

DEVELOPMENT MANAGEMENT COMMITTEE – 28 MARCH 2018

Application Number	3/17/2959/FUL
Proposal	Removal of 4 grain store silos. Proposed installation of an Energy Storage Development consisting of 4 no. 2.5MW containerised batteries with ancillary operational equipment, for a temporary period of 25 years. Security close boarded timber fencing 2.4 metres in height installed around perimeter of the plant.
Location	Land At Wickham Hall, Hadham Road, Bishops Stortford, CM23 1JG
Applicant	Mr D Harvey
Parish	Bishops Stortford
Ward	Bishops Stortford Silverleys

Date of Registration of Application	22 December 2017
Target Determination Date	8 March 2018
Reason for Committee Report	Called in by Councillor Tim Page
Case Officer	Fiona Dunning

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out at the end of this report.

1.0 Summary of Proposal and Main Issues

- 1.1 The National Grid has sought stand-by battery facilities throughout the country to help deliver guaranteed energy supplies. The battery facility does not produce energy but stores energy to help deliver the supply from renewable technologies, which is set to increase with a decline in the use of fossil fuels for energy generation.
- 1.2 Due to renewable technologies not always producing energy, the storage of energy is required. The equipment proposed on the site

includes large battery containers that are self-bunded and air-conditioning units as well as a security fence around the perimeter.

2.0 Site Description

- 2.1 The site is approximately 534m² and is part of Wickham Hall. The location of the proposed equipment is currently occupied by 4 grain store silos and there are a further 6 silos to the south. To the north is an agricultural building. Adjoining the site to the west are some photovoltaic panels within an agricultural field. To the east of the site is agricultural land. Wickham Hall has a number of listed buildings on it which are to the northeast of the proposed development.
- 2.2 Further to the south of Wickham Hall is the A120 and to the south of this is land that is being developed for residential development.

3.0 Planning History

There is no relevant planning history for this part of Wickham Hall.

4.0 Main Policy Issues

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the pre-submission East Herts District Plan 2016 (DP), the adopted East Herts Local Plan 2007 (LP) and Bishop's Stortford Neighbourhood Plan Silverleys and Meads (NP).

Main Issue	NPPF	LP policy	DP policy	NP policy
Principle	Section 9	GBC1	GBR1	
Design/Layout	Section 7 Section 12	BH1 ENV1	DES1 DES3 HA3	3.1.3.5
Neighbour amenity	Section 7	ENV1 ENV23	DES3	3.8.2

		ENV24		
Safety and infrastructure projects	Section 10	SD1 SD3	EQ1 CC2 CC3	

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Summary of Consultee Responses

- 5.1 HCC Highway Authority advised that the site is located on an existing private road, 1km north of Hadham Road. No objection subject to a condition for construction traffic and informative being included in any planning permission.
- 5.2 HCC Historic Environment Unit development is unlikely to have a significant impact on heritage assets of archaeological interest.
- 5.3 EHDC Environmental Health Advisor comments that the noise impact assessment addresses original objection but noise attenuation condition considered necessary. A condition requiring lighting is also requested.

6.0 Town/Parish Council Representations

- 6.1 Bishops Stortford Town Council is concerned about the potential visual impact. Planting trees around the area may reduce visual impact. Supports provision of own energy.

7.0 Summary of Other Representations

- 7.1 No comments received.

8.0 Consideration of Issues

Principle of development

- 8.1 The proposal is within the Green Belt and therefore Policy GBC1 of the Local Plan, GBR1 of the draft District Plan and Section 9 of the National Planning Policy Framework apply. The proposal is to replace 4 silos with 4 battery containers and associated equipment including cables, air-conditioning units and a 2.4m high fence around the site.
- 8.2 Policy GBC1 of the Local Plan and paragraph 89 of the NPPF identifies construction of new buildings in the Green Belt as inappropriate. Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt but identifies exceptions. The proposal does not fall under any of the exceptions listed. Paragraph 90 identifies other forms of development that are not inappropriate. However the proposal does not fall under any of these.
- 8.3 Paragraph 91 acknowledges that elements of renewable energy projects will comprise inappropriate development. In these cases, developers will be required to demonstrate very special circumstances if the project is to proceed. This may include wider environmental benefits associated with increased production of energy from renewable sources. The proposed development is considered to fall under a renewable energy project.
- 8.4 The proposed battery energy storage plant is to provide power supply for the local area if there are supply interruptions or where there is insufficient capacity within the Grid. A significant number of new houses are being constructed and are planned for in Bishop's Stortford and with the transition from the use of fossil fuels to renewables energy generation, there will be a greater challenge to maintain the constant supply of energy. The proposal will help store energy for this purpose and is considered to provide wider social and environmental benefits as it will ensure that there is a constant power supply for existing and new residents and businesses in the locality.
- 8.5 The proposed buildings will not have a greater impact on the openness of the Green Belt as the battery containers and associated

equipment will be 3.1m lower in height than the existing four silos and will not be as bulky as the existing silos. The siting between an agricultural building and retained silos will not impact on views or the openness of the green belt.

- 8.6 It is therefore considered that the proposal is consistent with paragraphs 88 and 91 as there are very special circumstances for this project by way of the proposal being a renewable energy project.

Design/Layout

- 8.7 The siting of the plant is between 6 retained silos to the south and a large barn to the north. The proposed plant has a slightly larger footprint than the existing silos but this is not considered to materially impact on the site due to the height of the structures proposed and the enclosure of the plant with a 2.4m high fence.

Neighbour amenity

- 8.8 The battery containers will not generate any noise; however the air-conditioning units for each battery container will generate noise. A noise assessment has been submitted as there are existing dwellings and businesses nearby. There is also a new housing development under construction for 2,200 dwellings to the south of the A120. A condition is proposed requiring the noise generated from the plant to be limited to 5dBa below background noise levels.
- 8.9 A condition is proposed to be included requiring details of any lighting proposed. Any lighting proposed should not have an impact on nearby existing or future neighbours.
- 8.10 A condition is also proposed that the 2.4m high fence be painted dark green as it is shown on the proposed plans.

Safety Matters

- 8.11 The batteries proposed to be used on the site are lithium ion and unlike a traditional Lead-Acid batteries, leakage is extremely unlikely due to the lack of fluid within the GBS® container.
- 8.12 Regarding the medium voltage step-up transformers, the manufacturer NEC secure these within a self-bunded feature, which is an oil containment requiring no additional civils or ground work. In the unlikely event of transformer leak, this will prevent any spilling of oil onto the ground. The environmental health officer raised no objections in regard to potential contamination.

Other Matters

- 8.13 There are listed buildings within Wickham Hall that have been considered in the assessment of the application.
- 8.14 The Town Council commented that it was concerned with the visual impact of the proposal as it was unable to view the visual representation. It is confirmed that proposed elevations were submitted as part of the planning application, which were available to view online, and which clearly show the difference between the existing and proposed. Due to the reduction in height and bulk, it is not considered necessary to require a planting scheme or to require the applicant to plant any trees around the proposed plant.
- 8.15 The proposed development is not likely to generate any additional vehicle movements. The highways authority has not raised any concern with the proposal.

9.0 Planning Balance and Conclusion

- 9.1 The proposal is within the Green Belt and includes the demolition of existing buildings and the provision of equipment to assist in providing on-going provision of energy, which includes renewable energy supply. The proposed development is not considered to impact on the openness of the Green Belt and the conditions proposed will ensure the impact on existing and future nearby residents will be minimised.

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out below:

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plans listed at the end of this Decision Notice.

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

3. Details of any external lighting proposed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and no external lighting shall be provided without such written consent. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area, and in accordance with policy ENV23 of the East Herts Local Plan Second Review April 2007.

4. Construction of the approved development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include construction vehicle numbers/routing of construction traffic

through the existing construction access points of the adjacent development and thereafter shall be carried out as approved.

Reason: In order to protect highway safety and the amenity of other users of the public highway.

5. Noise resulting from the development hereby approved shall not exceed a level of 5dBA below the existing background level plus any penalty for tonal, impulsive or distinctive qualities when measured or calculated according to BS4142:2014.

Reason: In order to ensure an adequate level of amenity for residents of the new dwellings in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

6. The 2.4m high perimeter fence shall be painted dark green.

Reason: To ensure the proposed development does not create a detrimental impact on the visual appearance of the site.

7. When the development is no longer in use or at the end of 25 years, whichever is sooner, all equipment shall be removed from the site and the site shall be restored to the satisfaction of the local planning authority.

Reason: In the interests of visual amenities of the area.

Informatives

Prior to commencement of the development the applicant is advised to contact the 03001234 047 to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Herts County Council may require an Officer presence during movements of larger loads, or videoing of the movements may be considered.

This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.