Port of Tyne Energy Storage Facility

Planning Statement 2016

Also incorporating:

- Noise Assessment
- Cultural Heritage Assessment

Supported by

CONTENTS

1 INTRODUCTION 4

1.1 SUMMARY 4
1.2 THE APPLICANT 4
1.3 PLANNING STATEMENT APPROACH 4
1.4 DETERMINATION OF THE APPLICATION 5

2 NEED FOR THE PROPOSED DEVELOPMENT 6

3 THE PROPOSED DEVELOPMENT 7

3.1 PROPOSED DEVELOPMENT DESCRIPTION 7
3.2 THE EXISTING SITE 7
3.3 GENERAL LAYOUT 7
3.4 COMPONENTS OF THE ESF 8
3.4.1 Component Foundations 8
3.4.2 Battery Containers 8
3.4.3 Power Conversion System (PCS) 8
3.4.4 Power Transformers 8
3.4.5 Substation Containers 8
3.4.6 Harmonic Filter 9
3.4.7 Auxiliary Transformer 9
3.4.8 Cabling 9
3.4.9 CCTV and Lighting 9
3.4.10 Security Fencing 10
3.5 APPROACH TO SITE SELECTION 10

4 COMPLIANCE WITH THE DEVELOPMENT PLAN 11

4.1 PART 1: COMPLIANCE WITH THE PLAN IN PRINCIPLE 11
4.1.1 Core Strategy 11
4.1.2 Development Management Policies 11
4.1.3 Site-Specific Allocations 12
4.1.4 Planning Assessment 12
4.2 PART 2: COMPLIANCE WITH THE DETAILED POLICIES OF THE PLAN 12

4.2.1 Economic Development *12*
4.2.2 Strategy *14*
4.2.3 Biodiversity *14*
4.2.4 Environmental Protection *15*
4.2.5 Development Management *17*
4.2.6 Cultural Heritage *18*
4.3 PART 3: OVERALL ASSESSMENT OF COMPLIANCE 21
5 THE INFLUENCE OF OTHER MATERIAL PLANNING CONSIDERATIONS 22
5.1 ENERGY STORAGE POLICY DRIVERS 22
5.1.1 Secure *22*
5.1.2 Clean *23*
5.1.3 Affordable *23*
5.2 WIDER RENEWABLE ENERGY POLICY DRIVERS 23
5.3 NATIONAL PLANNING POLICY 25
5.3.1 National Planning Policy Framework (NPPF) 2012 ..... *25*
5.3.2 Planning Practice Guidance (PPG) 2014 ..... *28*
5.3.3 Overarching National Policy Statement for Energy (EN-1) 2011 ..... *29*
5.3.4 South Tyneside New Local Plan *29*
5.4 OVERALL ASSESSMENT OF INFLUENCE 30
6 FINAL ASSESSMENT OF ACCEPTABILITY 31

Appendix 1	Site Photos
Appendix 2	Copy of email from Tyne and Wear Archaeology Officer
Appendix 3	Flood Risk Assessment
Appendix 4	Phase 1 Geotechnical and Geo-environmental Desk Study Report
Appendix 5	Preliminary Ecological Appraisal

List of Plans Provided

Location Plan

Site Plan

45ft External Hvac S Battery

Typical Power Conversion System Elevation

Typical Transformer Elevation

Typical Harmonic Filter Elevation

Typical Auxillary Transformer Elevation

Typical Security Lighting & CCTV Support Details

Typical Palisade Fence Detail

Substation Cabin Elevation

1 INTRODUCTION

1.1 Summary

TNEI Services Ltd (TNEI) has prepared this Planning Statement on behalf of Renewable Energy Systems Limited (RES) (the Applicant), in support of a planning application for an Energy Storage Facility (ESF) and associated ancillary infrastructure.

The Application Site is located within the Port of Tyne, within the administrative area of South Tyneside Council. The approximate site centre grid reference is 434923, 564875 (NZ 349 648).

The ESF will comprise batteries housed within containers, as well as other ancillary electrical equipment, and will be connected to the local electricity network less than 1km away. The site will be used to store electricity and be operated to help maintain the correct functioning of the grid.

1.2 The Applicant

RES is one of the world's leading independent renewable energy developers with operations across Europe, North America and Asia Pacific. At the forefront of renewable energy development for over 30 years, RES has development and/or built more than 10GW of renewable energy capacity worldwide. In the UK alone, RES currently has more than 1GW of projects either constructed, under construction or consented. RES is active in a range of renewable energy technologies including both onshore and offshore wind, solar, wave and tidal generation as well as enabling technologies such as electricity storage and demand-side management.

RES has been active in energy storage for over 6 years and in 2015 was named as one of the world's top three energy storage integrators by Navigant Research. RES now has 13 different energy storage projects, either complete or under construction, in seven different markets; totalling more than 100MW and 60MWh and providing multiple grid services.

RES pioneered the delivery of very fast frequency services with the Independent System Operator (IESO) for Ontario, Canada and is one of the largest providers of such services to PJM, the largest system operator in the USA.

RES is already in the construction phase of its first UK electricity storage project; a battery system integrated with a ground-mounted solar PV development, being delivered in Somerset for Western Power Distribution (WPD).

1.3 Planning Statement Approach

This Planning Statement adopts an approach consistent with Section 38(6) of the Planning and Compulsory Purchase Act 2004. It states that:

'*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*'

The approach recognises the Development Plan as the starting point in the determination process. In this case, the Development Plan comprises of the South

Tyneside Core Strategy (June 2007), Development Management Policies (December 2011) and Site-Specific Allocations (April 2012).

Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. They must be prepared with the objective of contributing to the achievement of sustainable development[1]. To this end, they should be consistent with the principles and policies set out in the National Planning Policy Framework (NPPF), including its ***'presumption in favour of sustainable development'***[2].

This Planning Statement will consider the relevance of the Development Plan with regard to the NPPF[3], the degree to which the Proposed Development complies with the Plan and the weight that should be attributed to such compliance, having regard to the influence of the NPPF and other material considerations. It will conclude with a final assessment of acceptability having performed a planning balance of all of the above considerations.

1.4 Determination of the Application

As the Application Site comprises an area of less than one hectare (area within the Application Site boundary: 0.64 hectares) with less than 1,000m^2 of internal spaces (total area within battery containers and substation buildings: 356 m^2). It is not major development and the planning application should be determined within 8 weeks, in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.[4]

[1] Under Section 39(2) of the Planning and Compulsory Purchase Act 2004 a local authority exercising their Plan making functions must do so with the objective of contributing to the achievement of sustainable development.

[2] The bolding of this text is not the Applicant's, but derives from the text of the National Planning Policy Framework (March 2012), paragraph 14, page 4.

[3] Details from testing the relevance of the Development Plan with regard to the NPPF will only be provided where a policy conflict has been identified.

[4] The Town and Country Planning (Development Management Procedure) (England) Order 2015, S34(2)(b).

2 NEED FOR THE PROPOSED DEVELOPMENT

The Proposed Development is intended to be used to provide cost effective flexibility services to the electricity network by adding electricity to or removing electricity from the system to maintain the network's operation within a set of defined parameters. National Grid, the System Operator, is responsible for ensuring a stable and secure supply of electricity to GB homes and businesses and industry. To do this it procures such services from distributed energy systems, existing connected customers or specialist service providers (such as RES). The flexibility they can provide is critical to maintaining a stable supply of electricity at least cost to consumers and to achieving national decarbonisation targets.

The need for the flexibility that electricity storage provides is especially critical as more conventional power stations come off line, replaced by a higher penetration of renewable energy technologies.

The Proposed Development would deliver a number of flexibility services, including the provision of very rapid frequency response, to enable the necessary balancing of the emerging low carbon electricity system. The frequency at which the GB electricity system operates is influenced by the balance between supply and demand and a failure to maintain the frequency within strict boundaries could lead to a catastrophic failure and the 'lights going out'. Normally, the system runs at a frequency of 50Hz and if there is not enough supply to meet the demand the frequency drops below 50Hz. Similarly, if there is too much supply for the demand, the frequency rises above 50Hz. The Proposed Development would be able to respond to these frequency deviations in less than a second by increasing supply (discharging the batteries) or demand (charge the batteries) as appropriate to assist National Grid in keeping the system balanced.

Other examples of flexibility services that the Proposed Development could provide include distribution deferral services, which enable existing electrical network assets such as substations and overhead lines to have their capacity increased without the need for building new infrastructure, e.g. overhead lines and other electricity market services.

The flexibility services the Proposed Development can offer involve charging the batteries with electricity, storing electricity for a period of time and discharging electricity.

Ultimately, the Proposed Development would make a valuable contribution to the UK's secure, low carbon and affordable electricity system, at least cost to consumers[5].

[5] Planning our electric future: a White Paper for secure, affordable and low-carbon electricity, July 2011, page 3/4.

3 THE PROPOSED DEVELOPMENT

3.1 Proposed Development Description

The Proposed Development is illustrated on the Site Plan which accompanies this application. A small explanation of the components which feature in drawing 03629D1002-01 is given below. The elevations and dimensions of these components are given in the drawings of the component elevation drawing pack and referred to individually in the text.

In advance of commencing development, site investigation and preparation works will be carried out which will ascertain the ground conditions. These results can then be used to inform the design of the foundations. The conclusions of the Contaminated Land Phase 1 assessment (Appendix 4) will be followed.

The site already has a mixed covering of tarmac and concrete. Where possible this covering will remain, however where improvements are required, or where the ground levels may need to be adjusted, imported crushed stone will be used.

3.2 The Existing Site

The existing site has been historically used for the storage of coal. The Port has diversified in recent times to ensure it can keep pace with the global economy and its customers varying needs, meaning the site is no longer required for coal storage.

The Application Site covers an area of approximately 0.64 hectares and predominantly comprises an area of existing hardstanding. Photographs of the current site are included at Appendix 1. Aside from small, residual piles of coal dust and scrub vegetation that has been allowed to grow, the site is featureless and effectively illustrated in the Location Plan, drawing 03629D2202-01.

The Application Site is surrounded by an internal access road, freight railway line and Port storage uses to the north; CEMEX concrete plant to the east; vacant buildings, small-scale industrial users and the A185 to the south; and a watercourse, sewage pumping station and large-scale car storage facility to the west.

The Application Site is allocated as being within an Employment Area in the Core Strategy (June 2007), Predominantly Industrial Areas (PIA) and Flood Risk Zone 3 – High Probability and Functional Floodplain in the Site-Specific Allocations Development Plan Document (DPD) (April 2012). However, the Flood Risk Assessment (FRA) included at Appendix 3 of this Planning Statement finds that although the Site-Specific Allocations DPD finds the site to fall within Flood Zone 3, through consultation with the Environment Agency it has been determined that the site falls within Flood Zone 1.

3.3 General Layout

The final design of the Proposed Development is a careful balance between utility, land and environmental constraints and considerations along with commercial viability. This approach to site design helps to avoid unnecessary environmental impact at an early stage. As a result, the decision was made to adopt a final design with no stacking of containers, in order to minimise visual impact to the south (users

of the A185) and the impact on designated heritage assets to the south, while maximising the electricity storage potential of the site and maintaining a viable scheme.

3.4 Components of the ESF

3.4.1 Component Foundations

The components will each require individual foundations and the heights of these foundations will be informed by the detailed design and the site investigations. They will be designed to provide a finished floor level of at least 4.75m above Ordnance Datum which is taken from the results of the FRA (Appendix 3). This may mean that the top of the foundations could be approximately 300mm above the final site ground level. The foundations will be concrete pads for all components except for the containers (see below).

3.4.2 Battery Containers

The ESF would comprise up to nine containers. Each container is fitted out with racks of battery modules with computerised control systems as well as internal electrical cabling and a fire suppression system. Each container would have an external air handling unit for the climate control system.

Each container would sit on a concrete pad, or multiple, short columnar foundations and would have full width steps at one end and an emergency exit with steps on the side towards the other end. Each container is connected to two Power Conversion Systems (PCS).

Refer to drawing 03160D3410-01

3.4.3 Power Conversion System (PCS)

The ESF would comprise up to 18 proposed PCSs. A PCS is an inverter which converts the Direct Current (DC) from the battery containers to Alternating Current (AC) to export (or vice versa when importing) electricity from the grid. Each PCS is connected to a power transformer.

Refer to drawing 03160D3412-01

3.4.4 Power Transformers

The ESF would comprise up to 18 proposed Power transformers. These transformers would step up the AC voltage coming out of the PCS from a Low Voltage (LV) to a High Voltage (HV) as required by the grid connection. Again, these can operate in both directions as the battery charges or discharges.

Refer to drawing 03160D3408-02

3.4.5 Substation Containers

The ESF would comprise up to two proposed substation containers. The two would be connected together but one would receive the connection from the string of power

transformers and the second will receive the export cable which will connect the facility to the local electrical network. The buildings contain principally switchgear, metering equipment and telecommunications hardware. The containers will be purpose built for their function and of prefabricated, steel frame construction, however the exact design and external finish is to be determined.

Refer to drawing 03160D3205-01

3.4.6 Harmonic Filter

A Harmonic Filter removes distortions in the electrical power, improving its quality which has a bearing on the operation of the ESF components and the wider network. The filter would be housed in a steel or similar cabinet atop its foundation.

Refer to drawing 03160D3406-02

3.4.7 Auxiliary Transformer

A supply of electricity is required to run the auxiliary systems of the ESF (lighting, control, climate control, fire detection) and this would be provided to the site by an auxiliary transformer, which would step down HV electricity from the grid to a suitable voltage.

Refer to drawing 03160D3405-02

3.4.8 Cabling

DC and AC cabling would consist of copper or aluminium cables and will be laid to interconnect the components of the site, with copper or fibre optic telecommunication cable laid alongside it. The cables may either be buried in trenched up to a maximum of 1.5m below the surface or laid in armoured cable trays which will be secured on the surface. Where the cables are buried cable location warning tape placed towards the top of the backfill to identify their location.

The connection to the grid would trenched from the on-site substation to the point of connection, located approximately 550m away (direct line).

3.4.9 CCTV and Lighting

A CCTV security system would be installed with infrared cameras located on columns around the perimeter of the ESF.

Bulkhead-type, motion sensitive lighting would be fitted around the access points to the substation buildings and containers to allow safe access and egress during periods of reduced light and may be hooded to minimise splay. General compound lighting may also be installed to facilitate abnormal and infrequent maintenance works. This would be both located and shielded to minimise light emissions beyond the perimeter of the site.

Refer to drawing 03160D3404-02

3.4.10 Security Fencing

The compound will be enclosed by palisade type fencing, with secured vehicle and pedestrian access gates, located as necessary, on the perimeter.

Refer to drawing 03160D3414-01

3.5 Approach to Site Selection

Areas of search are screened by RES against a number of criteria to identify whether they have the potential to be suitable as an ESF location or not. These criteria include:

- Proximity to a viable point of connection to the local electricity grid;
- Previously developed and/or vacant land in an industrial or urban fringe location;
- The topography of the land;
- A willing landowner;
- Existing land use(s);
- Proximity to the local road network and a suitable access point; and
- Initial planning and environmental considerations including proximity to landscape designations, impact on residential amenity, proximity to cultural heritage assets and ecological suitability.

If a site satisfies these criteria, further detailed assessments are then undertaken. At this stage the process may then move on to undertaking a number of environmental studies to further refine issues for consideration in the site design. Once RES is satisfied that remaining issues can potentially be resolved then a site (such as Port of Tyne) is progressed to the stage of preparing and submitting a planning application.

4 COMPLIANCE WITH THE DEVELOPMENT PLAN

This chapter assesses the degree to which the Development Plan provides support for the Proposed Development in principle, before assessing its acceptability in detail.

Accordingly, this chapter comprises:

- Part 1: Compliance with the Plan in Principle;
- Part 2: Compliance with the Detailed Policies of the Plan; and
- Part 3: Overall Assessment of Compliance.

In this case, the Proposed Development lies within the jurisdiction of South Tyneside Council, for which the Development Plan comprises the relevant policies of the Core Strategy (June 2007), Development Management Policies (December 2011) and Site-Specific Allocations (April 2012).

4.1 Part 1: Compliance with the Plan in Principle

4.1.1 Core Strategy

The Core Strategy was adopted in June 2007 and sets out the overall direction for the Development Plan and drives forward the blueprint for the future.

The spatial vision for the Borough seeks to ensure (amongst other things) that development meets the needs of residents and businesses, delivers regeneration and values and protects and enhances the natural and built environment.

Spatial objectives of the Core Strategy include (there are 22 in total):

1 – to create and retain wealth;

2 – to help businesses start up, grow and develop;

3 – to ensure high and stable levels of employment;

9 – to reduce the causes and impacts of climate change;

10 – to protect and enhance the Borough's biodiversity and geodiversity;

11 – to protect and enhance the Borough's diversity of cultural heritage; and

17 – to maximise the opportunity to redevelop previously developed land.

The Development Management Policies and Site-Specific Allocations Development Plan Documents (DPDs) discussed below have been written to reflect the spatial vision and objectives of the Core Strategy. The text at paragraphs 4.1.2 and 4.1.3 simply explain the purpose of each of these documents.

4.1.2 Development Management Policies

The Development Management Policies Development Plan Document (DPD) was adopted in December 2011 and sets out detailed criteria against which development in the Borough will be assessed.

4.1.3 Site-Specific Allocations

The Site-Specific Allocations DPD was adopted in April 2012 and sets out detailed site-specific allocations and designations of land in those parts of the Borough that are not covered by area action plans.

4.1.4 Planning Assessment

The Proposed Development would give rise to economic benefits to the Port of Tyne, which in turn would support wider employment opportunities across the Port. The granting of planning permission would support the deployment of an emerging technology in the UK, with the ultimate aim of making a valuable contribution to the UK's secure, low carbon and affordable electricity system, at least cost to consumers.

Changing the nature of the stored material onsite from site from coal to electricity would mitigate against the impacts of climate change and would make use of a previously developed site, whilst minimising the impact on biodiversity and geodiversity.

Accordingly, compliance with the spatial vision and objectives of the Development Plan weighs in favour of the Proposed Development.

Further information on the Proposed Development's relationship with local heritage and ecological features, as well as the onsite flood risk is given below

4.2 Part 2: Compliance with the Detailed Policies of the Plan

Whilst the Development Plan should always be read as a whole, the greatest weight should be attributed to bespoke policies that are designed to address a specific development type or land use. In this instance Core Strategy Policy E1 Delivering Economic Growth and Prosperity, Development Management Policies Policy DM2 Safeguarding Employment Uses and Site-Specific Allocations Policy SA3 Economic Development Opportunities are most relevant.

Due to the cross over that exists between the Core Strategy, Development Management Policies and Site-Specific Allocations DPDs, this chapter of the Planning Statement groups the policies together under various topic headings to allow for an integrated approach and avoiding repetition.

4.2.1 Economic Development

Core Strategy Policy E1 Delivering Economic Growth and Prosperity

Relevant parts of this policy states that *'40 ha of land will be allocated to meet economic development requirements, as shown on the Key Diagram, including:*

A. *35 ha for new employment land and for employment uses within mixed use development sites. For mixed-use sites, priority will be given to allocating previously-developed land in key riverside regeneration areas as South Shields, Jarrow and Hebburn. Particular priority will be given to focussing office development within the Town Centres and South Shields Riverside.*

B. *5 ha for a 'green business park' at Jarrow and Hebburn riverside to encourage the development of environmental industries.*

Viable employment sites, and other employment sites with special attributes will also be safeguarded for employment uses only.'

Planning Assessment

The Proposed Development is in accordance with the overarching principle of Part A of this policy in that it would help enable the economic prosperity of the Port of Tyne and would support the economic development and diversification of the Port (once world-renowned for coal exports). The use on the land will be in accordance with the principle of safeguarding employment sites by supporting future operations at the port as well as in making use of an underutilised brownfield site as an ESF.

Accordingly, the Proposed Development is in overall compliance as it would help to achieve the objectives of this policy.

Development Management Policies Policy DM2 Safeguarding Employment Uses

Relevant criteria A, C, D and E of this policy state that *'We will promote and facilitate economic growth and prosperity, in accordance with regional and local aspirations for growth by:*

A. safeguarding existing Predominantly Industrial Areas and other employment land allocations in the Borough for employment use (Use Classes B1, B2 and B8) as opposed to redevelopment for alternative uses, where this is sustainable and viable, to ensure a sufficient supply of employment land over the next 10-15 years;

Proposals for non-employment uses in Predominantly Industrial Areas and other employment land allocations in the Borough will only be approved where it is demonstrated that:

C. the employment use of the site or premises is no longer viable, by the same or any other employment user (Use Classes B1, B2 and B8); and

D. the site or premises would not make a significant contribution to the Borough's employment land supply over the next 10-15 years in meeting RSS employment land requirements; or

E. the proposal provides long-term benefits that would significantly outweigh the loss of land for employment use.'

Planning Assessment

The Application Site and wider Port of Tyne has historically been used for coal storage and export (typically Use Class B8), but has diversified in recent times to ensure that it can keep pace with the global economy and its customers' varying needs. It is now one of the UK's largest car exporters and one of the largest handlers of wood pellet in the world. The Application Site is therefore no longer required for coal storage as this is not a sustainable or viable business option. It is considered a suitable location for an ESF, continuing in line with B8 use (storage of electricity rather than coal) which would support the Port economically and in turn give rise to increased employment opportunities.

Accordingly, policy compliance of this nature weighs in favour of the Proposed Development.

Site-Specific Allocations Policy SA3 Economic Development Opportunities

Criterion A of this policy states that *'Economic growth and prosperity will be promoted and facilitated, in accordance with local and regional aspirations for growth and the sub-regional Low Carbon Economic Area vision, by allocating the following sites for office, business and commercial developments (Use Classes as specified), and where appropriate as part of a mixed-use development scheme'.*

Planning Assessment

By hosting the ESF, the Proposed Development would continue in line with B8 use (storage of electricity rather than coal) and support the economic growth of the Port of Tyne; and at both a local and national level, would make a valuable contribution to the UK's secure, low carbon and affordable electricity system, at least cost to consumers.

The Proposed Development aligns with the Low Carbon Economic Area vision by enabling renewable energy generation and making the electricity system more efficient.

Accordingly, policy compliance of this nature weighs in favour of the Proposed Development.

4.2.2 Strategy

Core Strategy Policy ST1 Spatial Strategy for South Tyneside

Criterion E of this policy states that *'The spatial strategy for South Tyneside, as shown on the Key Diagram, is to:*

E. maximise the re-use of previously developed land, in the built up areas'.

Planning Assessment

The site is located within the Port of Tyne and has been historically used for the storage of coal. The site is no longer required for coal storage and the change of use to an ESF would represent the re-use of previously developed land.

Accordingly, policy compliance of this nature weighs in favour of the Proposed Development.

4.2.3 Biodiversity

Core Strategy Policy EA3 Biodiversity and Geodiversity

Criterion F of this policy states that *'To optimise conditions for wildlife, implement the Durham Biodiversity Action Plan and tackle habitat fragmentation the Council will:*

F. protect and strengthen populations of Priority or other protected species'.

Planning Assessment

The Preliminary Ecological Appraisal included at Appendix 5 of this Planning Statement concluded that the habitats on site vary between negligible and local ecological value and have the potential to support only a small range of locally common species and priority species. The Proposed Development would be located within an area of hardstanding which covers the majority of the site. Minimal vegetation clearance would occur as a result of the Proposed Development.

Given the implementation of the recommended mitigation strategy designed for the site, it is considered that no habitat or species would be unacceptably affected.

Accordingly, policy compliance of this nature weighs in favour of the Proposed Development.

4.2.4 Environmental Protection

Core Strategy Policy EA5 Environmental Protection

This policy states that '*To complement the regeneration of the Borough, the Council will control new development so that it:*

A. acts to reduce levels of pollution, environmental risk and nuisance throughout the Borough;

B. minimises adverse impacts on the Magnesian Limestone Aquifer and its associated groundwater protection zones;

C. focuses the treatment of contaminated and derelict land so as to achieve a balance between:

i) the management of risk approach in its Contaminated Land Strategy; and

ii) the regeneration of the riverside corridor;

D. ensures that the individual and cumulative effects of development do not breach noise, hazardous substances or pollution limits; and

E. does not permit unsustainable schemes to be located in those areas of the coast, Tyne corridor and Don Valley where flood risk is unacceptably high.'

Planning Assessment

The Proposed Development will help to enable the use of intermittent technology generators, such as renewable generation and therefore reduce levels of pollution and environmental risk. Where the Proposed Development has a linkage with some of the critera listed in Policy EA5, more information is supplied below:

Highways

The facility is expected to have a short construction period of approximately six months. Construction traffic will also utilise either of the Port's two main entrances (see Location Plan 03629D2202-01) which are already indended for heavy vehicle use. Construction vehicles will include but no limited to personnel cars, light goods vehicles, aggregate trucks, concrete mixers, articulated lorries and a crane.

Once the ESF is operational traffic serving the site will be negligible and will likely comprise routine small vehicle access for maintenance purpsose. Access by large vehicles will only be required in abnormal circumstances where a major component requires replacement.

Ground Conditions

The Phase 1 Geotechnical and Geo-environmental Desk Study Report included at Appendix 4 of this Planning Statement finds that due to the historical use of the site,

ground contamination risks are perceived as moderate to high. Further works are required in order to investigate the potential contaminant linkages identified and to determine if any remedial action is likely to be required. A Phase 2 intrusive ground investigation would be undertaken as part of the Site's development to substantiate the preliminary findings and provide suitable information for geotechnical design and any remediation works.

Noise

The main sources of noise within the proposed development are the cooling fans for equipment housed within each of the Power Conversion System (PCS) units, each of the transformers, and the Heating Ventilation & Air Conditioning (HVAC) units attached to each of the battery containers. The facility is expected to have near constant availability, and should therefore the components should be considered as constantly operational.

Acoustic emission data for the proposed equipment is detailed in the table below. The sound emitted by the inverter cooling fans, HVAC units and transformers can have distinctive character. Using the subjective method described in BS 4142: 2014, it has been considered prudent to include a correction of 4 dB in the event that tones are clearly perceptible.

Equipment	Sound Pressure Level at 1m, dB LAeq
PCS units	81
Battery Container HVAC	78
Transformer	57

The Application Site resides within a heavily industrialised area, both from activities within the Port of Tyne, such as vessel operations with bulk and container handling processes, and industrial areas adjacent to it; including the neighbouring Cemex cement handling and despatching facility. There are also numerous significant transport links operating in close proximity which contribute to the audible environment surrounding the Application Site. Immediately to the south of the Site, running east west, is the A185 – Jarrow Rd, which is the main road linking South Shields to the Tyne Tunnel, there is also the A194 dual carriageway which links South Shields to Newcastle, within 330m of the site. Immediately to the north and east of the site are twin rail tracks for freight, which serve the Tyne Dock, and approximately 540m to the south is the Tyne and Wear metro - St James to South Shields line, which runs regularly for roughly 18 hours a day (17 on Sundays).

The nearest residential property to the Application Site is approximately 370m to the south east on Newcastle Road, South Shields. Between the Site and the residential properties lie the A185 and A194. There is also screening afforded to the site by a stone wall, approximately 2.5m in height which runs along the southern boundary of the Application Site, on the northern side of the A185. Along the southern side there is a corridor of mixed trees, approximately 20m wide, and the trees are generally of a minimum height of 12m.

Due to the high level of noise generating activity around the Application Site, the separation and screening to the nearest sensitive receptors it is considered that the noise generating potential from the Proposed Development can readily be subsumed into the local background environment and thereby be compliant with the policy. This position is supported by the award of consent to two recent planning applications for new/ modified heavy industrial activities at the Port (ST/0003/14/FUL & ST/0249/15/FUL).

Flood Risk

The FRA included at Appendix 3 of this Planning Statement finds that although the Site-Specific Allocations DPD finds the site to fall within Flood Zone 3, through consultation with the Environment Agency it has been determined that the site falls within Flood Zone 1.

The FRA states that measures are proposed to ensure that the Proposed Development is designed to be resilient to a 0.5% annual exceedance probability (AEP) + Climate Change Flood; the proposed finished levels of all electrical infrastructure units and any other aspects vulnerable to floodwater damage are to be sited at a minimum level of 4.75m aOD. When developed in accordance with the mitigation is considered acceptable in relation to flood risk and is designed to minimise and mitigate localised flood risk, both on site or elsewhere and therefore is in accordance with this policy.

The Proposed Development is therefore in full accordance with this policy in terms of impacts on traffic, noise, pollution, contamination, hazardous substances and flood risk.

4.2.5 Development Management

Development Management Policies Policy DM1 Management of Development

Relevant criteria A, B, C, G, J, K and M of this policy state that *'In determining all applications under the planning Acts we will ensure that, where relevant:*

- *A. the development, including new buildings, extensions and alterations to existing buildings, is designed to convey sensitive consideration of its surroundings, and where possible enhance its local setting and reinforce local identity, having particular regard to scale and proportions, alignment, form, use of materials and architectural detailing;*
- *B. the development is acceptable in relation to any impact on residential amenity;*
- *C. the development protects existing soft landscaping, including trees and hedges, where possible or provides replacement planting where necessary;*
- *G. the impact of the development is acceptable in relation to highway capacity and safety or includes proposals to mitigate any adverse impacts;*
- *J. the development is designed to achieve lower carbon emissions, and to be energy efficient and maximise the use of renewable and low carbon energy sources, having greater resilience to the likely effects of climate change, including higher summer temperatures and increased prevalence of flood events. Where relevant, development should incorporate green spaces to*

mitigate the heating of urban areas and should create and support opportunities for sustainable forms of transport, drainage and waste management;

K. *the development is designed to minimise and mitigate localised flood risk, both on site or elsewhere, where this has been identified by the Strategic Flood Risk Assessment, Site-Specific Flood Risk Assessment or Surface Water Management Plan. For any development proposed in a Critical Drainage Area, as identified by the Strategic Flood Risk Assessment, a full flood risk assessment and drainage impact assessment may be required. Development on any sites allocated in Flood Risk Zones will only be permitted in accordance with the findings of a Sequential Flood Risk Assessment;*

M. *any risks of contamination have been fully assessed and, where necessary, remediation measures, appropriate to the intended use of the land, are included as part of the development proposals'.*

Planning Assessment

The Proposed Development is of functional design but has reflected its Port setting in the use of a containerised battery storage system and would visually enhance the site in comparison to its existing use. A single stack container and infrastructure design has been sought to minimise visual impact.

The closest residential properties to the site are located approximately 370m south of the site. The Proposed Development would not give rise to any air emissions and due to the site's location within the Port, surrounding industrial and commercial users and transport network, the Proposed Development would be acceptable in terms of visual and noise impacts.

For comments on other types of development management matters please see comments within para. 4.2.4.

The majority of the Application Site comprises an area of hardstanding and the Proposed Development would not require the removal of any soft landscaping.

4.2.6 Cultural Heritage

Development Management Policies Policy DM6 Heritage Assets and Archaeology

The Planning (Listed Buildings and Conservation Areas) Act 1990 is the starting point in considering development which has the potential to affect a conservation area or a listed building.

As the Proposed Development falls out with the boundaries of a designated conservation area, Section 72 of the Act is not engaged.

In terms of listed buildings and their settings, Section 66(1) of the Act requires that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.'

In practice, a decision maker should afford *'considerable importance and weight'*[6] which amounts to a *'special regard to the desirability of preserving the building or its setting.'*[7]

The planning assessment below finds that the Proposed Development would not affect the setting of any listed buildings and therefore the Act is not engaged in this instance.

Development Management Policies DPD Policy DM6 states that *'We will support development proposals that protect, preserve and where possible enhance the historic, cultural and architectural character and heritage, visual appearance and contextual importance of our heritage assets and their settings, including:*

A. the following Scheduled Ancient Monuments/World Heritage Sites:

i) Arbeia Roman Fort (and Vicus as part of the Frontiers of the Roman Empire World Heritage Site);

ii) Marsden Lime Kilns; and

iii) St. Paul's Monastery and the site of the former Village of Jarrow.

B. the following Conservation Areas, including the historic settlement cores, distinctive open spaces and boundary walls:

i) Cleadon;

ii) Cleadon Hills;

iii) East Boldon;

iv) Hebburn Hall;

v) Mariners' Cottages;

vi) Mill Dam;

vii) Monkton Village;

viii) St. Paul's, Jarrow;

ix) West Boldon;

x) Westoe Village; and

xi) Whitburn.

C. listed buildings and structures, non-listed buildings and structures included on the Council's list of locally significant heritage assets, significant landscape features of local heritage and archaeological value and archaeological deposits and remains.

Archaeological deposits and remains, below ground and on the surface should be recorded, and where possible, preserved in situ. Proposals for built development on:

[6] Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council, English Heritage, National Trust, SSCLG [2014] EWCA Civ 137.

[7] Planning (Listed Buildings and Conservation Areas) Act 1990, S66(1).

i) previously undeveloped sites; or

ii) previously developed sites where archaeological interest has been established by a previous find recorded in the Historic Environment Record;

will not be determined until the potential impact of the proposed development on archaeological deposits and remains has been adequately assessed and evaluated, and any adverse impacts will be avoided, minimised or mitigated, or in the absence of adequate information, will be refused.

Planning permission will be refused if the impact of development on heritage assets and archaeological remains is unacceptable. Where appropriate, we will use Article 4 directions, planning conditions and planning obligations to secure mitigation measures to ensure that development is acceptable in planning terms.'

Planning Assessment

The Arbeia Roman Fort Scheduled Monument is located approximately 3.2km north east of the Application Site and the Marsden Lime Kilns Scheduled Monument is located approximately 5.5km east of the Application Site. Given the separation distance that exist and the intervening land use i.e. urban development, the Proposed Development would not have an impact upon the setting of these assets.

St. Paul's Monastery and the site of the former Village of Jarrow Scheduled Monument are located approximately 990m north west of the Application Site. Whist theoretical visibility exists between the assets and the Application Site, the setting (to the east) of the assets is dominated by the Port of Tyne and its associated operations. It is not considered that the addition of the ESF, including containers and ancillary infrastructure, would have an impact upon the setting of these assets.

In terms of the Conservation Areas listed under criterion B of policy DM6, the closest of these is St. Paul's, located approximately 850m north west of the Application Site. A review of the Character Appraisal has identified that no key views exist between the Application Site and the Conservation Area, nor does the Application Site fall within an area which contributes to the significance of the Conservation Area. Therefore, the Proposed Development would not have an impact on the setting of the St. Paul's Conservation Area.

In terms of the other Conservation Areas listed under criterion B, given the separation distance that exists and the intervening land use, the proposed Development would not have an impact on the setting of these Conservation Areas.

In terms of listed buildings, the closest assets to the site are those associated with the St. Paul's Conservation Area (Church of St. Paul and Monastery of St. Paul ruins of Jarrow Monastery). For the reasons explained above under criteria A and B, the Proposed Development would not have an impact upon the setting of these assets.

The Application Site comprises previously developed land and an online review of the Tyne and Wear Historic Environment Record (HER), via the Heritage Gateway website, has confirmed that archaeological interest has not been previously established. Therefore the potential for archaeological interest to be affected by the Proposed Development is very low.

Accordingly, policy compliance of this nature weighs in favour of the Proposed Development.

It should also be noted that pre-application advice was sought from the Tyne and Wear Archaeology Officer. An archaeological assessment was found not to be required. A copy of the email response is available at Appendix 2.

4.3 Part 3: Overall Assessment of Compliance

The Development Plan for South Tyneside is underpinned by the principles of sustainable development. This demonstrates a high degree of compliance with national planning policy enshrined within the NPPF and PPG. Accordingly, the spatial vision and objectives of the Development Plan are highly relevant in the determination of the Proposed Development.

The Proposed Development's contribution to the UK's secure, low carbon and affordable electricity system at least cost to consumers make it a highly sustainable form of development.

It gives rise to economic, social and environmental benefits thereby satisfying every measure of sustainable development. Accordingly, the Proposed Development is in compliance with the Development Plan in principle and such compliance is considered to weigh significantly in its favour.

Whilst the Development Plan should always be read as a whole, the greatest weight should be attributed to bespoke policies that are designed to address a specific development type or land use. In this instance Core Strategy Policy E1 Delivering Economic Growth and Prosperity, Development Management Policies Policy DM2 Safeguarding Employment Uses and Site-Specific Allocations Policy SA3 Economic Development Opportunities are most relevant. These policies have been found to be consistent with national planning policy and have been afforded full weight in the decision making process. The Proposed Development complies with the requirements of these most relevant policies.

The other relevant policies of the Development Plan have also been taken into consideration, including their consistency with national planning policy, the weight attributed to them in the decision making process, and both Development Plan and national policy compliance. These policies have also been found to be consistent with national planning policy and have been afforded full weight in the decision making process. The Proposed Development also complies with the requirements of these other relevant policies.

Considering the Development Plan in its entirety, taking account of the spatial vision and objectives, dominant economic development policies and detailed environmental policies, the Proposed Development is in overall compliance.

5 THE INFLUENCE OF OTHER MATERIAL PLANNING CONSIDERATIONS

There are a number of other material considerations relevant to the consideration of the Proposed Development.

This section provides a broad overview of relevant policies and studies and considers how the Proposed Development accords with the stated aims and objectives, concluding with an overall assessment of the influence of the other material planning considerations in this case.

5.1 Energy Storage Policy Drivers

International, European and national policy drivers focus on how the UK can deliver secure, clean and affordable electricity to consumers. ESF's such as the Proposed Development can play a crucial role in achieving this.

Moving forward, the planning system has an important role to play in meeting these commitments by understanding the local potential for electricity storage, renewable and low carbon technologies, identifying suitable locations to support infrastructure and setting standards for delivering these types of new development.

Historically, users of the UK electricity system have been classed as one of three things:

- **Generators** – who produce electricity;
- **Consumers** – who use electricity; or
- **Interconnectors** – who transfer electricity between the UK's and other countries' grid networks.

Electricity storage is a separate type of user. It does not generate or consume electricity, but imports it, stores it for a period of time, then exports it. This means that storage operates differently from typical generators, consumers and interconnectors.

To date, the UK has very few operational electricity storage sites, largely due to historically unfavourable project economics and technology limitations. However, technology maturity and cost reductions, successful demonstration projects and a real and increasing need for the services that storage can provide to the UK system mean that cost-effective electricity storage projects such as the Port of Tyne ESF are now increasingly viable in the UK.

The Department for Business, Energy & Industrial Strategy (BEIS) is responsible for making sure the UK has secure, clean and affordable energy supplies. Electricity storage can help to achieve this in the following ways:

5.1.1 Secure

The stability and security of the UK's electricity system is changing, with around '*two-thirds of our existing power stations expected to close down by 2030 as our*

coal, nuclear and oldest gas fired power stations reach the end of their lives.'[8] Electricity storage provides a number of valuable and often unique services which increases the systems stability and can help National Grid to operate the electricity system more economically and securely. Electricity storage also reduces the UK's reliance upon energy imports, making most use of domestic generation.

The National Infrastructure Commission report entitled 'Smart Power' (March 2016) recommends that the UK *'should become a world leader in electricity storage systems.'*[9]

5.1.2 Clean

Electricity storage complements and enables the increasing renewable generation mix and mitigates against a number of barriers in the move towards a low carbon future, such as network constraints and system stability. It helps to avoid electricity waste and reduces system inefficiencies. Unlike other technologies for system flexibility such as diesel or gas, electricity storage does not consume water or produce CO_2 emissions.

5.1.3 Affordable

Electricity storage does not require taxpayer or consumer subsidies to be economically viable and as it's a proven technology, it is market ready. The use of electricity storage can avoid some of the costs of replacing or improving ageing grid infrastructure. It reduces the cost impact of the move towards a low carbon future, by providing cheaper alternatives to the network reinforcements and system operation actions required for new generation sources and for the electrification of heat and transport.

In these ways, electricity storage can reduce costs for UK consumers. Alongside other smart power systems, storage could save consumers up to £8Bn a year by 2030.[10] Considering storage on its own, cost savings of up to £2.4Bn could be realised per year in 2030, equating to a £50 reduction on domestic customers average electricity household bill per year.[11]

5.2 Wider Renewable Energy Policy Drivers

For a number of years now there has been a drive to encourage the generation of energy from renewable sources such as wind and solar energy. Governments around the world have set targets for the reduction of greenhouse gas emissions and the promotion of renewable energy which then influences domestic planning and energy policies.

The international response to climate change can be traced through a series of conventions dating back to the United Nations Rio Earth Summit in 1992. Since this date there have been further summits, most notably Johannesburg in 2002, which

[8] Smart Power, March 2016, page 5.

[9] Smart Power, March 2016, page 35.

[10] Smart Power, March 2016, page 7.

[11] Can storage help reduce the cost of a future UK electricity system? Carbon Trust, March 2016, page 6.

delivered *'The Johannesburg Plan of Implementation'* addressing energy in the context of sustainable development. Amongst other things, the Plan called for action to *'develop and disseminate alternative energy technologies with the aim of giving a greater share of the energy mix to renewable energy and, with a sense of urgency, substantially increase the global share of renewable energy sources.'*

Taking account of international action, the European Commission published a *'20-20-20'* targets package in January 2008. This included proposals for:

- *'A reduction in European Union (EU) greenhouse gas emissions of at least 20% below 1990 levels;*
- *Increasing the proportion of final EU energy consumption from renewable sources to 20%; and*
- *A 20% reduction in primary energy use compared with projected levels, to be achieved by improving energy efficiency.'*

Targets are to be achieved by 2020, as set out in the Renewable Energy Directive from the European Commission dated April 2009.[12] The 20% is split between Member States. For the UK, the European Commission's proposals include 16% reduction in UK greenhouse gas emissions by 2020 and for 15% of all energy consumed in the UK to come from renewable sources by 2020.

Copenhagen 2009 gave rise to the *'Copenhagen Accord'* securing international backing for a limit of 2˚C on global warming and an agreement that all countries need to take action on climate change.

The most recent Earth Summit, *'Rio+20'* in 2012 delivered *'The Future We Want – Outcome Document'* containing measures for the implementation of sustainable development. Sustainable energy is recognised as having a *'critical role'*[13] in eradicating poverty, improving human health and providing for basic human needs. The conference reaffirmed support for the *'increased use of renewable energy sources and other low-emission technologies'*[14] regarding this as being important in *addressing climate change'*[15].

'Rio+20' also introduced a set of *'Sustainable Development Goals'* consistent with the Rio Principles and Local Agenda 21 objectives that required Member States to *'increase the contribution of environmentally sound and cost effective energy systems, particularly new and renewable ones, through less polluting and more efficient energy production, transmission and use'*.

In August 2011 the Secretary-General to the United Nations published an advanced report entitled *'Promotion of New and Renewable Sources of Energy'*[16]. It records the United Nations acknowledgement of past levels of investment but goes on to call

[12] European Union Directive 2009/28/EC dated 23 April 2009 on the promotion of the use of energy from renewable sources.

[13] United Nations The Future We Want, UN reference A/RES/66/288, Energy – paragraph 125.

[14] United Nations The Future We Want, UN reference A/RES/66/288, Energy – paragraph 127.

[15] United Nations The Future We Want, UN reference A/RES/66/288, Energy – paragraph 128.

[16] United Nations Secretary General Reports A/67/318 – Promotion of New and Renewable Sources of Energy, dated 15 August 2011.

for more to facilitate a substantial increase in the use of new and renewable sources of energy to deliver the *'paradigm shift towards green economies'* considered necessary if sustainable development is to be achieved.

In January 2014 the European Commission published *'EU 2030 – Energy and Climate Change Policy'*. This included proposals for greenhouse gas emission reductions of 40% below the 1990 levels and an energy consumption from renewable sources target of 27% by 2030.

During the 21st Session of the Conference of the Parties (COP21) to the United Nations Framework Convention on Climate Change (UNFCCC) in Paris in December 2015, world leaders hammered out a historic agreement aimed at stabilising the climate and avoiding the worst impacts of climate change by keeping the rise in global temperatures below 2˚C. The agreement was signed by 174 countries in New York on 22 April 2016, making it legally binding.

The European Commission has demonstrated the need for energy storage projects to be developed by Member States to help facilitate the ambitious 2020 renewable energy targets and beyond by unblocking the potential for energy storage development. This ambition has been promoted through the Horizon 2020 Programme and the Strategic Energy Technology Plan.

The UK Government has transposed these targets and initiatives into UK policy, which support the reduction of carbon emissions, increased use of renewable energy and sustainable development. These policies namely include:

- Meeting the Energy Challenge: A White Paper on Energy 2007;
- The UK Renewable Energy Strategy 2009;
- The UK Low Carbon Transition Plan 2009;
- National Renewable Energy Action Plan for the United Kingdom 2010;
- UK Renewable Energy Roadmap 2011 and 2012 and 2013 Updates; and
- The Energy Act 2013.

It is important to note that, while the UK is now committed to Brexit, the European policy and legislative background and the UK policy and legislation that flows from it remains unchanged at the time of writing this Planning Statement.

5.3 National Planning Policy

5.3.1 National Planning Policy Framework (NPPF) 2012

At the heart of the NPPF is a ***'presumption in favour of sustainable development***[17]*, which should be seen as a golden thread running through both plan-making and decision-taking.'* To implement the change implied by the new presumption the NPPF establishes that the purpose of the planning system is to *'contribute to the achievement of sustainable development.'*[18]

[17] This is the emphasis of the Department of Communities and Local Government and not that of the applicant. Please refer to the National Planning Policy Framework, March 2012, paragraph 14, page 4.

[18] National Planning Policy Framework, March 2012, paragraph 6, page 2.

The NPPF establishes three dimensions to sustainable development. An *'economic role'*, including the provision of infrastructure, a *'social role'* and an *'environmental role'* that provides for the prudent use of natural resources, the minimisation of pollution and the mitigation of climate change predicated on, amongst other things, the transition to a low carbon future.[19] They *'should be sought jointly and simultaneously through the planning system.'*[20]

The NPPF sets out the core land-use planning principles that provide local planning authorities with a blueprint to ensure the successful achievement of *'sustainable development'*. The most relevant core principle in this case directs that the planning system should *'support the transition to a low carbon future in a changing climate.'*[21]

The NPPF establishes therefore that the UK's future prospects for growth and competitiveness are intrinsically linked to a successful transition to a low carbon economy. The implications for *'decision taking'* are then made clear, namely:

- *'approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *specific policies in this Framework indicate development should be restricted.*[22]*'*

When applying the *'presumption'*, it is necessary to consider policies of the NPPF *'taken as a whole'*. The NPPF does not change the status of the Development Plan as a *'starting point'* but it does transpose the achievement of *'sustainable development'* directly into the decision making process which should be a *'creative exercise*[23]*, promoting good governance, and using sound science responsibly.'*[24]

In support of the core planning principles, the NPPF sets out policy in detail across 13 topics under the heading *'Delivering Sustainable Development'*. In the determination of this case, the most relevant policies for consideration are addressed below.

Building a Strong Competitive Economy

The planning system should *'proactively drive and support sustainable economic development'* including *'infrastructure'*[25]. The NPPF establishes the Government's

[19] National Planning Policy Framework, March 2012, paragraphs 7 and 17, pages 2 & 5.

[20] National Planning Policy Framework, March 2012, paragraph 8, page 3.

[21] National Planning Policy Framework, March 2012, paragraph 17, bullet point 6, page 5.

[22] National Planning Policy Framework, March 2012, paragraph 14, page 4.

[23] National Planning Policy Framework, March 2012, Ministerial Forward, page i.

[24] National Planning Policy Framework, March 2012, Page 2 text box at the head of this page.

[25] National Planning Policy Framework, March 2012, paragraph 17, bullet point 3, page 5.

commitment to securing *'economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.'*[26] It makes it clear that the planning system should not act as an *'impediment to sustainable growth'* and that *'significant weight should be placed on the need to support economic growth.'*[27]

Requiring Good Design

The planning system should *'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'*.[28]

Good design is an important component of sustainable development and local planning authorities should not refuse planning permission for buildings or infrastructure projects that promote high levels of sustainability because of concerns about incompatibility.[29]

Meeting the Challenge of Climate Change, Flooding and Coastal Change

The planning system should, amongst other things, support *'the delivery of renewable and low carbon energy and associated infrastructure'*. The NPPF sees this as being *'central to the economic, social and environmental dimensions of sustainable development.'*[30]

The NPPF advises that development should be directed away from areas at highest risk of flooding *'but where development is necessary, making it safe without increasing flood risk elsewhere.'*[31]

Conserving and Enhancing the Natural Environment

The planning system should *'encourage the effective use of land that has been previously development (brownfield land), provided that it is not of high environmental value'*.[32]

When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. *'If significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'*.[33]

The NPPF also advises that decisions should ensure that *'the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous*

[26] National Planning Policy Framework, March 2012, paragraph 18, page 6.

[27] National Planning Policy Framework, March 2012, paragraph 19, page 6.

[28] National Planning Policy Framework, March 2012, paragraph 17, bullet point 4, page 5.

[29] National Planning Policy Framework, March 2012, paragraph 65, page 16 - relates to *'townscape'* but for the purpose of this Planning Statement, the *'principle'* that a proposal with high levels of sustainability could be sufficient to mitigate harm derived from design incompatibility is being applied in recognition that this site is not part of a *'townscape'* as envisioned.

[30] National Planning Policy Framework, March 2012, paragraph 93, page 21/22.

[31] National Planning Policy Framework, March 2012, paragraph 100, page 23.

[32] National Planning Policy Framework, March 2012, paragraph 17, bullet point 8, page 6.

[33] National Planning Policy Framework, March 2012, paragraph 118, bullet point 1, page 27.

uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation'.[34]

Conserving and Enhancing the Historic Environment

The planning system should *'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.'*[35]

When considering the impact of a proposal upon the heritage significance of a designated asset the NPPF directs that weight should be given to the asset's conservation (the more important the asset, the greater the weight should be).

Where a proposal would lead to *'substantial harm'* or the total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless *'it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.'*[36] Where a proposal would lead to *'less than substantial harm'*, this should be *'weighed against the public benefits of the proposal.'*[37]

With regard to decision taking, the NPPF instructs that *'due weight should be given to relevant policies in existing plans according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).'*[38]

5.3.2 Planning Practice Guidance (PPG) 2014

The online national Planning Practice Guidance (PPG) reinforces the NPPF in that the planning system *'has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.'* It re-affirms that increasing the amount of energy from low carbon technologies will help to make sure the UK has a secure energy supply and will stimulate investment in new jobs and businesses.[39]

With regard to decision taking, the guidance states that it is important to be clear that:

- *'the need for renewable or low carbon energy development does not automatically override environmental protections;*
- *great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting; and*

[34] National Planning Policy Framework, March 2012, paragraph 121, bullet point 1, page 28.

[35] National Planning Policy Framework, March 2012, paragraph 17, bullet point 10, page 6.

[36] National Planning Policy Framework, March 2012, paragraph 133, page 31.

[37] National Planning Policy Framework, March 2012, paragraph 134, page 31.

[38] National Planning Policy Framework, March 2012, paragraph 215, page 48.

[39] Planning Practice Guidance, March 2014, Renewable and low carbon energy, paragraph 001, Reference ID: 5-001-20140306.

- *protecting local amenity is an important consideration which should be given proper weight in planning decisions.'*[40]

5.3.3 Overarching National Policy Statement for Energy (EN-1) 2011

EN-1 is the only UK planning policy document that makes specific reference to storage. The document considers the way in which storage facilities can help to achieve sustainable development, tackle the issue of climate change and help to boost the economy. Energy storage allows National Grid to operate the electrical system more economically, lowering the cost for consumers and increasing security by helping to 'keep the lights on'. Electricity storage helps to enable a move towards a low carbon economy by supporting the use of renewable energy generation, and reducing system inefficiencies.

In the context of the need for more electricity capacity to support an increased supply from renewables, EN-1 acknowledges that *'There are a number of other technologies which can be used to compensate for the intermittency or renewable generation, such as electricity storage… Although Government believes these technologies will play important roles in a low carbon electricity system, the development and deployment of these technologies at the necessary scale has yet to be achieved.'*[41]

5.3.4 South Tyneside New Local Plan

South Tyneside Council is in the process of preparing a new Local Plan which will comprise of a Local Plan Development Plan Document and an International Advanced Manufacturing Park Area Action Plan. Other neighbourhood plans and supplementary planning documents will also form the new Local Plan where necessary.

Public consultation has been undertaken on the Strategic Growth Scenarios and Strategic Land Review during 2016. These documents aim to help deliver the Local Plan which in turn will allow South Tyneside to be an outstanding place to live, invest and bring up families. It is recognised that new development can bring economic growth and social benefits but must be done sensitively ensuring the protection of valuable habitats and maintaining greenspaces.

The Proposed Development would help to achieve the overall ambitions of the new Local Plan by helping to deliver a low carbon economy in a cost-effective manner whilst also re-developing brownfield land (rather than greenfield) and supporting the economic growth of the area. This in turn will help to deliver new jobs and prosperity. Therefore the Proposed Development is in overall compliance with the ambitions of the new Local Plan. However, the new Local Plan is not due to be adopted until spring 2018 and is in the early stages of production, therefore the weight attributed to this document is limited at this stage.

[40] Planning Practice Guidance, March 2014, Renewable and low carbon energy, paragraph: 007, Reference ID: 5-007-20140306.

[41] Overarching National Policy Statement for Energy (EN-1), July 2011, paragraph 3.3.12, page 19.

5.4 Overall Assessment of Influence

International, European and national policy drivers focus on how the UK can deliver secure, clean and affordable electricity to consumers. The Proposed Development can play a crucial role in achieving this.

The Proposed Development can also assist in facilitating the shift to a low carbon future, as more renewable energy comes online and conventional power plants come to an end.

The Proposed Development gives rise to economic, social and environmental benefits thereby satisfying every measure of sustainable development, supported by national planning policy including the NPPF and PPG as well as according with the overall ambitions of the emerging new Local Plan.

Accordingly, the other material considerations amount to a strong needs case for electricity storage and it has been demonstrated that the Proposed Development is in compliance with these considerations. This support and compliance weighs significantly in favour of this proposal.

6 FINAL ASSESSMENT OF ACCEPTABILITY

The statutory Development Plan is the start point for consideration. The Proposed Development demonstrates a high degree of consistency with the spatial vision and objectives of the adopted South Tyneside Core Strategy.

In the absence of an electricity storage specific policy, those designed to address a specific land use (economic development) have been considered most relevant, including Core Strategy Policy E1 Delivering Economic Growth and Prosperity, Development Management Policies Policy DM2 Safeguarding Employment Uses and Site-Specific Allocations Policy SA3 Economic Development Opportunities. Compliance with these policies has been demonstrated.

Similarly, compliance with the other relevant policies of the Development Plan has been demonstrated.

Considering the Development Plan in its entirety, taking account of its spatial vision and objectives, most relevant policies and detailed environmental policies, the Proposed Development is in overall compliance.

The Proposed Development's contribution to the UK's secure, low carbon and affordable electricity system at least cost to consumers make it a highly sustainable form of development.

It gives rise to economic, social and environmental benefits thereby satisfying every measure of sustainable development, supported by national planning policy including the NPPF and PPG.

In combination, these other material considerations carry significant weight. The Proposed Development draws support in each case with no predicted conflicts. Accordingly, the other material considerations relevant to this ESF weigh significantly in favour of approval.

Accordingly, the Applicant respectfully requests that planning permission is granted for the Proposed Development without delay.