighting, any light spill would be contained close to the site and would be screened by some mature vegetation. The impact will not be significant.

**A further consultation occurred**, upon receipt of the air quality and noise assessments of the CNG fuelled vehicles in June 2021 and regarding noise, E.H experts advised, that despite effects possibly being reduced during Coronavirus lockdowns, the background/ ambient noise estimates were likely to be an underestimate of normal circumstances, thereby suggesting that there would be little impact even at night with windows open from the nearest receptors. They also concluded that the road traffic noise generated by the HGV movements was likely be less than the predicted effects in the submitted report and considered it to be not significant.

In terms of the air quality assessment, the conclusion was that the increase in any pollutants was less than 1% and would have negligible impact. Therefore, no further mitigation or conditions were recommended and a refusal of permission on these grounds could not be justified.

**The River Ouzel Drainage Board** - confirm that this site is outside the Boards District and they therefore have no comment to make.

**The Environment Agency** – objected originally to this application in the absence of a Flood Risk Assessment required in compliance with para 163 of the NPPF The subsequent submission in December overcame the original omissions regarding any changes in flood capacity. Their objections have been addressed by the addendums and now satisfy requirements and the objection has been withdrawn on 27/5/21 subject to the imposition of a condition.

**The River Ouzel Drainage Board** - confirm that this site is outside the Boards District and they therefore have no comment to make.

**Buckinghamshire Fire and Rescue Service** - commented that the application must give due consideration to the building Regulations section 15 (vehicular access) and Section 16 (Fire Mains

and Hydrants) and ensure adequate access for emergency vehicles along with a digital lock to the site.

**The Crime, Prevention and Design Officer** - requested that the boundary treatments and gates are increased in height from the 1.8m proposed to a height of 2.1 minimum but preferable 2.4m to match the existing boundary treatment referred to in the DAS and that plans are submitted to confirm the arrangement in accordance with the guidance.

**Milton Keynes Council** – raised an objection in November 2020 concerning the potential impact on the highway networks which stated, “At this stage, the Council has initial concerns regarding the proposal in terms of the associated impact on the local highway network. The increase in vehicle movements as a result of the proposed development could potentially be detrimental to road safety and other highway users contrary to Policy CT2 of Plan: MK (2019).

The Council also shares the views which have been raised by Bletchley and Fenny Stratford Town Council and support their observations regarding concerns around the proposed development and the impact on the wider area.

As a result of the above, Milton Keynes Council hereby issues a HOLDING OBJECTION to the application proposed until such times as further information provided in response to the queries and concerns raised by the Town Council”

In March 2021, Milton Keynes responded, “with regards to comments received relating to issues surrounding noise, pollution and public health, there have been no objections raised from the Environmental Health Officer. I am however awaiting detailed comments relating to Highway safety, traffic movements, access and vehicle routes.

On 29/3/2021 M.K Highways say; Subsequent to the previous highway comments (20/02389/CONS) a Transport Statement Addendum has been submitted. The additional information submitted does not address the issues that were raised in the previous highway comments: although these do not seem to have been passed on in full.

There is no explanation of where the renewable gas is being produced and therefore how far this material will have to travel to the site Despite the suggested environmental benefits of the scheme, the transport of this gas by road, over long distances, particularly in diesel HGVs would undermine any potential benefits,

Without understanding where the gas is produced, it is difficult to comment on whether this location is appropriate for its injection into the network. What other locations were considered and /or rejected?

The original Transport Statement suggested that vehicle movements “are expected to be around 20 deliveries a day which would result in 40 movements. However, the TS Addendum has revised that figure down to 6 deliveries, (12 movements).

The TS did not provide any detail on the routing of the HGVs to/from the site. The TS Addendum has provided a routing plan which shows that deliveries would take place via Bletchley Road or Whaddon Road.

Whilst Bletchley Road is a reasonable width at the site access, it is restricted to around 5m under the nearby railway bridge. With a height restriction of 4.2m the bridge is marked for HGVs to use the centre of the road, preventing 2 way movement

The TS Addendum includes information on Personal Injury Accidents and although it describes an incident on Whaddon Road, it does not acknowledge the collision at the Bletchley Road railway bridge. Although this was driver behaviour related it validates the concern about the road width at this location.

Tracking diagrams for HGVs using the site access have now been provided. The tracking confirms that the left turn into the site HGVs performing this manoeuvre would need to utilise both sides of Bletchley Road and both sides of the access. The tracking clearly shows that this manoeuvre would be in direct conflict with an exiting vehicle.

Vehicles turning left into the site have no visibility into the site or along the access road and the potential for conflict is high.

### Summary

No details are provided on the origin of the gas to be brought to the site. No details are provided on why this site was selected and others rejected. The potential environmental health benefits of the scheme could be undermined by long haulage distances.

Mindful of the potential conflicts at the site access and the potential for increased hazards at the Bletchley Road railway bridge, it is recommended that a formal objection is made to the application.

On 18/5/21 Milton Keynes Council responded to the re-consultation and points out that it **reiterates and maintains its previous objection**

The applicants have responded to these comments in para 7.6.

### Highways

The proposed development would use the existing access arrangements to the gas depot from Bletchley Road, which is a Classified C road with a 40mph speed limit. Highways also recognise the tightness of the local road to the north, under the railway bridge and at the crossroads in Newton Longville village and requested a Transport Statement which was subsequently forthcoming in an Addendum. Highways concluded that the roads were wide enough for HGV trucks to pass any parked vehicles but recommended a routing Plan via a s106 Legal agreement which has subsequently transpired and been further re-consulted on. Highways considered the situation carefully and were satisfied that no unacceptable impacts on Highway Safety would result, subject to the imposition of conditions, which form part of the recommendation.

The latest re-consultation received confirmation that the Highways situation proposed and the latest Traffic Management Plan were satisfactory as was the proposed management regime for the HGV drivers. Highways were also satisfied that the final arrangements would be submitted to and approved by the Council prior to the commencement of the operation, as stated in the draft Legal agreement.

## Internal consultation responses

**The Ecology Officer** - comments in March and then in August 2021 that further information is required to secure mitigation and best practice methodologies with the Preliminary Ecological Appraisal report and a biodiversity method statement (a non-licensed method statement for great crested newts) has been requested by a pre-commencement condition. These are recommended as conditions 6 and 7.

**The Protected species Officer** - considers the preliminary Ecological Appraisal submitted on 8/10/20 to be an accurate assessment of the habitats and features present on the site at the time of the survey. Further consideration needs to be given to the possibility of the existence of great crested newts, as the development will fall within 250m of ponds where they have previously been identified but notes that the habitats are of negligible suitability. A precautionary method statement will be required to highlight that best practices have been followed and any potential mitigation implemented. An appropriate condition requiring this assessment is recommended by the Protected species Officer and is included in the recommendation.

The Protected species officer further comments on minimising the light spill and potential glare by control of light direction and level particularly in areas of wildlife interest where the Council would expect surveys to identify wildlife corridors and ensure that these are protected and enhanced where possible under Local Plan Policy NE5 of the emerging VALP, which carries considerable weight.

**Buckinghamshire Climate Response Team** – commented, based on the submitted Design and Access Statement, that the scheme would use bio-methane, produced using Anaerobic digestion from locations which do not have access to the national gas grid. They also note that bio-methane will displace the equivalent amount of natural gas thereby eliminating CO2 emissions from using this non-renewable gas supply. They also note that the trucks delivering bio-methane gas from the AD plants to the gas distribution depot will be conducted using bio-methane fuelled vehicles.

The Climate Change Committee have recommended that near term policy should 'maximise bio-methane production from waste via AD for gas grid injection'

## Representations

### **Other Representations**

2 comment has been received supporting the proposal:

1353 comments have been received objecting to the proposal:

#### *Summarise comments*

- The movement of HGV trucks through Newton Longville village, Bletchley and residential streets without adequate infrastructure.
- The noise and pollution emanating from the trucks destroying the local quality of life.
- Blocking of the bridge between Bletchley and Newton Longville.

- •The transportation of flammable gas by road.
- •Fear about lack of Health and Safety measures from the new facility as well as from the traffic movements.
- •The further industrialisation of Newton Longville.
- •Facility being too close to family homes causing air pollution where there are already landfill toxins and an EWR compound and resulting in further stress.
- •Risk of a further Buncefield explosion within 200m of family homes.
- •Impact on health, quality of life, wildlife and countryside and the local flora and fauna.
- •AVDC dumping its problems on Milton Keynes
- •Disbelief of the information about use of LPG gas in vehicles and associated nitrox emissions.
- •More HGV movements through the village is unacceptable.
- •Site is too close to residential areas, playing fields, Chepstow Park, allotments, shops, a telecommunications mast, and a new railway line.
- •Increased traffic will add to already congested roads.
- •High pressure connection to natural gas mains means there is potential for undetected gas leaks.
- •Offloading of flammable gas across the road from houses creates risk.
- •Site is close to several schools, increased HGV traffic will effect children's walking routes to school.
- •Route to site uses Buckingham and Newton road junction which is main access to St Thomas Aquinas Primary School.
- •Use of facility 24 hours a day.
- •Risk of accident leading to fire/explosion – large grass fires have occurred in adjacent fields in recent years.
- •Financial impact to house prices.
- •Landscape and visual impacts of the proposal.
- •Not clear how the proposed method of operation will work – does not consider if tankers arrive early and where they will wait.
- •Little explanation of how the 'preferred routes' for the tankers would be policed.
- •Environmental impact of HGVs.
- •Environmental impact of the operation as whole.
- •No evacuation process set up in the case of an emergency.

- •Not enough details on production facility locations and transport routes to be used.
- •Likelihood of gas flaring would create visual and audible disruption.
- •Small roundabouts by Tesco in Bletchley would mean the tankers will likely have to mount curbs to get round which poses a danger.
- •HGVs passing houses on Bletchley Road cause them to vibrate, potential for property damage.
- •Increased light pollution from vehicles arriving and departing and the site being lit up by floodlights 24/7.
- •Further damage to local roads from increased HGV traffic.
- •The roads leading to the site are not suitable for this proposal, there was a suggestion that a through route only accessible by authorised vehicles could be implemented through talking to FCC Environment (UK), on Guernsey Road.
- •Future expansion to the site.
- •Plans only include security fencing and not any physical barriers to protect nearby residents from blasts/shockwaves.
- •Lack of public consultation.
- •Site is too small for its intended purpose, increases likelihood of collision from manoeuvring vehicles/tankers on the site which is a massive risk with anaerobic digester effluent in the trailers.
- •Suspicion that British Gas is doing this as a cheaper alternative to creating a new gas main to supplement capacity of gas network for future housing expansion in this area.
- •Security fears that this site could become a potential target for terrorism and whether protective measures are in place.
- •Lack of benefit to the local area from the proposal.
- •Issues with Design and Access Statement
- oApplicant describes the nearest affected property as 157 metres away from the site however HGVs will enter site just 48 metres from the next-door house.
- •Issues with Swept analysis.
- oModel used does not represent all HGVs.
- oVehicles going under the EWR railway bridge - does not consider the archway or that vehicles will have to be in the middle of the road.
- •Issues with when the transport survey was done.
- oWhaddon Bridge was closed so higher traffic than normal on Buckingham Road.

- oEWR haul road was not in operation so all EWR traffic using Buckingham Road.
- oEWR and contractors used entrance for parking which increased the survey activity.
- oNight-time working at the time.
- oSurvey not representative of normal traffic

A further full re-consultation took place on 30<sup>th</sup> July drawing attention to the Air Quality Report, the Noise report and the Transport Management Plan. It expired on 20<sup>th</sup> August 2021. Four repeat objections was received stressing objection to the further industrialisation of Newton Longville through the proposed development and:-

- Issues with the Noise Study.
- Max noise generated not considered.
- Traffic noise levels may be for slower speeds than those suggested.
- The noise from EWR is only temporary and so should not be considered in the normal level.
- Issues with Environmental Report.
- Does not give enough details to check for calculation errors.
- Doesn't consider latest Bio-methane powered trucks research – up to 5 times more polluting than diesel

## **Appendix B: Site Location plan**

**APPENDIX B: Site Location Plan**