

PLANNING STATEMENT

INSTALLATION OF BIO-FUEL GENERATOR AND
ASSOCIATED ELECTRICAL INFRASTRUCTURE,
MARTIN BROWER LTD, OFF PILSWORTH ROAD,
HEYWOOD





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1.0 SITE CONTEXT AND HISTORY

1.1 Introduction

1.1.1 EJD Planning has been instructed by Meller Ltd to prepare a Planning Statement in support of an application for the installation of a generator and associated electrical infrastructure on land off Hill Top Road, Heywood. This Planning Statement sets out the planning policy considerations in respect of planning policy and guidance.

1.1.2 The application is accompanied by the following:

- Proposed Site Plan (includes elevations);
- Noise Assessment;
- Design and Access Statement; and
- This Planning Statement.

1.1.3 On 25th April 2024, Colin Mwapaura (Planning Enforcement Officer) of Rochdale Borough Council, wrote to the occupants of the site (Martin Brower Distribution UK) drawing their attention to condition 3 of the planning consent Ref: 95/D31582 which allowed for the formation of a lorry park with 426 spaces.

1.1.4 Condition 3 of the above mentioned planning decision notice states:

'No refrigeration equipment shall be operated on any vehicle or trailer within the park except if powered by mains electricity.'

1.1.5 The reason noted for the condition states:

'In order to safeguard the amenities of the area and to prevent nuisance arising.'

1.1.6 It is noted in the above mentioned letter issued by Rochdale Borough Council that Thermoking fridge and freezer diesel engines are being left running all day and night which is in breach of condition 3. As such, in the letter, two options are presented to Martin Brower Distribution UK Ltd. The first option is to submit a retrospective planning application, and the second option is to carry out works to remove the breach in its entirety.

1.2 Description of Development

1.2.1 EJD Planning have been instructed to submit a planning for the installation of a bio-fuel generator, an electrical cabin/container, a bio-fuel storage structure, battery storage and 50no. 32amp TPN sockets adjacent to the existing HGV parking spaces on site. This application has been prepared following discussions between Rochdale Borough Council and Marton Brower Distribution UK Ltd.

1.2.2 Diesel engines currently power the refrigeration units within the trailers on site and these run as and when required during day time and night time hours. This is inconsistent with Condition 3 which notes that no refrigeration equipment is to

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operate on any vehicle or trailer within the lorry park except if powered by mains electricity. This approach has received a noise complaint from a local resident. As a result, rather than using diesel engines to power the refrigerated trailers, a biofuel generator is proposed which would provide electricity to 50no. of the existing vehicle spaces via charging points. These would then connect into the refrigerated trailers.

- 1.2.3 In order to regularise the situation, a planning application is being submitted to allow for an alternative means of powering the refrigerated trailers on site (the refrigerated trailers would be powered by electricity generated by a bio-fuel generator). As noted, the proposal involves the installation of a bio-fuel generator, an electrical cabin/container, a bio-fuel storage structure, battery storage and 50no. 32amp TPN sockets adjacent to the existing HGV parking spaces on site.
- 1.2.4 The bio-fuel generator would power the refrigerated trailer units during day time hours whilst also charging up batteries on site. During night time hours, the generator would be turned off and the stored energy from the batteries would then be released to allow for the refrigerated trailers to then be powered without the use of the generator.

1.3 Site and Surroundings

- 1.3.1 The site is occupied by Martin Brower Ltd, a leading logistics service provider for restaurant chains around the world.
- 1.3.2 The site forms part of a wider industrial/commercial estate to the south of Heywood which comprises Heywood Distribution Park and Hareshill Business Park. It is located north of Pilsworth Road and south of the railway line.

1.4 Planning History

- 1.4.1 Planning permission was originally granted on 14th March 1995 for the 'Formation of Lorry Park with 426 spaces.'
- 1.4.2 Since the original consent, the wider site has been the subject of a number of other planning applications.

2.0 PLANNING POLICY

2.1 Policy Introduction

2.1.1 The Local Plan is made up of several documents. It comprises:

- The Rochdale Core Strategy which is the lead document of the Local Plan. This provides an overview of the Council's objectives for the whole of the borough.
- The Unitary Development Plan (UDP) (1996 to 2016) which remains in place until the Allocations Development Plan is adopted. The UDP includes an overview of the Council's objectives for the whole of the borough and maps which designate/allocate land for development.

2.1.2 The adopted Local Plan also includes the Greater Manchester Joint Waste Development Plan and Greater Manchester Joint Minerals Development Plan. However, these documents are not considered to be of relevance to this particular application and so are not considered further.

2.1.3 The Council are currently preparing an Allocations Plan which will allocate land for particular uses; a Places for Everyone Plan which is a long-term plan for new jobs, homes, and sustainable growth; and there are also a number of Neighbourhood Plans being prepared.

2.1.4 On this basis the following documents and policies are considered to be pertinent to the determination of the application.

2.2 Rochdale Local Plan Core Strategy

2.2.1 The Rochdale Local Plan Core Strategy was adopted on 19th October 2016. It is the lead document in the Local Plan. All other documents that make up or support the Local Plan need to meet the vision, strategies and policies outlined in the Core Strategy.

2.2.2 Policy SD1 relates to the delivery of sustainable development, noting that the Council will grant permission unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or specific policies in the National Planning Policy Framework indicate that development should be restricted.

2.2.3 Policy E2 relates to increasing jobs and prosperity and notes that the Council will support the retention of successful businesses.

2.2.4 Policy E3 focusses on economic growth corridors and areas. It notes that the Council will support improvements to all existing employment areas within the South Heywood employment area to maintain and enhance the quality of employment premises. The policy notes that the Council will promote infrastructure improvements and traffic management to service new and existing development.

- 2.2.5 Policy DM1 relates to general development requirements, noting that the Council expect development to be (inter alia) of a high quality design. The policy notes that proposals will be expected to demonstrate that they mitigate against any impacts due to noise, air, dust, odour pollution (inter alia).
- 2.2.6 Policy G9 focusses on reducing the impact of pollution, contamination and land instability. The policy notes that developments should not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.

2.3 Rochdale Unitary Development Plan

- 2.3.1 The Rochdale Unitary Development Plan (UDP) was adopted in June 2006 and includes an overview of the Council's objectives for the whole of the borough and maps which designate/allocate land for development.
- 2.3.2 The site forms part of a Primary Employment Zone (Policy EC/2) and is within the Defined Urban Area (Policy G/D/1) where employment related development is to be focussed.

2.4 Rochdale Allocations Plan

- 2.4.1 The Allocations Plan is being prepared. It will eventually replace the UDP Policies Map. The last consultation was held in 2018 on the Draft Allocations Plan. Whilst there are no immediate plans for the next stage of consultation, the next stage is likely to be the final consultation prior to formal submission for Examination by the Secretary of State.

2.5 National Planning Policy Framework

- 2.5.1 The updated National Planning Policy Framework (NPPF) was published on 19th December 2023 and replaces the previous iterations of the NPPF published in September 2023, July 2021, February 2019, July 2018 and March 2012.
- 2.5.2 Paragraph 224 of the updated NPPF makes clear how the latest version of the NPPF is expected to be a material consideration to be taken into account when dealing with applications from the day of its publication.
- 2.5.3 The NPPF promotes sustainable development, noting at Paragraph 11 how there is to be a presumption in favour of sustainable development.
- 2.5.4 Paragraph 11 also sets out the requirements for local authorities to approve, without delay, development proposals that accord with an up-to-date development plan.
- 2.5.5 The NPPF promotes good design, noting at Paragraph 135 how planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. They should also be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; sympathetic to local character and history, including the surrounding built environment and landscape setting, while not

preventing or discouraging appropriate innovation or change (such as increased densities).

- 2.5.6 Paragraph 85 notes that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation , and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.
- 2.5.7 Paragraph 87 notes that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.
- 2.5.8 Paragraph 114 states that in assessing specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users;
 - c) the design of ...parking areas ... reflects current national guidance including the National Design Guide and the National Model Design Code; and
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, or the residual cumulative impacts on the road network would be severe
- 2.5.9 Paragraph 135 states that policies and decisions should ensure that developments establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- 2.5.10 Paragraph 139 states that development that is not well designed should be refused and that significant weight should be given to development which reflects local design policies and government guidance on design, and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 2.5.11 Paragraph 191 states that Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural

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environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

3.0 MATERIAL PLANNING CONSIDERATIONS

3.1 Planning Analysis

- 3.1.1 The introduction to this Statement makes clear how the proposal is to allow for the installation of a biofuel generator and associated electrical infrastructure in response to a letter received from Rochdale Borough Council.

3.2 Principle of Development

- 3.2.1 The application site is identified as forming part of a Primary Employment Zone within the UDP and within the Defined Urban Area.
- 3.2.2 The access serves an industrial development. Martin Brower Ltd employ a significant number of people in the local area. The works proposed will allow the site to continue to operate successfully.
- 3.2.3 The proposal is considered to be compliant with Policy SD1, E2, E3, DM1 and G9 of the Core Strategy, and the NPPF.

3.3 Noise

- 3.3.1 The application is accompanied by a Noise Assessment.
- 3.3.2 The electrical infrastructure that is proposed is to be sited as far as possible from the nearest noise sensitive receptors.
- 3.3.3 An initial assessment at the site identified a significant adverse impact at the nearest noise sensitive receptor. As a result, mitigation measures have been proposed which aim to reduce noise emissions.
- 3.3.4 The noise impacts of the proposed development were then remodelled with the proposed mitigation measures. The mitigation measures would result in a significant improvement although a significant adverse impact is still shown at the nearby receptors.
- 3.3.5 It should be noted that the wider context is industrial related development, with a railway separating the site from the nearest noise sensitive receptor.

3.4 Design

- 3.4.1 The proposed infrastructure has been designed to be functional and efficient, with safety in mind. The underlying purpose of the installation is to reduce noise emissions from the site.
- 3.4.2 Given the industrial context within which the infrastructure will sit, it is considered to be appropriate in terms of design. It will be viewed against the backdrop of an existing industrial facility where no public access is permitted.
- 3.4.3 The proposal is considered to be compliant with Policy DM1 of the Core Strategy, and the NPPF.

4.0 SUMMARY AND CONCLUSIONS

- 4.1 The proposal is in response to a letter recently received from Rochdale Borough Council and involves the installation of a bio-fuel generator, an electrical storage cabin/container, a bio-fuel storage structure, battery storage and 50no. 32amp TPN sockets adjacent to the existing HGV parking spaces on site.
- 4.2 Diesel engines currently power the refrigeration units within the trailers on site and these run as and when required during day time and night time hours. This is inconsistent with Condition 3 which notes that no refrigeration equipment is to operate on any vehicle or trailer within the lorry park except if powered by mains electricity. This approach has received a noise complaint from a local resident. As a result, rather than using diesel engines to power the refrigerated trailers, a biofuel generator is proposed which would provide electricity to 50no. of the existing vehicle spaces via charging points. These would then connect into the refrigerated trailers.
- 4.3 In order to regularise the situation, a planning application is being submitted to allow for the installation of a biofuel generator and electric charger points.
- 4.4 The generator would power the refrigerated trailers during day time hours whilst also charging up batteries on site. During night time hours, the bio-fuel generator would be turned off and the stored energy from the batteries would then be released to allow for refrigerated trailers to then be powered without the use of the generator.
- 4.5 It is considered that the proposal has undertaken all reasonable cost effective measures possible to address the noise concerns that have been raised.
- 4.6 In granting consent, this would allow for the continued success of the business which is an important local employer.