

## **TUTBURY PARISH COUNCIL (TPC)**

A meeting of the Parish Council was held at Richard Wakefield School, Burton Street, Tutbury Tuesday 19<sup>th</sup> September 2017.

Those present were Cllrs C Smedley (Chairperson), M Guest (Vice Chair), W Crossley, T Spencer Smith, L Beighton, Cllr D Morris, Pete Steadman. in attendance, Karen Duffill (Clerk)

19 Parishioner attended

### **09/17/P/1.0 APOLOGIES**

Apologies were received from, Parish Councillors, S Adams, F Crossley, A. Allen, Borough Councillor S Gaskin, County Councillor P White Borough Cllr D Goodfellow.

### **09/17/P/2.0 PLANNING APPLICATION P/2017/01129**

**Installation of decentralised gas peak power facility generating approximately 10 MW, including generator barn, housing 3 containerised generators and a customer substation/electrical cabinet, transformer, sub-station, gas kiosk, oil tanks and radiators**

**Location: New Farm, Rolleston Lane, Tutbury, DE13 9HE**

Councillors presented the plans and details regarding the proposed gas-powered generation unit. Three electricity generators would be installed into a new building approximately 8m in height on the existing farm site. An acoustic fence would be installed around the site.

Parishioners raised concerns regarding pollution, noise the, and questioned the need for this facility in the area when there are other sites such as Willington and Ratcliffe that are more suitable for proving power into the grid.

Concern was raised as to the validity of the noise and air pollution reports were carried out, as properties cited in the report had both been visited. The location of a power station next to a school and near a new housing estate was deemed inappropriate.

Current residents from the new houses opposite the site, stated that the climate in which noise reports were taken was concerning. In the winter when there is stronger winds and lack of foliage from the surrounding trees the noise would be exacerbated.

The elevated position of the proposed power unit was a concern due to noise travelling through the ground to lower properties on Cornmill Lane. It was not deemed to fit into the surrounding countryside.

The overall comment was a strong objection to the proposal.

The clerk would write to East Borough Council outlining the objections raised and would also refer to the Local and National Planning Framework. Residents requested that they received a copy of the letter and left their email address to be updated regarding this matter.

The clerk urged parishioners to comment on the East Staffs Borough Council Planning portal or to email or write to Alan Harvey with their comments.

The following objection letter was sent.

## TUTBURY PARISH COUNCIL

Clerk:  
K Duffill

9 PINFOLD CLOSE  
**TUTBURY**  
BURTON UPON TRENT  
STAFFORDSHIRE DE13 9NJ  
clerk@tutbury.staffslc.gov.uk

Telephone:  
07486 406045

22 September 2017  
Alan Harvey  
East Staffordshire Borough Council  
Town Hall  
BURTON UPON TRENT  
DE14 2EB

Dear Alan Harvey,

**RE: PLANNING MATTERS – P/2017/01129**

Below are the council's comments on the application recently received.

**Proposal:** Installation of a decentralised gas peak power generating facility with a capacity of approximately 10 MW to include generator barn, housing 3 containerised sub-station, gas kiosk. Oil tanks and radiators

**Location:** New Farm, Rolleston Lane, Tutbury,  
Staffordshire, DE13 9HE

**The National Planning Policy Framework (NPPF) states that development which conflicts with its policies should be refused unless other material considerations indicate otherwise (paragraph11)**

Comment: **Objection. Please note the following points;**

**This Development: -**

1. Does not conform to the local plan 2012-2031. East Staffordshire **Local Plan**

**Strategic Policy 8** states that outside settlement boundaries, new developments will not be permitted unless it is essential to the support and viability of an existing lawful or a new business appropriate in the countryside, providing facilities to the local community. There is no significant social or environmental benefit from this facility. There is no overriding need for the development to be in the countryside /farmland This proposal is outside the settlement boundary but is still near to houses that will be harmed by the air and noise pollution. Paraph 17 of the National Planning Policy Framework (NPPF) states that protecting the countryside is a core planning principle.

Will have significant adverse effect on the character of the area. Tutbury is recognised as being a heritage asset to East Staffordshire. This development would be visible when entering the village, it does not adhere to Strategic Policy 25 Historic Environment states- proposals should enhance buildings of heritage importance, setting and historic landscape.” This development is in an elevated position and will have a negative visual impact from miles away. It is not evident why a green site has been chosen, rather than an industrial site. New Farm is not an industrial estate, it is a working farm in the countryside and includes a farmhouse. Tutbury Parish Council would argue that this proposal will introduce considerable urban form” with the development of an additional building and chimneys.

2. It does not conform to **Local Plan Strategic Policy 1** sustainable development. This does not “integrate with the character of the landscape” with the proposed construction of an additional building and chimneys of nearly 8 metres high. This site is on the edge of a green landscape. National Planning Policy Framework Paragraph 9 states green belt land serves “to preserve the setting and special character of historic towns”
3. This proposal will be unmanned and will not provide any further employment to the local area or contribute to the community in any way. This goes against the **Strategic Policy 24** of the Local Plan that developments should contribute positively to the area in which they are proposed, it does not “Enhance the landscapes and protect and enhance biodiversity. This development contradicts the **Detailed Policy 2** in the local plan which states” All developments should meet the needs of residents and businesses without compromising the ability of future generations to enjoy the same quality of life that the present generation aspires to”.
4. **Strategic Policy 14** “*Within the Tier 1 and Tier 2 settlement boundaries and rural industrial estate boundaries, employment which would allow for an element of home working and change of use to employment development will be approved if the development does NOT unduly affect the character of the settlement, amenity of neighbouring properties and will not detract from the environment*” This proposal DOES both things. SP14 states “Farm diversification proposals will be supported where they can make long-term contribution to sustaining the agricultural enterprise as a whole and where the proposal is consistent with the rural location in terms of use, setting and scale. This proposal does not conform to the policy as it is unsustainable and not agricultural.
5. The technology is not “Sustainable “or “Renewable. This does not conform to **Strategic Policy 28** of the Local Plan and does not encourage development of low carbon energy technology. The gas facility will burn fossil fuels contrary to national and international aims to control greenhouse emissions and global warming The NPPF paragraph 9 goes on to state “When defining boundaries, local planning authorities should: ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;” this development is not

sustainable.

6. Will produce noise that will affect the nearby houses on Burton Road. There is a lack of direct evidence that truly measures the impact that this will have on the nearby residents. The evidence in the surveys carried out are predictive indicators, rather than figures from similar operating sites and therefore does not show the true impact on the noise issues. The reports supporting the proposal are flawed. Some of the properties are wrongly described and have not been visited. These reports do not consider weather and seasonal changes. Due to the elevated position of this farm, noise and air pollution will be carried in the prevailing winds. Tutbury residents can smell and hear the emissions from the coffee factory in nearby village of Hatton. In the winter, the protection of the trees and vegetation in this area will be limited and the effects of this pollution will be exacerbated. This has already been proven with the traffic noise heard in the houses recently built on Burton Road behind the existing line of trees. The noise survey has not included the residents on Cornmill Lane, these properties are on lower ground behind the proposed site.

*The NPPF Paragraph 11. Conserving and enhancing the natural environment states that the planning system should contribute to and enhance the natural and local environment by:*

- *protecting and enhancing valued landscapes, geological conservation interests and soils;*
- *recognising the wider benefits of ecosystem services;*
- *minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- *preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; "Planning policies and decisions should aim to:*
- *avoid noise from giving rise to significant adverse impacts on health and quality of life because of new development;*
- *mitigate and reduce to a minimum other adverse impact on health and quality of life arising from noise from new development.*

7. Will increase air pollution. This will contribute to the effects of climate change due to the emissions and goes against ESBC commitment to reduce the effects of climate change in their **Climate Change Strategy**. The evidence in the surveys carried out are desk studies rather than portraying actual baseline figures for that location and does not show the true impact on the air and environmental issues.
8. The proposed site is within 1km of the nearby primary school. The children would be exposed to the pollution particulates, nitrogen oxide, nitrogen dioxide and carbon monoxide emissions.
9. **Staffordshire Biodiversity Action Plan**-. Although this is not a significant site of environmental interest it is farmland and should be protected. **Strategic Policy 29** – Biodiversity and Geodiversity aims to ensure that development retains, protects and

enhances features of biological or geological interest, and provides for the appropriate management of these features. There is no evidence in this proposal that enhances bio or geo diversity.

10. Storing oil tanks represents a fire hazard.
11. May bring other similar applications contrary to good planning elsewhere in the Borough, and may set a precedent for further STOR sites to be located near solar energy sites.
12. If lights are required on the site it will increase light pollution that would be visible from Cornmill Lane and the Tutbury bypass.
13. The government costs of funding this power unit are high. Tutbury Parish Council would prefer schemes that conserve energy for example insulation of new homes, for the benefit of the wider community, or supporting the development of alternative no emission power like hydropower energy,
14. The proposal would be intended to feed electricity into the national grid at peak times, normally on winter evenings, and at times of exceptional demand, such as when a major power station was offline. This proposal would form part of the National Grid's Short-Term Operating Reserve ('STOR') programme, by which resilience of electricity supply is protected at times of pressure. However, Tutbury already has a solar farm that feeds additional electricity to the grid and nearby power stations that would support the grid, and would offer alternative more suitable locations for this gas peaking facility. The contribution of a relatively small-scale plant to the national grid would be limited. There is a lack of evidence that the need is required in Tutbury and whether the connection to the grid can support this or indeed the existing gas supply is sufficient.

According to the Planning inspectorate report for a Proposed STOR site in the neighbouring village of Marchington;

*"The proposal is founded on making use of available grid capacity in Marchington. The appeal is accompanied by a plan showing electricity network constraint across the East Midlands, and by supporting information on the scope for connectivity throughout East Staffordshire. The Council does not dispute the material presented but questions whether, in the light of these constraints, a connection within East Staffordshire is actually required."*

The justifications applied to Marchington application applies to this New Farm application, as stated in Brendan Lyons Inspection report, the same conclusion should be made for Tutbury.

*"I have found that the proposal would compromise infrastructure development, but that the need to locate it outside a settlement boundary has not been conclusively shown. Therefore, the proposal would be contrary to LP Policy SP8. There are no other development plan policies that would pull in a different direction to suggest compliance with the plan as a whole."*

*The proposal would have modest economic benefits during its construction, but also some environmental harm during this period due to increased traffic through the village. As a small-scale plant, its contribution to the resilience of the national grid would be limited, but would have minor economic and social benefits. Set against that would be the environmental harm of introducing a quasi-industrial development into the countryside. The Council accepts that the negative effect would not be substantial, and I agree. Nevertheless, the proposal would not fulfil the three dimensions of*

*sustainable development. The conflict with the development plan would not be outweighed by other considerations. The presumption in favour of sustainable development set by the NPPF would not apply."*

Yours Faithfully

*K. Duffill*

Karen Duffill Clerk  
Tutbury Parish Council